

**Town of Swansboro**  
**Board of Commissioners**  
**October 22, 2024, Regular Meeting Minutes**

In attendance: Mayor John Davis, Mayor Pro Tem William Justice, Commissioner Jeffrey Conaway, Commissioner Pat Turner, Commissioner Joseph Brown, and Commissioner Douglas Eckendorf.

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**Call to Order/Opening Prayer/Pledge**

The meeting was called to order at 6:00 pm. Mayor Davis along with the Sea Scouts led the Pledge of Allegiance.

**Public Comment**

Citizens were offered an opportunity to address the Board regarding items listed on the agenda. No comments were given.

**Adoption of Agenda and Consent Items**

On a motion by Commissioner Conaway, seconded by Commissioner Brown, the agenda as amended to add First Baptist Church Grant Award and the following consent items were approved unanimously.

- July 9, 2024, Regular Meeting Minutes
- July 13, 2024, Special Meeting Minutes
- July 30, 2024, Special Meeting Minutes
- July 30, 2024, Closed Session Minutes
- Ordinance Amendment #5 to the Swansboro Bicentennial Park Boardwalk Extension with Public Day Docks Project
- Budget Ordinance Amendment #2025-3

**Appointments/Recognitions/Presentations**

*Western North Carolina Hurricane Relief Efforts*

Austin Alves delivered a presentation recounting his experiences aiding communities devastated by Hurricane Helene. He described the immense destruction, including flooded roads, displaced families, and overwhelmed emergency services, painting a vivid picture of resilience and community spirit. Mr. Austin emphasized the selflessness of volunteers, many working without formal backing, and the pride and resourcefulness of the affected residents.

He shared stories of personal encounters, including rescuing stranded individuals, facing logistical challenges like inadequate storage, and supporting efforts to provide essential supplies and winter clothing.

### *Mullet Festival Recognitions*

Mayor Davis shared that the 70th annual Mullet Festival was a tremendous success, and on behalf of the Board expressed heartfelt appreciation to the staff and volunteers who made it all possible. From police and fire departments to public works and volunteers, everyone demonstrated exceptional dedication and professionalism in ensuring a smooth event for the thousands of attendees. The mayor highlighted their efforts in managing logistics, keeping the streets clean, and handling unexpected challenges, such as fire and parking issues. Special recognition was given to the leadership of the Parks and Recreation Department, the effective handling of emergencies, and the contributions of both young and experienced volunteers. The upbeat and energetic attitudes of everyone involved, along with memorable moments like the first mullet toss competition and impromptu dance performances, were key to the festival's success.

In addition to the event's smooth operation, the parade was a highlight, with outstanding participation from the community. The Mayor's Choice award went to Swansboro Baseball and Softball Association, praised for their energetic and well-behaved children. The Swansboro High School marching band was recognized for their stellar performance. The Best in Show award was presented to the Swansboro High School cheerleaders, with special thanks to their parents and coaches, while the Most Creative award went to the Swansboro Elementary School PTO, who were acknowledged for their creativity, and Best Mascot Award went to the Mystery Machine/Carolina Party.

### *Employee Recognitions & Oaths*

Fire Chief Randall introduced two new fire captains to the department. Captain Brandon Barnett, who joined in March, brings extensive experience from Jacksonville and Hoover and holds an associate's degree in public administration and fire management. He was awarded the 2024 Columns and Towers Hall of Fame award. Captain Bowden, who just joined this week, has over 15 years of experience, including 10 years with the Hillsborough Fire Department and most recently as fire chief for New Hope and Orange County. Both captains are expected to make significant contributions to the department's leadership and community impact.

Police Chief Taylor introduced Jason Rodriguez, a new officer with 10 years of experience, including service in the Marine Corps and with the Military Police aboard Camp Lejeune. Mayor Davis administered the oath of office.

### *Coastal Carolina Veterans Memorial Garden Update*

Mary Pat Smey updated the Board on the Coastal Carolina Veterans Memorial Guard's progress in creating a memorial to honor veterans. The project, initiated in 2019 and supported by a local land donation, evolved from a granite to a glass-panel design,

featuring military branch imagery. The first phase, which includes the monument, parking, and lighting, was underway, with future plans for ceremonial spaces, educational displays, and themed gardens. Funded by a state grant and local donations, the memorial aims to provide a lasting tribute to veterans and foster community pride.

#### *First Baptist Church Grant Award*

Luke Brakefield, Lead Pastor of First Baptist Church expressed gratitude for Swansboro's unity in aiding Western North Carolina, highlighting the collaborative efforts of local organizations, civic groups, and town leadership. However, the reason for his attendance was to report that the church's annual Harvest Day offering raised \$40,000, with \$15,000 allocated to support first responders. After consulting with fire, police, and sheriff's departments, the funds were divided equally and were used to purchase automated intake valves for fire engines, duty uniforms for police officers, and drones for the sheriff's department to assist in searches. Pastor Brakefield emphasized the church's commitment to supporting those who serve the community and expressed appreciation for the opportunity to give back.

The board took a recess from 7:01 to 7:08 pm.

#### **Public Hearing**

##### *Special Use Permit/ Brezza Lofts, Lot 8 Ward Farm Town Center*

The following individuals were sworn in by Town Clerk Fender:

Planner Rebecca Brehmer, Suzanne Nelson, John Plageman and John Harmon.

Planner Brehmer reviewed that Proforma Ward Farm Lot 8, LLC had applied for a special use permit to construct Townhome dwellings on Lot 8 of the Ward Farm Town Center. The property was a 1.21-acre parcel and was zoned B-3, Traditional Business, and Townhome Dwellings were allowed in the B-3 zone with issuance of a Special Use Permit.

Additionally, Ms. Brehmer shared that the applicant had completed and received approval of the required text amendments at the Board's May 28, 2024, regular meeting to the UDO before applying for a Special Use Permit to ensure compliance with development guidelines. The Brezza Lofts Site Plan had been reviewed by the Technical Review Committee, which included staff department heads and ONWASA representatives, and the necessary changes had been made to meet zoning, building, and fire codes. The proposed townhome development included 16 units, 4 parking spaces per unit, and a private community pool, aligning with Town Ordinance Section 152.210 and the Future Land Use Map that designated Ward Farm as a Traditional Town Center. The Planning Board had unanimously recommended approval at their October 3, 2024 meeting.

The evidentiary hearing was opened at 7:18 pm.

Attorney Rasberry explained a North Carolina State Bar ethics rule regarding the unauthorized practice of law, noting that individuals representing others in judicial or local government hearings must avoid performing actions typically reserved for licensed attorneys. To ensure compliance, he confirmed with Mr. Plageman that he would appear solely as a petitioner, providing factual testimony and responding to board members' questions. Mr. Plageman agreed.

Mr. Plageman reviewed that the project aimed to provide an extension of the historic downtown area and support the development of Ward Farm as a mixed-use community. While Lot 8 was exempt from the mixed-use requirement, he reaffirmed his commitment to the vision, noting that Lot 7 will include commercial spaces on the ground floor with residential units above, as part of Phase 2.

Suzanne Nelson shared that she was a commercial real estate appraiser with Reality Services of Eastern North Carolina Inc. As indicated in her report, that there would not be a negative impact on the value for any of the abutting properties.

In response to inquiries from the Board, Mr. Plageman clarified the following:

- Lot 8 consisted of a 4-unit building and a 12-unit building, which were to be constructed together, not in multiple phases.
- Future phases were planned to include 20% commercial space, with commercial units on the ground floor and residential units above. The timeline for additional phases was uncertain, but the intent was to begin after sales activity on Lot 8 commenced.
- There was no estimate provided for unit prices, as market studies and appraisals were ongoing to avoid overbuilding or underbuilding. Prices were expected to align with the cost of nearby homes and developments. Efforts were made to ensure pricing did not disrupt the market or skew affordability in the surrounding areas.

John Carman of 206 Ward Road raised concerns about the claim that the construction of the proposed townhomes would not affect the property values of nearby properties. He questioned the studies supporting this assertion and pointed out that the area is not developed like downtown, highlighting that townhomes were not currently part of the downtown landscape. Harmon requested clarification on how the determination about property values was made.

Mrs. Nelson explained that her analysis involved finding similar townhome developments and examining the sales and resale of properties to assess their impact on surrounding properties. If comparable data was unavailable, she considered how the tax

value of the area had been affected since the development. She noted that the analysis was based on data she had pulled, though it was separate from the analysis she had previously conducted.

Mr. Carman spoke again, and expressed frustration, explaining that he chose to purchase his property based on the promise of a business community being developed in front of his home, not residential townhomes. He was concerned that the construction of the townhomes would negatively impact on the property value of existing homes in the area. He also mentioned his displeasure with the idea of having townhome residents' back porches, which could be cluttered, as his new view, instead of the business community that was originally promised. While he didn't have a specific question, he was frustrated with the change in plans and the potential impact on property values.

The evidentiary hearing was closed at 7:28 pm.

In reviewing the special use permit, the Board gave due regard to the nature and state of all adjacent structures and uses, and the districts within which the proposed use was to be located and made the following findings of fact concerning the request.

- (1) The special use is allowed pursuant to § [152.210](#) and meets all the required conditions and specifications, including without limitation, those set out in § [152.211](#).

After many text amendments by the applicant that were previously approved, the request will meet the standards of the Unified Development Ordinance.  
*Passed unanimously upon a motion made by Commissioner Eckendorf, seconded by Mayor Pro Tem Justice.*

- (2) The special use will not materially endanger the public health or safety if located where proposed and developed according to the plan as submitted and approved. Site Plan was verified by engineers and went through the Town's internal Technical Review Committee to ensure it meets all fire and building code and requirements.

*Passed unanimously upon a motion made by Commissioner Eckendorf, seconded by Commissioner Turner.*

- (3) The special use will not substantially injure the value of adjoining or abutting property. OR the special use is a public necessity.

A sealed appraisal report was supplied by Suzanne H. Nelson, MAI.

*Passed 4:1 upon a motion made by Commissioner Eckendorf, seconded by Commissioner Turner. Ayes: Eckendorf, Turner, Justice, Conaway. No: Brown*

- (4) The location and character of the special use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is located. The special use shall demonstrate conformance to the Land Use Plan or other plan

in effect at the time and address impacts of the project as required by G.S. §160A-382(b).

The proposed development was two-story townhome units. The CAMA Future Land Use Plan identifies the area as Traditional Town Center, the same as the Historic Downtown. Traditional Town Center (TTC) designation was characterized by a mix of residential, commercial, and civic uses in the historic downtown central business district or TTC node. Redevelopment or new development should be compatible with and embody the desired heart of “Swansboro” character. The intent of identifying Ward Farm as a Traditional Town Center was to make it an extension of our downtown area. Going along with that point, the use was in harmony with the area in which it was located as Ward Farm development plan includes adding multifamily development on this Lot 8.

*Passed 4:1 upon a motion made by Commissioner Eckendorf, seconded by Commissioner Turner. Ayes: Eckendorf, Turner, Justice, Conaway. No: Brown*

Based on the foregoing Findings of Fact and Conclusions of Law, and upon the votes recorded above, the Board of Commissioners of the Town of Swansboro has determined, and rules, that the requested Special Use Permit was hereby approved.

### **Business Non-Consent**

#### *Advanced Life Support Enhancement Update*

Fire Chief Randall reviewed that at its August 6, 2024, meeting, the Onslow County Peer Review Committee (PRC) approved the Swansboro Fire Department's enhancement to the ALS—Paramedic Level of first responder services. Per the EMS System plan, the next course of action was to develop an agreement with the County to begin these services. Chief Randall shared that the program is progressing well, with strong support from EMS providers and the community. The next major milestone is the county board of commissioners' review and potential approval of the program, scheduled for a future meeting.

To move forward, the program requires state approval to operate at an Advanced Life Support (ALS) level, either at the intermediate or paramedic level. This approval was contingent on acquiring specific equipment, with cardiac monitors being the most significant purchase. Chief Randall emphasized the importance of addressing these requirements promptly. Additionally, collaboration with Holly Ridge Fire and Rescue on a cost-share agreement to procure the needed equipment was requested. This agreement would also facilitate budget amendments once the program's agreements are adopted and executed.

On a motion by Commissioner Brown, seconded by Commissioner Eckendorf, approval for the town manager and fire chief to draft and execute a cost-share agreement with Holly Ridge Fire Rescue for an EMS plan-related purchase was unanimously approved.

*Self-Contained Breathing Apparatus Sale and Acquisition*

Fire Chief Randall reviewed that it had been identified that the fire department could not effectively operate with other agencies with the Self-Contained Breathing Apparatus (SCBA) that were purchased in December 2022 using ARP funds. Chief Randall cited safety concerns during fire responses and noted that transitioning to SCOTT SCBAs, commonly used in the region, would resolve this issue.

Chief Randall proposed selling its current SCBAs to Summerville Bunnlevel Fire and Rescue for \$200,000, with a five-year payment plan offsetting the lease cost of new Scott equipment through a community leasing program with Rhinehart Fire Services. This cost-neutral arrangement, with no immediate budget impact, includes using the existing SCBAs until the new ones arrive and ensuring all equipment sold meets operational standards. The transition will enhance safety, improve mutual aid compatibility, and align the department with regional partners.

On a motion by Commissioner Turner, seconded by Commissioner Brown, the board unanimously approved the following:

- Surplus the current MSA Self-Contained Breathing Apparatus.
- Town Manager and Fire Chief to execute a sales agreement with Summerville Bunnlevel Fire & Rescue Inc.
- To acquire new SCOTT Self-Contained Breathing Apparatus, through Rhinehart Fire Services in the amount of \$300,200.15.
- Seek financing with Community Leasing Partners, a division of Community First National Bank, for the amount \$260,183.15.

*Proposal to Establish a Fund Balance Policy*

Finance Director Johnson reviewed that the Board of Commissioners directed staff to create a Fund Balance Policy to protect against short-term revenue fluctuations and respond to unforeseen emergencies. This policy would serve as a guideline for maintaining adequate reserves, managing unforeseen events, and supporting sound fiscal management practices. Mrs. Johnson proposed maintaining a minimum fund balance of 50% of general fund expenditure, higher than the Local Government Commission's 34% threshold, to enhance financial stability and improve borrowing

terms. A comparative analysis of peer towns supported this target, though concerns were raised about its aggressiveness. Projections indicated a 54% fund balance for June 2024, but final figures await audit completion.

Commissioners debated linking the policy to potential tax rate adjustments, emphasizing the importance of returning value to taxpayers through improved services or reduced taxes. Ultimately, they agreed to table approval of the policy after the audit.

#### *Monthly Financial Report as of September 30, 2024*

Finance Director Johnson reviewed details from the monthly financial report, attached herein with the power point presentation of the meeting. No significant concerns were raised.

#### *Future Agenda Topics*

Future agenda items were shared for visibility and comments. In addition, an opportunity was provided for the board to introduce items of interest and subsequent direction for placement on future agendas. The following items were addressed:

- Policy for Non-profit funding requests

#### **Public Comment**

Ruth White of 506 W. Shore Drive spoke on behalf of Swansboro pickleball players. She highlighted the significant growth of the sport locally, noting its increase from a handful of players in 2019 to 236 registered participants. She expressed gratitude for the town's allocation of funds to resurface courts, install six permanent pickleball courts, and create a nearby multi-use court. However, she voiced concerns about the potential reallocation of these funds to other purposes. She inquired about deadlines for spending the allocated money and whether any meetings had been scheduled to vote on the project.

Mayor Davis shared that the board's intent was to secure new pickleball courts using the allocated \$150,000 but noted that if a more cost-effective solution emerged, they would consider reallocating the funds for other uses. Commissioner Brown shared that while the pickleball project is secure, there are higher priorities for expiring funds, and he encouraged collaboration with the Recreation Department to move the process forward while ensuring accountability.

Junior Freeman of 714 W. Corbett Avenue commented that after studying the Stormwater Enterprise Fund, it appeared that efforts to manage it had become inefficient, with the cost of staff time exceeding the value of the work being done, effectively chasing pennies for dollars.



### **Manager's Comments**

Manager Barlow shared that the Dockwalk Extension project would start soon, and the grant deadline will be met. Additionally, One Stop early voting had begun at the recreation center, and unfortunately there were parking issues and schedule trouble which resulted in cancellation of some reservations and programs. Mold remediation at the Visitors Center would begin in November.

### **Board Comments**

All Board members expressed their happiness and appreciation to staff for the success of the Mullet Festival and the opening parade. It was also mentioned that the new information booth at the festival was a great idea.

### **Closed Session**

On a motion by Commissioner Brown, seconded by Commissioner Eckendorf the board entered closed session at 8:42 pm pursuant to NCGS 138.143-11 (a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

Pursuant to a motion duly made and seconded in closed session the board returned to open session.

### **Adjournment**

On a motion by Commissioner Conaway, seconded by Mayor Pro Tem Justice, the meeting adjourned at 9:44 pm.