

**Town of Swansboro**  
**Board of Commissioners**  
**March 26, 2024, Regular Meeting Minutes**

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

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

The meeting was called to order at 6:00 pm. Mayor Davis gave the invocation and 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 Turner, seconded by Commissioner Eckendorf, the agenda along with the below consent item was approved unanimously.

- September 11, 2024, Regular Meeting Minutes

**Appointments/Recognitions/Presentations**

*Recognition of Trevor Hucal*

Mayor Davis recognized Trevor Hucal by presenting him with a proclamation for his outstanding performance at the NCHSAA 3-A Swimming and Diving State Championships securing the State Title for the 100-yard breaststroke. Additionally, Swansboro High School Swim coach, Scott Evans, presented Trevor with a plaque naming him Swimmer of the Year in the 3A Conference division.

*Employee Introductions*

Police Chief Dwayne Taylor introduced the Police Department's newest employee, Daniel Wilson. Mayor Davis administered the Oath of Office to Mr. Wilson.

Fire Chief Jacob Randall introduced the Fire Department's newest employee, Riggs, a 3-year-old chocolate lab. He shared that Riggs was rescued for the purpose of providing fire assistance.

*Center for Public Safety Excellence - Program Selection*

Fire Chief Randall reviewed that the Fire Department was 1 of 10 agencies selected to participate in the Center for Public Safety Excellence's Beta Testing for the Community Risk Assessment (CRA) / Standards of Cover (SOC) Certificate Program. The CRA/SOC was a significant component of completing the Agency Accreditation process.

## **Public Hearing**

*Zoning Map Amendment to rezone parcel on Swansboro Loop Road from RA to R20SF Conditional Zoning*

Planner Andrea Correll reviewed that Sand Dollar Homes was seeking a conditional rezoning for 27.287 +/- acres on a parcel of land identified as Tax Parcel ID 019324, from RA (Agricultural Residential) to R-20SF CZ (Single Family Conditional Rezoning) to develop a cluster subdivision.

In response to inquiries from the board Planner Correll clarified the following details:

- The developer met all standards set forth for Residential Cluster Standards provided in the Unified Development Ordinance found in Sections 152.225-152.228.
- Annexation cannot be considered as part of the determination of the rezoning

The public hearing was opened at 6:30 pm. The following individuals spoke.

Andy Underseth of 110 Stillwater Drive shared that he owned the property across the street from the proposed development. Mr. Underseth shared that he did not support cluster development and felt the development could be done another way instead. He also shared that he had stormwater concerns.

Laurent Meilleur of 220 River Reach Drive shared that he was interested to know about the roads and the town acceptance of those in this development. Planner Correll shared that the roads would not be accepted by the Town unless the project was annexed, but either way the road would have to meet the standards.

Lisa Maness of Sabiston Drive inquired if there was any discussion with NCDOT about Swansboro Loop Road, and what taxes would this development pay. Planner Correll shared that the development would only pay Swansboro taxes if they were to annex and NCDOT had been engaged on the project and moving forward a Traffic Impact Analysis would be required, and any improvements determined necessary by that process.

Johnny Newby of Rooster Run, directly abutting the proposed development, shared that he was going to be the most affected by this development because his property would likely end up getting flooded when it rains.

The public hearing was closed at 6:41 pm.

Commissioner Turner shared that according to the Tideland Newspaper article, the HOA of the development would cover street and stormwater maintenance.

On a motion by Commissioner Eckendorf, seconded by Commissioner Turner, Ordinance 2024-O5 for a conditional rezoning of 27.287 +/- acres on a parcel of land identified as Tax Parcel ID019324, from RA (Agricultural Residential) to R-20SF CZ (Single Family Conditional Rezoning) which includes six required conditions to develop a cluster subdivision and the consistency statement was unanimously approved.

### **Business Non-Consent**

#### *Charleston Park Street Acceptance*

Interim Manager Jon Barlow reviewed that in October 2009, the original developer H.M Wilson submitted construction plans to the Town which were deemed acceptable. A surety bond was obtained from the developer to ensure the proper installation of infrastructure including streets. Ultimately the streets and associated infrastructure were installed but did not meet minimum Town standards. In the meantime, the surety bond had expired without being called in by the Town. Thus, the streets were never accepted by the Town. In June 2011, the Town Board of Commissioners adopted Policy #15 which essentially provides that sub-standard streets shall not be accepted by the Town as public streets and shall remain private streets. At its March 12, 2024, regular meeting the Board of Commissioners amended Policy #15 to allow exceptions under certain conditions. Mr. Barlow also shared that the acceptance of the streets does not create funding but assists with putting a plan in motion.

The exceptions to accepting the streets in Charleston Park as Town streets were as follows:

1. Pending issues of tax equity for the owners and residents of the Subdivision and possible legal claims;
2. The history of the Town's development review, evaluation, approval and enforcement process with respect to the subdivision;
3. The substantial amount of time which has elapsed since the installation of the streets.

Board members shared that this was just 1 of many steps to correct the issue and that it would not occur immediately.

On a motion by Commissioner Brown, seconded by Mayor Pro Tem Justice, Resolution 2024-R5 to formally accept certain streets in the Charleston Park subdivision as public streets in the Town of Swansboro was approved 3:1.

Ayes: Brown, Justice, Eckendorf

Noes: Turner

Commissioner Turner shared that she supported correcting safety issues but did not support the way this was being handled.

*EOC/PSB Site Selection Committee Land Solicitation Packet and Ad*

EOC/PSB Site Selection Committee Chair, Keith Walsh, shared that the EOC/PSB Site Selection Committee has developed a Land Solicitation Packet and a corresponding newspaper ad to aid in the search for available land suitable for the EOC Public Safety Building. He requested the board's approval to proceed and begin sharing the packet immediately.

On a motion by Commissioner Eckendorf, seconded by Commissioner Turner the EOC/PSB Site Selection Committee and staff was unanimously authorized to proceed with publishing the packet and newspaper ad.

*Budget Ordinance Amendment #2024-8*

Finance Director Sonia Johnson reviewed that a Budget Ordinance Amendment was requested for the Fire Department and the ARP Fund totaling \$53,511.

In the Fire Department additional funding that was needed to complete the current FY 23/24 due to uncontrollable emergent apparatus repairs of \$7,025, building repairs \$1,435, increased volunteer/part-time personnel involvement/longevity/FICA \$26,500, and accepted/approved funding for FY 2022 AFG grant (Resolution 2023-R6) \$3,551.

On February 27, 2024, the Board of Commissioners approved to appropriate \$15,000 from the ARP fund balance to purchase shade structures for the Splash Pad Enhancement Project at Municipal Park.

On a motion by Commissioner Turner, seconded by Commissioner Eckendorf, Budget Ordinance Amendment #2024-8 was unanimously approved.

*Ordinance Amendment #3 to the Grant Project Ordinance Budget for the American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds*

Finance Director Johnson reviewed that with approval of the previous Budget Ordinance to appropriate \$15,000 from fund balance to purchase shade structures for the Splash Pad Enhancement Project at Municipal Park, an Ordinance Amendment was then needed to the Grant Project Ordinance Budget for the American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds.

On a motion by Commissioner Turner, seconded by Mayor Pro Tem Justice, Ordinance Amendment #3 to the Grant Project Ordinance Budget for the American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds was unanimously approved.

*Monthly Financial Report as of February 29, 2024*

Finance Director Johnson reviewed details from the monthly financial report, attached herein with the power point presentation of the meeting.

In response to inquiries from the board Finance Director Johnson clarified the following.

- A budget ordinance amendment will be needed for legal services, and was unsure if there would be other departments that would also need amendments at this time
- Debt Service would be increasing due to 2 new loans

*Future Agenda Topics*

Future agenda items were shared for visibility and comment. In addition, an opportunity was provided for the board to introduce items of interest and subsequent direction for placement on future agendas. No new items were added.

**Public Comment**

Matthew Prane of 309 Baffle Court spoke about the student recognized for the swimming title and shared that he is really interested in building a pool in Swansboro. A swimming pool provides services for all ages and the Town should come up with a plan for one.

In response to inquiries from the Board Mr. Prane provided the following details.

- The school system does not have a location/land or funds to construct a pool
- Student practice at the pool in Cedar Point or on base

**Manager's Comments**

Interim Manager Barlow shared that notification had been received early today from ONWASA providing a notice that they would be conducting smoke testing on their collection system.

Attorney Rasberry shared that details would be forthcoming related to reopening the skatepark in the coming months.

**Board Comments**

Commissioner Eckendorf commented that if Mayor Davis was to get elected to the County Commissioners maybe he could assist with getting a pool.

Mayor Davis shared that there was confusion at prior meetings for what the board desired to see for the upcoming budget and he believes that it was desired to have a 2-cent tax rate reduction and suggested a hiring freeze. Additionally funds for fixing the safety issues in Charleston Park needed to be considered.

Finance Director Johnson shared that it would take some time to rework the budget for a tax reduction, of at least a month, if the board desired that change. By consensus of the board direction was given to work towards a 2-cent tax reduction.

**Adjournment**

On a motion by Commissioner Turner, seconded by Commissioner Eckendorf the meeting adjourned at 7:39 pm.