

**TOWN OF PINE KNOLL SHORES**  
**BOARD OF COMMISSIONERS**  
REGULAR MONTHLY MEETING  
January 12, 2022— 6:00 p.m.

**Call to Order and Pledge of Allegiance**

Mayor John Brodman called the January 12, 2022 regular monthly Meeting of the Pine Knoll Shores Board of Commissioners to order at 6 PM in the Town Hall Board Room, and led the Pledge of Allegiance. Also present for the meeting were Commissioners, Clark Edwards, Bill Knecht, Larry Corsello, Alicia Durham and Ted Goetzinger; Town Attorney Neil Whitford (online), Town Manager Brian Kramer; Assistant Town Manager Julie Anderson; Public Services Director Sonny Cunningham (online); Town Planner Kevin Reed (online); Fire Chief Jason Baker (online); Police Chief Ryan Thompson (online); and Town Clerk Charles Rocci.

\*Members marked present (online) participated online via GoToWebinar

**Approval of the Agenda**

Mayor Brodman requested the addition of an Item 12 to discuss the town COVID-19 policy. A motion to approve the agenda as amended was made by Commissioner Durham with a second from Commissioner Knecht. The motion passed unanimously.

**Disclosures and Conflicts of Interest**

There were no disclosures or conflicts of interest.

**Announcements**

Mayor Brodman gave announcements.

**\*Public Comment**

Wendy Boss: Charlie and I bought our house on Dogwood over 20 years ago. We've lived in Pine Knoll Shores permanently for over five years. Prior to that we lived in Raleigh and taught at NC State. We wanted to eventually retire on the North Carolina Coast and found the history of Pine Knoll Shores and observed the lush green environment here. We thought that the requirement reflected the awareness of the importance of environmental stewardship. We have evidence of the effects of preserving yaupon pittosporum, fascia, live oaks and fir trees that have saved our house over the years on the second row of the south side of 58. Without these plants, the salt and wind would have devastated our house. We are against the construction of sidewalks for environmental reasons, we are against increasing impervious surfaces, and we question the motivation of the town to continue reintroducing this topic.

Suzanne Wheatcraft: My address is 2 West Court and I am a full time resident and registered voter in Pine Knoll Shores. Tonight I will share with you my concerns regarding a recent survey on the issue of a sidewalk along highway 58. In reading through the more than 300 comments, there are 43 comments that mention using golf carts or bicycles on the proposed sidewalk. Since this proposed project is for a pedestrian sidewalk, one could assume that these 43 respondents are

expressing support for a different kind of project from what is actually being discussed. Assuming that their support is contingent on being able to use bicycles or golf carts on the sidewalk, once you reduce the number of respondents in favor of this project from 339 to 296 and increase the number who do not support sidewalks from 318 to 361, the percentage in favor of sidewalks actually drops to 45.1% and those who oppose a sidewalk increases to 54.9%. This is an analysis of just one aspect of the survey. One could also look at comments of people in favor of sidewalks the entire length of the town and wonder how their support might change if given the information that a public sidewalk that duplicates the private sidewalk already present in Beacons Reach is highly unlikely. A temporary tax increase to pay for this, I would like someone to cite for me an instance when taxes once raised, have ever been lowered. Furthermore, the tax increase is just one aspect of the cost. There is maintenance on anything that is built, especially on the harsh environment of a barrier island. Across from Atlantic Station, you can see where flooding has already begun to undercut the new Atlantic Beach sidewalk. Finally, based on a few of the comments, I have become acutely concerned about the widening of highway 58, and how that could destroy any sidewalk that is present. With so much talk around Carteret County and all the changes that the changes I-42 would bring to this area, highway changes to increase safety and movement of traffic will be high on the list of projects. The chance that this could happen should have already been thoroughly explored by our town, especially with our current difficulties of getting satisfaction from DOT on previous actions they took during their last highway 58 project. Tonight I intentionally avoided speaking on the many ecological and environmental problems with installing a sidewalk. Finally, I would like to point out an error on page 19 of the agenda packet. The feasibility report failed to address 19 driveways which would increase the cost by \$190,000.

Susan Phillips: Good evening. I'm Susan Phillips. I live at 289 Oakleaf Drive and have been a full-time resident of Pine Knoll Shores for 33 years. I listed my reasons for opposing the Hwy 58 Sidewalk Project in the 2021 survey, so I will not repeat them here. I have attached them to this written public comment. The reason I'm here tonight is to ask you to delay moving forward with the sidewalk project until open discussions with residents can take place. Thank you to Manager Kramer for his well-written and documented report giving background, project costs, and summaries of the previous surveys and results of the recent one. It is clear that support for sidewalks is still mixed, almost evenly split this time — 339 Yes and 318 No, a difference of only 21 responses, and with 36 not responding. To me, the most telling results of the survey were not the statistics, but the over 300 written comments, 317 to be exact if you eliminate those writing "none" or "no" when prompted to comment. I hope you all took time to read every comment. If you did, you found thoughtful responses, concerns, confusion, opinions, other ideas and needs, questions of fairness, preferred uses of tax dollars – the list goes on. What this says to me is that further information and discussion is needed. Residents took time to comment, and their comments and questions need to be considered. When I read the comments, I learned about concerns and needs I hadn't even thought of and perspectives different from my own. We have been locked down and cut off for almost two years now without opportunities for town hall forums and interactions, and our sense of community is suffering. Yes, COVID has been a barrier, but we should not let it be an excuse. It is the VERY REASON the sidewalk issue needs more time. We all need to learn more, to listen, and to discuss the pros & cons sidewalks will have on our community, now and in the future. Being well-informed leads to better decisions and understanding. Please delay moving forward until open discussions can be had, virtually or

in-person. If there are no grant deadlines to meet, what's the rush? If you move forward tonight because 48% of residents who responded are in favor of sidewalks, you have dismissed the 45% who are opposed. There's enough division in our world today, let's not let this issue be something that divides us further. We have time. Let's use it. In conclusion, if the recent survey's purpose was to gauge current interest as stated, you have 17 pages of comments to consider. If the survey's statistics are to be used for decisions, its sampling and validity should be examined further.

Yolanda Lozano: I agree with the comments listed in the survey that are against the sidewalks.

I'm opposed to the construction of sidewalks for many reasons, primarily because of the environmental impact of more cement, the destruction of vegetation that protects our homes against the salt and wind, and the possibility of more impermeable cement surfaces which add to global CO2 emissions. I have issue with the Pedestrian Planning Group IV objectives listed in the "background" memo dated 1/4/22- This memo does not mention, as an objective, the environmental impact of concrete sidewalks from PKS Blvd. to Oakleaf Dr.

Was it not a consideration? I moved to PKS especially because I appreciate the Maritime Forest as part of this neighborhood. Contrary to what some believe, we are better than AB and EI by protecting our natural setting. I don't think we should strive to be another Myrtle Beach or Emerald Isle. I have friends who live in EI and when they visit me-they love this neighborhood and wish EI was more treed. We have nothing to be envious of. Additional points:

To rely on a 30% response of homeowners to the sidewalk survey to make any decision, is not a good idea and not fair. If little more than 1/2 of the 30% either approve or disapprove of the sidewalks, this means about 16% of the population are making a decision for 100% of the community. We need to get a bigger sample of the community to vote on this issue.

Remember there's a reason why all the **streets** in PKS are named after trees. We want to keep them. If we want a safer neighborhood, we can add more cross walks with flashing lights on Hwy 58 and lower the speed limit on the side streets. After all, we live at the beach and I most prefer to walk on the beach and not alongside highway 58. Thank you for allowing me to voice my concerns.

Cindy Scherschling: I don't know if sidewalks are right for our community. But here is what I do know: This sidewalk issue has been reviewed in depth multiple times over the last few years. I don't understand why this continues to be discussed. I question what is really driving this effort. I do know that these survey results alone do not provide enough information to support a 'go-no-go' decision. I haven't seen evidence that the number and composition of households is representative of the **actual** PKS population. I would argue that the PKS population has modified over the years that this has been in discussion and that the current composition of the town has changed as a result of COVID and talk of the I42 project. These changes are likely to remain. Only one completed survey was accepted, though typically HHs has 2 persons living there. Even though the data frequently references 'respondents,' the data are reflecting households. Food for thought: If the sample is representative, should full time residents' responses be given more weight? Knowing the potential cost of the sidewalk project helps to frame the issue. We have been told to assume there would be no grant funding. That means we are working with a fixed budget which means that something else would not get done if sidewalk development were approved. People make better decisions when they understand what they would be giving

up. We make 'tradeoffs' in most decisions. The environment impact of such a project has to be considered. This needs to be a factor in the cost equation.

Jimmie Beckom: It is requested that this be provided to the Board at the January meeting and included in the public record. I appreciate the Board considering this project and the opportunity to comment. I support the funding and construction of a sidewalk project along the north side of NC 58 (from west of Oakleaf Drive to Pine Knoll Boulevard) as outlined in the Manager's January 4 report to the Board. The project directly addresses long standing concerns of pedestrian safety along NC 58 and would provide enhanced benefits and options for all categories of pedestrian traffic (recreation, fitness, ADA, etc.). It would provide a continuous sidewalk system from the Town Limits at Atlantic Beach to west of Pine Knoll Boulevard, linking three existing pedestrian crosswalks which have push button flashers. These crosswalks serve as the primary crossing points for pedestrian traffic moving between the beach side and sound side neighborhoods...as well as...five beach access areas (four public and one private). It is noted that sidewalks along NC 58 have a high priority ranking in the adopted Pine Knoll Shores Sidewalk & Pedestrian Plan. I believe the project has merit and addresses our commitment to pedestrian mobility and safety.

Ron and Linda Pearson: 282 Salter Path Rd, PKS. As we further our discussion of sidewalks along Highway 58 (Salter Path Rd), several items need additional study and discussion: 1) Do we really need sidewalks or do we just want them? As we celebrate our 50th anniversary, there are many things that make PKS unique. One of those is fiscal responsibility. Sidewalks will require an investment in excess of a million dollars. The Town will probably have to borrow this money and depending on the amount, rate, and term will repay this loan with a tax levy on all the citizens. Will all the current and future citizens benefit from this tax burden for years in the future? Once levied, regardless of the term, will this tax ever be reduced? Probably not since PKS, like most small towns, are always looking for sources of revenue. Once it starts it will never be reduced. 2) Safety is another factor. We have existed for 50 years without sidewalks and with speed limits of at least 45mph. recently we reduced the speed limit to 35 with improving safety as one of the main reasons. Have we given this change a chance to yield the expected benefits? I live adjacent to Salter Path Rd. I observe that the average speed limit is probably reduced, but not to less than 40. Try driving at a set speed (35-40) and see if traffic backs up behind you. I am as guilty as anyone of reverting back to driving like the speed is still 45. 3) Sidewalks are not for the use of bicycles and will not be used by runners. These groups will continue to use the DOT paved roadway. Sidewalks will not improve safety to these groups. Sidewalks will not allow golf carts to be used to access neighbors up and down Hwy 58. 4) Sidewalks would be placed in the edge of the Hwy 58 right of way (ROW). There are numerous encroachments in this area, to include fences, landscape plantings, and concrete or masonry pillars to mark an entrance. Do we need to remove all of these encroachments to insure that this law/rule is universally enforced and not just to make way for a sidewalk. 5) I live between Arborvitae and Pine Knoll Blvd, adjacent to Salter Path Rd (on North side) in some of the smallest lots in PKS and on some of the highest ground (read dune) in PKS. Placing the sidewalk in front of my house would remove a larger % of my buffer from the Hwy than almost

any other place in town. Since lots in this area are elevated, a sidewalk would require approximately 8 1/2" fill or regrading in the approach to each of these houses to insure that autos (not 4 wheel drive trucks) can enter and exit without "bottoming out". 6) Regardless of where sidewalks are placed (North or South) there will be a requirement to cross this busy traffic corridor. You will have to cross the highway if you go to the beach and the Library. In the summer months, walkers are going to take the shady side of the street (South). In conclusion, do we need or want sidewalks and are they the best solution for all the residents of PKS. Ronald and Linda Pearson

Christine Voss: As a resident, I am concerned in the way that the sidewalk survey was created and how it's being interpreted. I am not convinced that we are doing either appropriately. This is a field of scientific study that requires expertise. I am also concerned that a decision on sidewalks is being made with little to no data being collected on how often current sidewalks and roadways are used. This information can be easily obtained by using a GoPro camera. I would be happy to provide insight on sampling so you could make statistical analysis. I am not in favor of sidewalks because I do not see their necessity. I also believe that the widening of roadways on Oakleaf Drive will increase speeding. NCDOT has documented this affect. I am not in favor of increased taxes to pay for the destruction of town vegetation and I am not in favor of using tax dollars to increase impervious surface. I am concerned that the decision to make sidewalks will not be proficiently vetted. This is not a subject to take lightly on a barrier island. I have more to add, however, tonight I would just like to voice my opposition to sidewalks.

### **Consent Agenda**

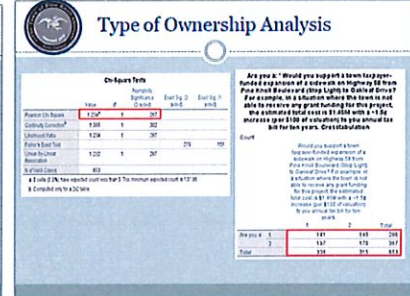
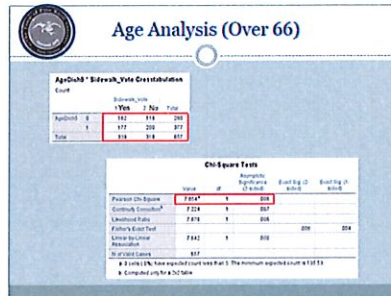
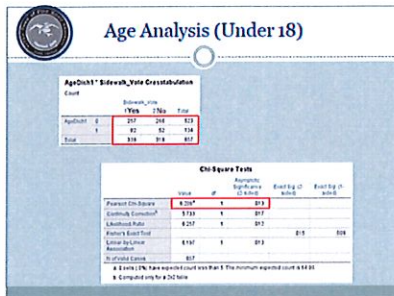
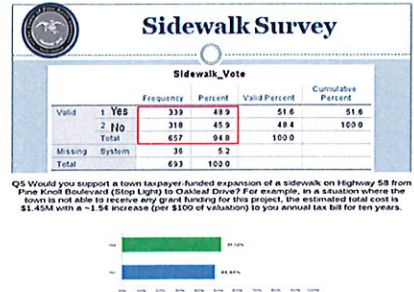
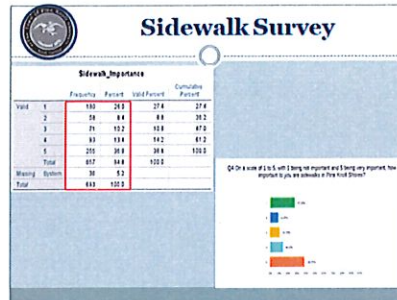
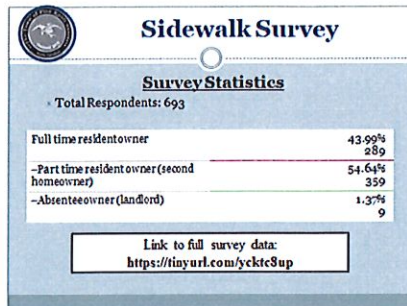
The consent agenda included minutes from the December 8, 2021 meeting, PARC Volunteer Appointments, Resolution to accept new records retention schedule and December 2021 tax discoveries and releases. Commissioner Edwards made a motion to approve the consent agenda with a second from Commissioner Knecht. The motion passed unanimously.

### **Unfinished Business**

#### **a. PKS Sidewalks & Pedestrian Master Plan Action**

Town Clerk Charles Rocci presented the results and analysis of the sidewalk survey. Analysis showed that homes with children under 18 are more likely to be in favor of a sidewalk extension along highway 58, those with residents over 65 are more likely to be against a sidewalk extension along highway 58. It also showed that full or part time ownership did not have a significant effect on how people voted in the survey. The slides from the presentation are included in these minutes below.





b. Request to Apply for Stormwater Grant

Brian Kramer is seeking grant opportunities to fund a Phase III Stormwater project which would extend to Willow Road and Holly Road. The North Carolina Land Fund, formerly known as the Clean Water Trust Fund which we received Phase II grant funding has a grant cycle coming up. We are confident in our ability to receive this grant since we were awarded the most innovative stormwater solution for Phase II. The estimated cost of the project at this point is \$150,000. Our 20% share for next year's budget would come in at \$30,000. We would receive word in September and would need to be constructed two years following that. If we are confident we could get the grant, Brian would like to have the design and bidding completed before receiving the grant. Brian, Sonny, and Clark have spoken to all but one homeowner about constructing this project. Brian characterizes them as not just supporters but enthusiastic of the possibility of this project. Commissioner Knecht made a motion to authorize Brian Kramer to apply for the grant with a second from Commissioner Durham. The motion passed unanimously.

c. Review of Town Strategic Plan

Mayor Brodman asked for the Commissioners to review the latest revisions of the strategic plan prior to the meeting with the Strategic Planning Committee chairman next week. The Commissioners did not have any comments at this time.

d. Offsite Agenda Topics

Mayor Brodman asked the Commissioners to consider topics they would like to be discussed at the February offsite. Commissioner Durham proposed a discussion of how the town will handle the next five years of projects. Commissioner Goetzinger suggested a discussion on a location for a soundside kayak launch. Commissioner Cox would like to have a discussion regarding updates to the town's financial policy, review the fund balance as it relates to a possible tax increase for the new fiscal year, and commissioner representation for regional organizations. Mayor Brodman would like to discuss succession issues and scaling parks and recreation events. Brian would like the Commissioners to discuss right of way parking, and changing the burn permit policy. The Commissioners will write a one page memo on their issue for the clerk to format for the offsite agenda packet.

**Town Manager Report & Staff Reports**

*Town Manager. Town Manager Brian Kramer briefed:*

*\*NCDOT Drain Lines*

Brian Kramer had a conference call with the four land owners in December. Their main concern is warranty on this issue. A former DOT employee in the county believes DOT's argument is invalid. This former employee recommends going through government avenues before taking legal action.

*\*Solid Waste*

From the first two weeks of solid waste service from Waste Removal, we know that recycling is not possible with the amount of plastic bags in recycling bins. The town is going to begin a full information campaign to get plastic bags out of recycling bins. Overall, there have been noticeably less trash complaints.

*\*Yard Waste Bags*

NCDEQ has banned the paper bags we have been using for yard waste. There are a couple of options for us to handle this. Composting is one, but requires much more land than we are able to

utilize. We could also go to the environmental management commission to plead our case to use the bags. If we go to them, we will need some hard information prepared. Brian found a subject matter expert through Larry Sneed, who believes this is just an interpretation issue. After a couple meetings with this individual, we will then go to the environmental management commission.

*\*PKS 50<sup>th</sup> Anniversary Planning*

Brian Kramer is working with the 50<sup>th</sup> Anniversary planning group, which consists mostly of History Committee and PARC members on handling the celebration. We plan on this being a good event with large attendance.

*Finance and Admin Report. Assistant Town Manager Anderson briefed:*

Property taxes are now due and interest is being added on a monthly basis. The 2024 County Reappraisal team is now inspecting homes in Pine Knoll Shores. They will visit each property and compare county data to the property. General Statute 105-317(b)(7) states that each owner of real estate is entitled to have an actual visitation and observation of his/her property to ensure the accuracy of the property characteristics. The Final Rule for ARP Funds was issued by the US Treasury.

*Fire Department Report. Fire Chief Baker briefed:*

Chief Baker is happy to say that this has been one of the slowest winters we have had since Hurricane Florence. Chief Baker also presented a new fire report format to compare month by month over the year.

*Police Department Report. Police Chief Thompson briefed:*

The Police Department underwent a criminal justice standards audit on January 10, 2022. This included inspection of firearms and mandated in-service training files. They also inspected the background investigation files. This inspection occurs every three years. The Police Department recently hired Jeffrey "Chase" Kearney who worked four years with Wayne County Sheriff's office. He has experience as a bailiff, road deputy, and school resource officer. 2022 mandated in-service training has started already. Sargent Bishop is attending General Instructor School in February.

*Public Services Department and Water Report. PSD Director Sonny Cunningham briefed:*

In December, the public services department repaired two water leaks. They are scheduled for inspection of Well #1 this coming February, and they are currently repairing the backhoe bucket cylinder.

*Planning and Inspections. Town Planner Kevin Reed briefed:*

Staff issued three single family landscape permits in December and currently reviewing six SFLP applications. The town's UDO consultant will have a kickoff meeting with the Planning Board on January 25<sup>th</sup>. The Commissioners are invited to participate in this process.

Shellfish Enterprise Area Program: Staff will sit in on a meeting to possibly allocate area north of town hall to hold a shellfish lease. This area would be outside of the channel and clearly marked with PVC piping. Commissioner Knecht would like to have some community input on if they would support leasing soundside water for shellfish growth.

Jim Taylor issued 15 building permits with a total value of \$2,396,350 in December. He also issued four mechanical permits, six electrical permits and one plumbing permit. The total



value of all permits issued was \$2,396,350. The town also issued 13 tree removal permits and Jim Taylor performed 104 inspections.

*Town Clerk Report, Town Clerk Charles Rocci briefed:*

The town received two bids for the Acorn Court Stormwater project from Sunland Builders and M & W Land Improvement. Sunland's bid was worth \$140,000 and M & W was \$97,330. We will look into financing options to cover the difference with original \$75,000 estimation. The board indicated that they would like this project completed in this window. The date for the Year of the Tree giveaway has been set for March 19. We will begin the event organization in February. Sonny Cunningham has been awarded the 2021 Public Service Award.

**Public Comment**

There were none.

**Mayor and Commissioner Reports**

Mayor Brodman reported that the consumer price index for December came out this morning. All prices increased 7% since December 2021. Real earnings have fallen behind by 3%.

**COVID-19 Policy**

Brian Kramer recommends we open up government meetings to the public with certain precautions in place such as limiting the number who can join, and testing the public. There was some discussion about the number of people who could enter, and testing the public. The board ultimately agreed that town hall and the public safety building will be open to the public starting tomorrow, January 13. We will continue to recommend mask wearing, but it will be optional. We will not open up government meetings to the public until after the offsite where it will be discussed in greater detail.

**Adjournment**

The Board adjourned on a motion by Commissioner Edwards with a second by Commissioner Durham which passed unanimously. The meeting adjourned at 9:24pm.

  
Charles W. Rocci, Town Clerk