

Town of Pine Knoll Shores Board of Commissioners
Regular Monthly Meeting
November 9, 2016
6:00 PM

Call to Order and Pledge of Allegiance

Mayor Jones called the November 9, 2016 First Regular Monthly Meeting of the Pine Knoll Shores Board of Commissioners to order at 6 PM and led the Pledge of Allegiance. Also present for the meeting were Commissioners Clark Edwards, John Brodman, Larry Corsello, and Ted Goetzinger; Town Manager Brian Kramer; Public Services Director Sonny Cunningham; Fire Chief Jason Baker; Town Planner Scott Sherrill; Town Clerk Sarah Williams; and Town Attorney Neil Whitford. Commissioner Fred Fulcher was absent.

Approval of the Agenda

The agenda was approved as amended on a motion by Commissioner Edwards with a second by Commissioner Brodman that passed unanimously. "December Meeting Date" was added as item b. under "VI. Presentation" and "Resolution for Highway 58 Blue Star Memorial" was added as item e. under "VII. Consent Agenda".

Disclosures/Conflicts of Interest

There were no disclosures or conflicts of interest.

Announcements

Mayor Jones announced that the next Commissioners meeting would be December 14 at 6 PM; he announced that the Turkey Trot would be on Thanksgiving Day at 9 AM; he announced that the Christmas Flotilla would be on December 3rd; he announced the Town Staff/Volunteer Christmas Party would be on December 9th; and he announced the Christmas Parade would be on December 17th.

Public Comment

Leann Sanders, 226 Oakleaf Dr stated that she is a member of the Parks and Recreation Committee and she would like to raise money for the parks around Town. She stated that she had already spoken with both PKA and PIKSCO homeowner associations and asked them to consider donating. She asked the Board to consider adding some money to their budget to help repair the parks. Commissioner Goetzinger asked her if she had a financial plan in mind and she answered that she would like to raise about \$4,000-5,000.00.

Bill Knecht, 538 Coral Dr. told the Board that he fully supports the passing of an aircraft ordinance and thanked the Board and staff of Pine Knoll Shores for their support of the Blue Star Memorial Highway and for the support in the Veteran's Day Parade that was held in Morehead City. He informed the Board that the Beacons Reach Master Board would like to work with the Town and the other homeowner associations to stop Carteret Craven Electric Cooperative from the massive tree cutting that was planned.

Rich Donoghue, 252 Oakleaf Dr. wanted to thank the Town for hiring a contractor after the hurricane and that the contractor had done a good job.

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Presentation

Audit Report

Paula Hodges, a partner with Martin Starnes and Associates, thanked the Board for inviting her to the meeting. She informed the Board that the Town received an audit opinion of "Unmodified". She explained that means the Town has a clean audit opinion ending on June 30, 2016. She expressed her thanks to Town Finance Officer Julie Anderson, Town Manager Brian Kramer, and the staff of Pine Knoll Shores for always having records prepared and being courteous knowledgeable when associates come to perform the audits in-house. She then proceeded to go through the Power Point Presentation which is included herein by reference and attached to these minutes.

December Meeting Date

Mayor Jones explained to the Board that the regularly scheduled Board meeting on December 14, 2016 was the same day as the N.C. Supreme Court case hearing for Nies v Emerald Isle. Town Manager Kramer recommended that the Board meet one week prior on December 7. Commissioner Goetzinger made the motion to move the meeting to December 7 so that those who wished to attend the court case could do so. Commissioner Corsello made the second and it passed unanimously.

Consent Agenda

The consent agenda, consisting of the minutes from the meetings on September 28, 2016 and October 12, 2016, a Resolution "Designation of Applicant's Agent, and tax discoveries and releases, was approved unanimously on a motion by Commissioner Brodman with a second by Commissioner Edwards.

Town Manager's Report

Bogue Banks Water Connection: Town Manager Kramer briefed the Board that he had the PE proposal in hand from Ron Cullipher with Stroud Engineering. The next step is for Bogue Banks Water to get approval at their quarterly meeting and it looks like the connection will be a winter project.

Cedar Road bio-retention swale project: Town Manager Kramer reported that the project started around the beginning of November and Sonny was digging swales. Bree Tillet, a fellow with the Coastal Federation has been shooting elevation levels and helping with the project. There had been a meeting with a concerned citizen on Cypress who did not receive a letter. He let Town Manager Kramer know that he expected the Town to maintain the project. Commissioner Edwards asked if there would be plants and other growth in the swales. Town Manager Kramer answered that some of the sites in the lower area would have plantings. The others will be simple, grass swales.

Sidewalk: Town Manager Kramer reported that the sidewalk project was postponed due to Hurricane Matthew but that the project would be starting around November 18. Town Manager Kramer continued that he had walked the ground with the crew and there are 4 citizens who will be directly affected. The

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concrete pour will take about 72 hours to cure and those residents will be asked to park in the right-of-way and Town Manager Kramer will speak to them. He also reported that the Town would likely not receive grant money for sidewalk funding. Commissioner Edwards asked how the concrete pouring would be administered and Town Manager Kramer answered that it would probably be broken up into segments, and synchronized to cause minimal impact to citizens.

Second water line to CCCC Ponds for Stormwater control: Town Manager Kramer reported that the Town was ready to look at a draft agreement. Manager Kramer met with attorney, Edith Mason who wrote the agreement for the last stormwater project. She pointed out that the two homeowner's associations may have to have approval within their associations before signing a contract with the Town. Manager Kramer will be reaching out to the Country Club, Bermuda Greens, and Reefstone to see what they need from the Town to consider the project. Manager Kramer informed the Board that may ask the Board to fund a survey in December or January and then make this project a capital project for the next fiscal year.

CCEC Tree Removal on Hwy 58: Town Manager briefed the Board that staff had met to frame a response to CCEC. The plan is to meet with CCEC prior to Thanksgiving and look at 4 options:

- 1) Allow clearing (per CCEC request)
- 2) Clear path directly under lines (E-W); with passage (N-S) at key spot
- 3) Clear path to the transformers at key spots
- 4) Clear only at the bad spots where there have been outages and disruptions

Town Manager Kramer informed the Board that he would like to find out where the high impact areas are, the magnitude of the problem, and what happens to the private landscaping that is under those power lines. Town Manager Kramer informed the Board that he sent an email about this subject through the Managers Listserv and the general consensus was that the Town needed to work with CCEC. Commissioner Brodman liked the idea of meeting with CCEC for more information. Commissioner Edwards wanted it to be clear that the Town did not approve of clear cutting and that the Town should try to minimize the loss of vegetation; which many view as a buffer. Mayor Jones would like to be at the meeting with CCEC to discuss the impacted areas.

Crosswalks: Manager Kramer recommended to the Board that this become an FY18 budget discussion issue and would like Board input as it proceeds. He explained to the Board that he believes a pedestrian activated light is needed at Hampton Inn, and that the speed limit should be adjusted seasonally in the eastern area for about a quarter of a mile. He recommended to the Board that they consider funding similar lights at the crosswalks of Mimosa and Juniper or removing those crosswalks completely. He reported to the Board that he had asked Hampton Inn to pay for half but that he has not heard back.

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Commissioner Edwards would like the sign at Mimosa to stay and would like to see lights that are activated when a pedestrian pushes a button. There was general discussion on the crosswalks in Town and what the most effective methods would be (blinking lights, activated lights, etc).

Elimination of impact fees in the Water Enterprise Fund: The NC Supreme Court has invalidated municipal impact fees. Based on Attorney Whitford's and the NCLM's advice, the Town has not been collected impact fees for the last six weeks. Attorney Whitford has recommended an updated ordinance. He informed the Board that they would most likely see those changes at their December meeting and that the tap fee may be changed modestly.

Hurricane Matthew—possible assistance on debris clean up: Town Manager Kramer informed the Board that there had been meetings for damage assessment and that the Town may be reimbursed \$25,000.00 for the yard debris pick up and the funds that were spent on overtime.

Town Manager Kramer provided some updates to the Board:

There will be a meeting to talk about the Town using HOA parks to discuss stipends. He invited Commissioners Brodman and Edwards to attend.

Mayor Jones, Bill Steenland, Public Works Director Cunningham, and HRO Natalie Gobble will present a check in the amount of \$334.00 to the Carteret County Hospice House. These were funds raised by the fishing tournament that was held in Pine Knoll Shores.

Jean McDanal will be the head of the 2017 Kayak for the Warriors events.

Town Clerk Sarah Williams received a grant in the amount of \$60,000.00 from the Division of Water Resources to dredge parts of the canal. The grant was submitted on behalf of two HOA's: Pine Knoll Association and Bogue Pines Circle.

Staff Reports

Town Planner Sherrill indicated that the development line committee had met on November 1 and would probably meet again before making recommendations. The Planning Board has initiated an "Income Producing Property" committee; he asked that if anyone on the Board would be interested in joining that committee or the stormwater committee, to let him know. The tree diameter language of the Technical Corrections Ordinance was pulled out and will probably head to a subcommittee. He asked the Board to please plan on attending the joint meeting with the Board and Strategic Planning Committee on December 1.

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John Halada, Chairman of the Strategic Planning Committee, spoke to the Board and informed them that the objective of the meeting was to make a set of recommendations to bring forth at the annual Board retreat. He continued that the Strategic Planning Committee had been focused on 3 emerging issues: water quality, long term demographic shifts, and sea level rise and that Lee Padrick, from the NC Department of Commerce, would be at the meeting to discuss his results from focus groups. He informed the Board that the focus was to have a good discussion and have input from them (the Board).

Mayor Jones thanked PWD Cunningham for trimming the trees and increasing visibility on highway 58. PWD Cunningham reported that there had been 96 loads of yard waste hauled away after Hurricane Matthew and that the work is continuing on Cedar Rd.

Chief Baker reported that he is working on the AFC grant and that Tom King is working on a class for CERT. The class will be January 6-8 and he invited everyone to attend. Mayor Jones thanked Chief Baker and his crew, and said that he had received compliments about the courteousness of the crew and their quick response times.

Manager Kramer informed the Board that the recycling numbers were steadily going up and that the idea is to try and increase recycling and lower trash tonnage.

Town Clerk Williams informed the Board that the Welcome Packet was available at Town Hall and was also posted online.

Unfinished Business

Aircraft Regulation Ordinance

Mayor Jones asked if there were any questions, there were not. Commissioner Edwards made a motion to adopt the ordinance as presented, Commissioner Goetzinger made the second, with further discussion. Attorney Whitford informed the Board that he and the Town had engaged law offices in Denver, CO and Washington, DC that guide cities and towns on airports and they guided the Town on how best to approach the ordinance. Commissioner Edwards asked if the ordinance could be summarized for the public. Attorney Whitford summarized the ordinance. The ordinance is herein included by reference and attached to these minutes. There was no further discussion. The Board voted in favor, unanimously, by a show of hands. Commissioner Edwards thanked Attorney Whitford for his efforts and consultations to make the ordinance effective.

Technical Corrections

Planner Sherrill asked if there were any questions, there were not. He noted that the rezoning for Roosevelt Beach was removed and would be a separate change and that the rezoning for Seabrook would be considered separately. He further informed the Board that the section on manufactured housing was

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removed and that tree diameter would go to a subcommittee. Planner Sherrill asked the Board to call for a public hearing. Mayor Jones asked about the status of the Seabrook zoning and Planner Sherrill answered that the properties current use is not listed under the uses of conditional zoning and that the Planning Board would be revisiting the zoning use at their next regularly scheduled meeting. Commissioner Brodman made a motion to call for a public hearing at the December 6 Board of Commissioners meeting with a second by Commissioner Goetzinger that passed unanimously.

2016 Annual Agenda and Commissioner Reports

Commissioner Corsello commented that since the audit was completed the Finance Committee should be able to meet in December or January and do a 5 year financial plan update.

New Business

Text Amendment, Roosevelt Beach

Planner Sherrill reported to the Board that the text amendment turns the conditional use permit into a conditional zone that is codified. Member Brodman moved for a public hearing, with a second by Commissioner Edwards that passed unanimously.

Budget Amendment

Manager Kramer explained there needed to be an increase in the storm debris budget and a CD needed to be reinvested. Commissioner Goetzinger moved to accept Budget Amendment #2, with a second by Member Brodman that passed unanimously.

Agenda Items for Next Meeting

Mayor Jones noted the two public hearings.

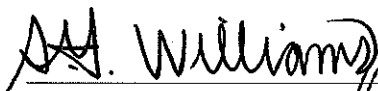
Public Comment

Susan Phillips, 289 Oakleaf Dr asked if the new aircraft ordinance addressed a penalty. Attorney Whitford responded that it answered to the Town Code for fines and that it would be a criminal offense.

Planner Sherrill made a note that Town Hall would be closed November 11th for Veterans Day and November 24th-25th for Thanksgiving.

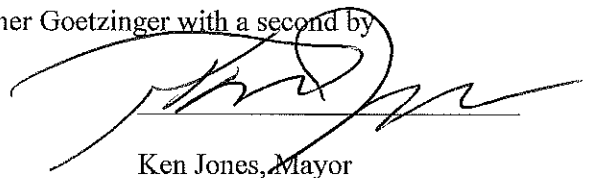
Adjournment

The Board Adjourned at 7:09 PM on a motion by Commissioner Goetzinger with a second by Commissioner Brodman that passed unanimously.



Sarah G. Williams, Town Clerk




Ken Jones, Mayor