



TOWN COUNCIL AGENDA

REGULAR MEETING

July 19, 2016 @ 6:30 p.m.

***Asterisks indicate documentation is included in agenda packet**

Call to Order – Mayor Swearingen
Invocation & Pledge of Allegiance – MPT Bloszinsky

APPROVAL OF CONSENT AGENDA ITEMS

1. *Adopt Resolution R16-11, approving financing terms with First Bank for 2016 Chevrolet Silverado 2500 for Public Works
2. Approve Dennis Panicali's move from an alternate member position to a regular member position on the Shoreline Access, Beach Protection and Parking Committee
3. *Fire Department Report – June 2016
4. *Building Inspections Report – June 2016
5. *YTD Finance Report Meeting
6. Minutes:
 - *June 9, 2016 public hearing
 - *June 9, 2016 special
 - June 9, 2016 closed (*sealed)
 - *June 21, 2016 regular
 - June 21, 2016 closed (*sealed)

ADOPTION OF THE AGENDA

DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL
Sign up at podium (3-minute limit)

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Board of Adjustment
2. Community Center Committee
3. Marketing Committee
4. Parks & Recreation Advisory Board
5. Planning & Zoning Commission
6. Shoreline Access, Beach Protection and Parking Committee
7. Non-town Committee Reports

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Administration and Recreation
2. Finance Department
3. Building Department
4. Fire Department
5. Police Department
6. Public Works Department



TOWN COUNCIL AGENDA

REGULAR MEETING

July 19, 2016 @ 6:30 p.m.

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Architectural Firms for Town Hall expansion/Fire station
2. Legalities of Emergency Services in Brunswick County Jurisdiction (Canoutas)
3. *Amendment to Article V of the Personnel Policy (Heglar/Avery)

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. *Support Letter for Hampstead Bypass (Swearingen)
2. *Vote to award the contract to T & H Construction for the Water & Sewer Department's Bypass Force Main project, at a cost of \$132,494.22, contingent upon the Town Attorney's approval of the contract language
3. *Request to travel to Beaufort, NC to attend 2016 Pelican Awards (Swearingen)

MAYOR UPDATES (no action required)

1. NHC Ribbon Cutting
2. DOT Public Meeting
3. NC League of Municipalities Legislative Committee Meeting

COMMISSIONER ITEMS (no action required)

CLOSED SESSION

To consult with attorney per N.C.G.S. 143-318.11(a)(3) (*sealed)

RETURN TO OPEN SESSION

ADJOURNMENT



TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R16-11

**APPROVING FINANCING TERMS WITH FIRST BANK
FOR 2016 CHEVROLET SILVERADO 2500**

WHEREAS, The Town of Kure Beach (“Town”) has previously determined to undertake a project for a 2016 Chevrolet Silverado 2500 (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project;

NOW, THEREFORE, BE IT RESOLVED THAT

1. The Town hereby determines to finance the Project through First Bank, in accordance with the proposal dated July 12, 2016. The amount financed shall not exceed \$36,867.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.6% and the financing term shall not exceed four (4) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary, or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment



TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R16-11

obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the First Bank financing described above. The Town intends that funds that have been advanced, or that may be advanced from the Town's general fund, or any other Town fund related to the project for project costs, may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Adopted by the Kure Beach Town Council this 19th day of July, 2016.

Emilie Swearingen, Mayor

Attest: Nancy Avery, Town Clerk

FIRST BANK

201 Market Street
Wilmington, NC 28401
910-343-0181 phone
910-251-9965 fax

July 12, 2016

Town of Kure Beach
117 Settlers Lane
Kure Beach, NC 28449

Dear Mr. Copenhaver:

Thank you for allowing First Bank the opportunity to submit a proposal for a loan of \$36,867 secured by a 2016 Chevrolet Silverado 2500 (Service Truck).
The following terms and conditions for this loan are contingent upon final loan approval:

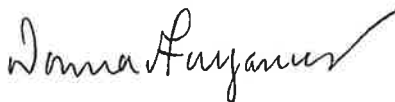
1. Amount: \$36,867.
2. Rate: One point six (1.60%) percent per annum; tax exempt. The stated interest rate is subject to this loan being qualified for tax-exempt financing. Borrower agrees to file Form 8038G (or 8038GC for loans less than \$100,000) each year with the Internal Revenue Service, with a copy of such filings also provided to First Bank. First Bank reserves the right to revoke this Commitment Letter or to negotiate a mutually acceptable interest rate if the financing is not a qualified tax-exempt financing.
3. Collateral: Security Agreement for the purchase of a vehicle, specifically a 2016 Chevrolet Silverado 2500 (Service Truck).
4. Term: Four annual principal and accrued interest payments.
5. Loan Fee: None.
6. Other Fees: None.
7. Financials: Must provide most current year end audit.
8. Other: Must provide tax exempt qualification.

This is a proposal not a commitment. The commitment will be based on the bank's satisfactory review of current financials or above audit. This proposal letter will be Valid for sixty (60) days.

Thank you, again, for allowing First Bank this opportunity. I sincerely hope that you find these proposed terms and conditions to your satisfaction. If any questions, please feel free to call me. I know you will be happy with the relationship.

Sincerely,

First Bank



Donna Gurganus

KURE BEACH FIRE DEPARTMENT

FIRE CHIEF'S REPORT

JUNE, 2016

DATE	PURPOSE
06/01/16	ASSIST PUBLIC
06/02/16	SMOKE IN RESIDENCE
06/04/16	OCEAN RESCUE
06/05/16	OCEAN RESCUE
06/05/16	EMS
06/06/16	DRILL
06/07/16	OCEAN RESCUE
06/07/16	EMS
06/08/16	MUTUAL AID CBFD
06/08/16	FALSE ALARM
06/10/16	EMS
06/10/16	ASSIST PUBLIC
06/11/16	EMS
06/12/16	EMS
06/12/16	ASSIST PUBLIC
06/14/16	EMS
06/16/16	WATER RESCUE
06/18/16	FALSE ALARM
06/19/16	OCEAN RESCUE
06/19/16	EMS
06/19/16	STRUCTURE FIRE
06/19/16	WATER LEAK
06/20/16	DRILL
06/21/16	WIRE DOWN
06/23/16	EMS
06/24/16	TRANSFORMER
06/24/16	EMS
06/27/16	FIRE FIGHTER I&II CLASS
06/29/16	EMS
06/30/16	WATER RESCUE

All equipment checked and found to be in working order
Harold Heglar
Chief

Kure Beach Inspections Dept.-Building Permits Issue Date: 6/1/2016 - 6/30/2016

PermitNo	Issue Date	Owner	Project Addr	Descript	Fee
Building					
New Construction					
160061	6/17/2016	Pleasure Island Partners LLC	205 KURE VILLAGE WAY	New townhome	\$4,360.00
160060	6/17/2016	Pleasure Island Partners LLC	209 KURE VILLAGE WAY	New townhome	\$4,360.00
160059	6/17/2016	Pleasure Island Partners LLC	213 KURE VILLAGE WAY	New townhome	\$4,360.00
160058	6/17/2016	Pleasure Island Partners LLC	112 LAUREL LANE	New townhome	\$4,360.00
160057	6/17/2016	Pleasure Island Partners LLC	116 LAUREL LANE	New townhome	\$4,360.00
160056	6/17/2016	Pleasure Island Partners LLC	120 LAUREL LANE	New townhome	\$4,360.00
160063	6/21/2016	WRIGHT JOSEPH W LINNIE B	309 S SIXTH AVE	New SFD	\$11,460.00
Total New Construction 7					\$37,620.00
Rot Repair					
160053	6/3/2016	DITTMAR JOHN R MEGAN H	403 ANCHOR WAY	Rot Repair	\$200.00
160064	6/28/2016	ANDREWS VINCENT A JULIE M E	1710 MACKEREL LN	Rot Repair	\$200.00
160062	6/20/2016	MISHRA-HARRELL SEEMA L CHARLES I HA	806 MISSISSIPPI AVE	Rot Repair	\$200.00
Total Rot Repair 3					\$600.00
Total Building 10					\$38,220.00
Total Permits: 10					\$38,220.00

TOWN OF KURE BEACH
REVENUE AND EXPENDITURE SUMMARY
JULY 1, 2015 TO JUNE 30, 2016

REVENUES

	2016 Initial Bud.	2016 Amend. Bud.	Actual 06/30/2016	% Collected
GENERAL FUND				
Property Taxes (Cur. & PY)	\$ 2,121,250	\$ 2,126,232	\$ 2,165,975	101.9%
Local Option Sales Tax	\$ 785,200	\$ 785,200	\$ 792,462	100.9%
Franchise & Utility Tax	\$ 201,500	\$ 201,500	\$ 241,928	120.1%
TDA Funds	\$ 203,057	\$ 222,364	\$ 230,454	103.6%
Garbage & Recycling	\$ 341,400	\$ 341,400	\$ 358,852	105.1%
ABC Revenue	\$ 10,725	\$ 10,725	\$ 13,930	129.9%
Bldg. Permit & Fire Inspect. Fees	\$ 54,400	\$ 54,400	\$ 88,020	161.8%
Communication Tower Rent	\$ 86,702	\$ 86,702	\$ 69,170	79.8%
Motor Vehicle Tags	\$ 7,000	\$ 7,000	\$ 7,470	106.7%
Com Ctr/Parks & Rec/St Festival	\$ 28,150	\$ 28,150	\$ 24,047	85.4%
Town Facility Rentals	\$ 10,500	\$ 10,500	\$ 11,475	109.3%
Beer & Wine Tax	\$ 9,500	\$ 9,500	\$ 9,374	98.7%
OPF - Bluefish Purchases	\$ 8,800	\$ 8,800	\$ 13,420	152.5%
Sales Tax Refund	\$ 30,000	\$ 30,000	\$ 35,693	119.0%
CAMA & Impact Fees	\$ 2,800	\$ 2,800	\$ 2,660	95.0%
All Other Revenues	\$ 7,845	\$ 72,500	\$ 38,316	52.8%
Other Financing Sources	\$ 111,000	\$ 111,000	\$ 103,287	93.1%
Total Revenues	\$ 4,019,829	\$ 4,108,773	\$ 4,206,533	102.4%

EXPENDITURES

	2016 Initial Bud.	2016 Amend. Bud.	Actual 06/30/2016	% Spent
GENERAL FUND				
Governing Body	\$ 40,467	\$ 44,467	\$ 34,210	76.9%
Committees	\$ 7,500	\$ 61,794	\$ 49,192	79.6%
Finance	\$ 146,033	\$ 148,027	\$ 124,183	83.9%
Administration	\$ 385,448	\$ 420,638	\$ 366,982	87.2%
Community Center	\$ 17,750	\$ 22,732	\$ 16,040	70.6%
Emergency Mgmt. & Elections	\$ 3,200	\$ 3,200	\$ 2,192	68.5%
Tax Collections	\$ 25,000	\$ 25,000	\$ 18,946	75.8%
Legal	\$ 28,900	\$ 28,900	\$ 24,640	85.3%
Police Department	\$ 1,208,819	\$ 1,216,354	\$ 1,183,664	97.3%
Fire Department	\$ 484,760	\$ 495,910	\$ 454,120	91.6%
Lifeguards	\$ 190,957	\$ 194,557	\$ 169,827	87.3%
Parks & Recreation	\$ 138,748	\$ 138,748	\$ 120,609	86.9%
Bldg Inspection/Code Enforcement	\$ 126,565	\$ 126,565	\$ 108,274	85.5%
Streets & Sanitation	\$ 740,797	\$ 766,504	\$ 710,384	92.7%
Debt Service	\$ 294,205	\$ 294,205	\$ 294,201	100.0%
Transfer to Other Funds	\$ 50,000	\$ 50,000	\$ 50,000	100.0%
Contingency	\$ 130,680	\$ 71,172	\$ -	0.0%
Total Expenses	\$ 4,019,829	\$ 4,108,773	\$ 3,727,464	90.7%

WATER & SEWER FUND

Water Charges	\$ 710,710	\$ 710,710	\$ 758,770	106.8%
Sewer Charges	\$ 1,011,270	\$ 1,011,270	\$ 1,057,885	104.6%
Tap, Connect & Reconnect Fees	\$ 27,840	\$ 27,840	\$ 68,260	245.2%
All Other Revenues	\$ 6,035	\$ 6,035	\$ 7,842	129.9%
Other Financing Sources	\$ 130,750	\$ 130,750	\$ 123,463	94.4%
Total Revenues	\$ 1,886,605	\$ 1,886,605	\$ 2,016,220	106.9%
WATER & SEWER FUND				
Governing Body	\$ 16,767	\$ 16,767	\$ 12,207	72.8%
Legal	\$ 28,900	\$ 28,900	\$ 24,640	85.3%
Finance	\$ 171,402	\$ 171,402	\$ 163,463	95.4%
Administration	\$ 251,919	\$ 251,919	\$ 241,104	95.7%
Operations & Transfer	\$ 1,417,617	\$ 1,417,617	\$ 1,310,973	92.5%
Total Expenses	\$ 1,886,605	\$ 1,886,605	\$ 1,752,387	92.9%

STORM WATER FUND

Total Revenues	\$ 523,330	\$ 523,330	\$ 277,532	53.0%
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POWELL BILL FUND

Total Revenues	\$ 64,030	\$ 64,030	\$ 27,919	43.6%
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SEWER EXPANSION RESERVE FUND (SERF)

Total Revenues	\$ 22,635	\$ 22,635	\$ -	0.0%
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BEACH PROTECTION FUND

Total Revenues	\$ 50,000	\$ 50,000	\$ -	0.0%
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FEDERAL ASSET FORFEITURE FUND

Total Revenues	\$ 50,000	\$ 60,000	\$ 51,440	85.7%
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**TOWN OF KURE BEACH
CASH AND INVESTMENTS
AS OF JUNE 30, 2016**

<u>FUND</u>	<u>CASH IN BANK</u>	<u>INVESTMENTS</u>	<u>TOTAL CASH & INVESTMENTS</u>
General	\$2,455,155	\$341,772	\$2,796,927
Water/Sewer	\$1,377,838	\$584,755	\$1,962,593
Storm Water	\$729,149	\$240,272	\$969,421
SERF	\$330,386	\$91,243	\$421,629
Powell Bill	\$235,332	\$19,922	\$255,254
Beach Protection	\$61,640	\$175,292	\$236,932
Federal Asset Forfeiture	\$94,573	\$0	\$94,573
TOTAL	\$5,284,073	\$1,453,256	\$6,737,329

<u>INSTITUTION</u>	<u>CASH IN BANK</u>	<u>INVESTMENTS</u>
BB&T	\$5,284,073	\$0
First Bank - Certificates of Deposit	\$0	\$962,715
NCCMT Term Portfolio	\$0	\$481,209
NCCMT Cash Portfolio	\$0	\$9,332
TOTAL	\$5,284,073	\$1,453,256

**TOWN OF KURE BEACH
SUMMARY OF CONTINGENCY FUND AND COMMITTEE
EXPENDITURE ACTIVITY
07/01/2015 - 06/30/2016**

CONTINGENCY FUND

Fiscal Year 2016 Budget	\$130,680.00
Less:	
Budget Amendments - Transfer funds to Administration & Finance Departments - Resolution R15-12	\$7,184.00
Budget Amendment - Transfer funds to Committees Budget- Resolution R16-03	\$11,924.00
Budget Amendments - Transfer funds to Council & Administration Budgets- Resolution R16-04	\$34,000.00
Budget Amendment - Transfer funds to Streets & Sanitation Budget- Resolution R16-07	<u>\$6,400.00</u>
Remaining Budget as of 06/30/2016	<u><u>\$71,172.00</u></u>

COMMITTEE (Shoreline Access, Beach Protection & Parking) EXPENDITURES

Fiscal Year 2016 <u>Amended</u> Budget	\$61,794.00
Less Expenditures:	
Grant Writer Fees	\$825.00
Parking Signs	\$104.95
Engineer Deposit - H Ave. Beach Access	\$500.00
Parking Lot Stone/Hauling	\$653.41
Parking Signs	\$105.00
Adopt A Beach Website Fees	\$183.90
H Ave. Beach Access Project	\$45,320.00
H Avenue Beach Access Drawings	<u>\$1,500.00</u>
Total Expenditures	<u><u>\$49,192.26</u></u>
Remaining Budget as of 06/30/2016	<u><u>\$12,601.74</u></u>

**TOWN OF KURE BEACH
DEBT LISTING
JULY 19, 2016**

<u>LOAN PURPOSE/DESCRIPTION</u>	<u>FUND</u>	<u>LENDER</u>	<u>DATE OF LOAN</u>	<u>AMOUNT FINANCED</u>	<u>INTEREST RATE</u>	<u>LOAN TERM (YRS)</u>	<u>DATE PAID OFF</u>	<u>BALANCE AT 07/19/16</u>	<u>PAYMENT FREQUENCY</u>	<u>PAYMENT AMOUNT</u>	<u>NEXT PAY DATE</u>	<u>INT. EXPENSE LIFE OF LOAN</u>
Sewer Rehabilitation Project (a)	W/S	Fed Gov	05/01/2010	\$432,660	0.00%	20	05/01/2030	\$147,780.03	Annual	\$10,555.72	05/01/2017	\$0.00
Ocean Front Park (development)	G	BB&T	07/12/2011	\$347,000	4.39%	17	07/12/2028	\$244,941.20	Annual	\$31,164.68	07/12/2017	\$137,099.64
Ocean Front Park (acquisition)	G	BB&T	12/19/2007	\$3,600,000	4.28%	20	12/19/2027	\$778,846.27	Annual	\$98,238.48	12/19/2016	\$690,135.16
334 S. 4th, 402 H & 406 H Ave.	G	BB&T	03/12/2015	\$409,471	2.49%	10	03/12/2025	\$368,524.03	Annual	\$51,142.95	03/12/2017	\$56,077.07
Water Tower & Well House & Town Hall Expansion (b)	G, W/S	BB&T	04/11/2007	\$1,187,187	3.92%	15	05/07/2022	\$558,869.10	Semi-annual	\$52,716.71	11/07/2016	\$394,314.33
O'Brien 7065 Hydroletter (c)	W/S, SW	1st Bank	08/13/2015	\$81,485	1.70%	5	08/13/2020	\$81,484.95	Annual	\$17,149.28	08/13/2016	\$4,202.44
Cutter Court Drainage Project	SW	B of A	07/23/2005	\$875,000	4.40%	15	06/23/2020	\$287,446.91	Monthly	\$6,677.76	08/23/2016	\$326,995.49
FY 2016 Equipment & Vehicles (d)	G, W/S	BB&T	09/14/2015	\$186,000	2.01%	4	09/14/2019	\$186,000.00	Annual	\$48,859.87	09/14/2016	\$9,439.48
(2) 2015 Police Cars	G	BB&T	03/27/2015	\$48,359	2.19%	4	03/27/2019	\$36,659.23	Annual	\$12,758.83	03/27/2017	\$2,676.33
2015 Ford F-250 Utility Truck	W/S	BB&T	10/24/2014	\$32,216	2.19%	4	10/24/2018	\$24,421.80	Annual	\$8,499.73	10/24/2016	\$1,782.92
Downtown Improvement Project	G	BB&T	01/17/2014	\$117,000	1.93%	4.5	06/17/2018	\$71,644.71	Annual	\$24,719.00	01/17/2017	\$6,595.00
2013 Ford F-150 Police Truck	G	BB&T	01/15/2014	\$32,000	2.18%	4	01/15/2018	\$16,345.00	Annual	\$8,440.70	01/15/2017	\$1,762.80
2013 Ford Police Utility	G	BB&T	06/28/2013	\$29,836	2.17%	4	06/28/2017	\$7,700.88	Annual	\$7,867.99	06/28/2017	\$1,635.96
2011 International Garbage Truck	G	BB&T	09/16/2011	\$152,152	1.81%	5	09/16/2016	\$31,531.79	Annual	\$32,102.53	09/16/2016	\$8,360.65

FUND CODES

G - General Fund
W/S - Water/Sewer Fund
SW - Storm Water Fund

TOTAL OUTSTANDING DEBT AT 07/19/2016:

General Fund \$ 1,782,374.31
Water/Sewer Fund \$ 731,632.20
Storm Water Fund \$ 328,189.39
Total \$ 2,842,195.90

NOTES

- (a) - Total amount borrowed was \$432,660. As part of ARRA, the unpaid balance was immediately reduced by one-half of the loan amount.
(b) - 78% of loan is Water/Sewer Fund and 22% is General Fund.
(c) - 50% of loan is Water/Sewer Fund and 50% is Storm Water Fund.
(d) - 55.5% of loan is General Fund and 44.5% is Water/Sewer Fund.

LOAN PAYMENTS DUE (Next 12 Months):

07/20/2016 - 09/30/2016 \$ 111,467.20
10/01/2016 - 12/31/2016 \$ 179,488.20
01/01/2017 - 03/31/2017 \$ 117,094.76
04/01/2017 - 07/19/2017 \$ 129,016.14
Total \$ 537,066.30



TOWN COUNCIL MINUTES

PUBLIC HEARING

June 9, 2016 @ 6:30 PM

The Kure Beach Town Council held a public hearing on Thursday, June 9, 2016 at 6:30 p.m. The Town Attorney was present and there was a quorum of Council members.

COUNCIL MEMBERS PRESENT

Mayor Emilie Swearingen
Mayor Pro Tem (MPT) Craig Bloszinsky
Commissioner David Heglar
Commissioner Joseph Whitley
Commissioner Jim Dugan

STAFF PRESENT

Police Chief – Dennis Cooper
Police Lieutenant – Mike Bowden
Public Works Director – Sonny Beeker
Finance Officer – Arlen Copenhaver
Town Clerk – Nancy Avery
Deputy Town Clerk – Nancy Hewitt

OPENING AND PURPOSE OF HEARING

Mayor Swearingen called the meeting to order and stated that the purpose of the public hearing is to receive comments from the public on the proposed Fiscal Year 16-17 budget which includes the following highlights:

- 1) Increase property tax rate by 2.35 cents over the prior year's tax rate, for a total property tax rate of 28.5 cents (per \$100 of property valuation), due to the proposed addition of five full-time employees, the desire to maintain existing town-provided services at current levels and the need to maintain reserve funds for potential beach nourishment costs
- 2) New rate tier for residential water and sewer usage over 7,000 gallons, as follows, to provide for sufficient accumulation of reserves for future infrastructure repairs and replacements:
 - Water: 67.5 cents per 100 gallons
 - Sewer: 87 cents per 100 gallons
- 3) Four additional full-time employees for the Fire Department due to a decreasing volunteer base and the need to handle multiple day and night emergency calls with properly trained personnel
- 4) One additional full-time employee for the Police Department due to an increase in the town's full-time population and an increase in tourist traffic
- 5) Cost of Living adjustment of two percent for all full-time employees
- 6) Merit increase of two percent to reward employees who are performing above expectation



TOWN COUNCIL MINUTES

PUBLIC HEARING

June 9, 2016 @ 6:30 PM

Official notice of this public hearing was posted on the town's website, town hall bulletin board and in the Island Gazette on May 25, 2016, to meet with public notification requirements per N.C.G.S. 159-12.

PUBLIC COMMENTS

1. Tom Winant, 7421 Fern Valley Drive, Wilmington

Mr. Winant said he owns property in Kure Beach. He said he believes in limited government and, although he knows the additional fire and police department employees are needed for safety purposes, he feels the addition is an increase in government, which will require an increase in taxes. He asked council for their comments.

Commissioner Heglar said that the taxes for fire and police in Wilmington are more than Kure Beach, and Kure Beach is the last town in the county to add full time, 24/7 staffing to their fire department. He said if the town closes its fire department and lets the county cover the town, the fire tax would be 7 cents per \$100 of property value versus 4.5 cents for Kure Beach. He said he appreciates Mr. Winant's "small town government" comments but, compared to the county's tax rate for the service levels they provide, the town's tax rate is less.

Mayor Swearingen said that, years ago, the town was able to obtain a Level 5 fire rating; and, as a result, the homeowner's insurance rate decreased for Kure Beach homeowners. She said that her house was valued at about \$360,000 at the time of the new fire rating, and she saved about \$800 on her homeowner's insurance. She explained that, if the town doesn't go to 24/7 fire coverage, we could lose that fire rating.

Mr. Winant said he has owned property in the town for five years and has only seen increases in his homeowner's insurance, not decreases. He added that he just discovered that he has been paying for two garbage carts per month, but he only has one cart and he has owned his property since 2010. He said the utility bill only shows the total amount of the garbage pickup charge instead of showing how many containers he is being billed for. He suggested that the town show the itemized amount, per garbage cart, on the utility bill.

Director Beeker said it wouldn't be any trouble for his driver to be able to say how many carts are being collected at Mr. Winant's property, and they can confirm it with the utility department.

Mr. Winant said that when he asked the utility representative about the charge, she asked him how the town would know if he had one or two carts. He said the only way to find that out, if the town doesn't believe he only has one cart, is for his house to be searched.

2. Marsha Cox, 2205-C Surfrider Circle (Ocean Dunes)

Ms. Cox said she represents Ocean Dunes condo complex which has 196 units divided into 24 buildings. She said they are being billed the base unit, per building, plus an overage on



TOWN COUNCIL MINUTES

PUBLIC HEARING

June 9, 2016 @ 6:30 PM

everything else the building is using. She said she uses the base water consumption every month, but she can't control the water usage of her neighbors. She said she would like the town to figure out a way to bill each customer, per unit.

Commissioner Heglar said he felt that was a reasonable request and that he, Director Beeker and Finance Officer Copenhaver will look at the data and see if there's some sort of solution. He asked her to return to the June 21st regular council meeting when it will be put on the agenda for further discussion.

Director Beeker said that Ocean Dunes has a two inch meter that feeds the entire building and, if each unit has to be equipped with a separate meter, the building will have to be re-plumbed which will be expensive for the condo owners.

Ocean Dunes' HOA Community Manager said that the board doesn't mind the one meter, but their proposal is to increase the base amount to accommodate the multi-family units.

3. Mary Beth Whitton, 422 Settlers Lane

Ms. Whitton said she understands the need to increase the water rate for increased consumption, but it's not fair that some people who use their well water to irrigate their property don't have to pay for the sewer portion, even though the water flows into the street down to the sewer system.

Commissioner Heglar clarified that the water that goes into the street flows into the storm water system, not into the sewer system.

Ms. Whitton said people are confused by that in her neighborhood. She said that the only reason she could think that her sewer charge went up is because she was watering her lawn.

Mayor Swearingen said the 7,000 gallon rate tier doesn't start until July 1st, and her bill probably increased because she was watering her lawn which increases the water and sewer bill.

Commissioner Heglar said that the town can provide information to her on her usage and, if she doesn't understand it, he would be happy to sit down with her and explain it.

Ms. Whitton said that a few of her neighbors have had an increase in their water/sewer bill this month. When questioned by council about possible reasons for this, she said that she helps her neighbor by watering his lawn three times a week for ten minutes at a time, and another neighbor whose utility bill was very high this month waters his plants more often than that.

4. Jim Gaffney, 282 Seawatch Way

Mr. Gaffney asked council how much the rate would increase in dollars and cents, over the current rates, if council adopts the new rate tier.



TOWN COUNCIL MINUTES

PUBLIC HEARING

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Finance Officer Copenhaver said the water would go up 22.5 cents per 100 gallons of usage over 7,000 gallons and sewer would go up 29 cents per 100 gallons of usage over 7,000 gallons.

Mr. Gaffney asked why council chose the 7,000 gallons for a new tier amount.

Commissioner Heglar said that council had to decide if they wanted to raise the rate for everyone or just those people who are using the most water. He said that they looked at the numbers presented to them by the finance officer and decided the 7,000 tier would be the most reasonable choice. He said that adding a new rate tier for heavy usage would allow residents to decide how to regulate their usage to save money.

CLOSING OF PUBLIC HEARING

As no one else indicated the desire to address council, Mayor Swearingen asked for a motion to close the public hearing.

MOTION – At 6:55 p.m., Commissioner Heglar moved to close the public hearing.

SECOND – MPT Bloszinsky

VOTE – Unanimous

COUNCIL DISCUSSION OF PROPOSED BUDGET AND POSSIBLE DIRECTION TO FINANCE OFFICER

Council Consensus - The impact of the proposed water/sewer tiers on Ocean Dunes and The Riggings needs to be examined, but council is on track with the proposed budget and no changes to the proposed budget need to be made.

ADJOURNMENT

MOTION – Commissioner Heglar moved to adjourn the meeting.

SECOND – Commissioner Dugan

VOTE – Unanimous

The meeting adjourned at 6:57 p.m.

Emilie Swearingen, Mayor

ATTEST: Nancy Hewitt, CMC, Deputy Clerk

NOTE: These are action minutes reflecting items considered and actions taken by Council. These minutes are not a transcript of the meeting.



TOWN COUNCIL MINUTES

SPECIAL MEETING

June 9, 2016

The Kure Beach Town Council held a special meeting on Thursday, June 9, 2016. The Town Attorney was present and there was a quorum of Council members.

COUNCIL MEMBERS PRESENT

Mayor Emilie Swearingen
Mayor Pro Tem (MPT) Craig Bloszinsky
Commissioner David Heglar
Commissioner Joseph Whitley
Commissioner Jim Dugan

STAFF PRESENT

Police Chief – Dennis Cooper
Police Lieutenant – Mike Bowden
Town Clerk – Nancy Avery
Deputy Town Clerk – Nancy Hewitt

CALL TO ORDER

Mayor Swearingen called the special meeting to order at 6:58 p.m.

CLOSED SESSION

MOTION – Commissioner Heglar moved to go into closed session to discuss a personnel matter as per N.C.G.S. 143.318.11(6)

SECOND – Commissioner Dugan

VOTE – Unanimous

RETURN TO OPEN SESSION

MOTION – At 8:20 p.m., Commissioner Heglar moved to return to open session.

SECOND – MPT Bloszinsky

VOTE – Unanimous

REVIEW OF PROPOSED AMENDMENTS TO THE PERSONNEL POLICY

Mayor Swearingen said that there is a possibility that three or four of the current department heads will be retiring in the next three years and succession plans are in place for each of them. She said that council wanted to change the existing personnel policy to be able to hire internally without spending time and money going outside the town to advertise for replacements, especially when there are extremely well-qualified people already working for the town. She said council would like to change the language in Article IV, Section 3 of the personnel policy to provide an option to either choose to advertise the position vacancy or give first priority to equally qualified internal applicants for the position.



TOWN COUNCIL MINUTES

SPECIAL MEETING

June 9, 2016

MOTION – Commissioner Heglar moved to amend Article IV (Recruitment & Employment), Section 3 (Recruitment, Selection & Appointment) of the Personnel Policy to read as follows: Recruitment Sources. When position vacancies occur, they may be publicized, including applicable salary information and employment qualifications. In addition, notice of vacancies may be posted at designated conspicuous sites within departments. The N.C. Employment Security Commission may be used as a recruitment source. Equally qualified internal applicants may be given first priority for the position.

SECOND – MPT Bloszinsky

VOTE – Unanimous

EVALUATION PROCESS

Mayor Swearingen said that council will use the regular evaluation form this fiscal year for the department heads but plans to revise the process beginning in July to allow for evaluation of the employee throughout the year. She said council will also ask the department heads to bring their ideas on revising the evaluation process when they meet for their evaluations in two weeks.

Commissioner Heglar directed the Town Clerk to email council members the current evaluation form for council to input their department head evaluations.

ADJOURNMENT

MOTION – Commissioner Heglar moved to adjourn

SECOND – Commissioner Whitley

VOTE – Unanimous

The meeting adjourned at 8:26 p.m.

Emilie Swearingen, Mayor

ATTEST: Nancy Hewitt, CMC, Deputy Clerk

NOTE: These are action minutes reflecting items considered and actions taken by Council. These minutes are not a transcript of the meeting.



TOWN COUNCIL MINUTES

REGULAR MEETING

June 21, 2016

The Kure Beach Town Council held their regular meeting on Tuesday, June 21, 2016 at 6:30 p.m. The Town Attorney was present and there was a quorum of Council members.

COUNCIL MEMBERS PRESENT

Mayor Emilie Swearingen
Mayor Pro Tem (MPT) Craig Bloszinsky
Commissioner David Heglar
Commissioner Joseph Whitley
Commissioner Jim Dugan

STAFF PRESENT

Police Chief – Dennis Cooper
Police Lieutenant – Mike Bowden
Public Works Director – Sonny Beeker
Building Inspector – John Batson
Finance Officer – Arlen Copenhaver
Town Clerk – Nancy Avery
Deputy Town Clerk – Nancy Hewitt

CALL TO ORDER

Mayor Swearingen called the meeting to order at 6:30 p.m. Reverend Tommy Williams gave the opening invocation and led everyone in the Pledge of Allegiance.

APPROVAL OF CONSENT AGENDA ITEMS

1. Approve License DACA21-1-14-4108 with MOTSU for lease of land for use as sewage treatment facility at cost of \$10,400, annually, until 2019
2. Approve Budget Amendment 16-12 totaling \$16,150 for Firefighters Assistance Grant proceeds and related equipment purchases
3. Approve Budget Amendment 16-13 totaling \$4,982 for Community Center HVAC replacement
4. Approve recognition plaque for UNC Honors College for annual Beach Sweep in August
5. Accept resignation of Andrew Barnard from the Shoreline Access, Beach Protection and Parking Committee
6. Building Inspections Report – May 2016
7. Fire Department Report – May 2016
8. YTD Finance Report
9. Meeting Minutes:
 - May 12, 2016 special
 - May 17, 2016 regular/public hearing
 - May 17, 2016 closed



TOWN COUNCIL MINUTES

REGULAR MEETING

June 21, 2016

MOTION – Commissioner Heglar moved to approve the Consent Agenda Items, as presented.

SECOND – MPT Bloszinsky

VOTE – Unanimous

Said budget amendments are herein incorporated as part of these minutes.

ADOPTION OF THE AGENDA

Commissioner Heglar asked that Police Department Business be moved from under Department Head Business to the next item of business on the agenda, before presentations are given.

MOTION – Commissioner Heglar moved to adopt the meeting agenda, as amended.

SECOND – Commissioner Whitley

VOTE – Unanimous

POLICE DEPARTMENT

Police Chief Dennis Cooper introduced his wife, Patty, and announced that he is retiring at the end of June. He thanked the town for having confidence in him for 20 years as police chief and 24 years on the town's police force. He said he feels privileged to have worked with the department heads and that he has gone through a lot of things together over the years with the Public Works Director Beeker and Fire Chief Heglar. He said that he hopes he has left the town with a strong police department. He thanked the residents for their support and said Kure Beach has been a great place in which to live and be the chief of police. He thanked his wife for putting up with his rants, stating she has been as much a part of serving the town as he has been. He wished his officers and town employees the best.

Mayor Swearingen announced that, earlier today in an open meeting of town council, Officer Mike Bowden was hired as the new police chief and will take the Oath of Office at Town Hall on July 1st; time will be announced. She said that Officer Bowden has served in the police department for 16 years and is highly qualified to be its next police chief as he is extremely familiar with the town and has the support of the entire police department and council.

Council members thanked Chief Cooper and everyone gave him a standing ovation.

DISCUSSION AND CONSIDERATION OF PRESENTATIONS TO COUNCIL

1. Ken Richardson, Shoreline Management Specialist – Coastal Management, Development Lines/Static Line Exception

Mr. Richardson explained the new exception that is being implemented for building along the shoreline which changes how the oceanfront setback lines are figured. He showed photos of North Carolina shorelines and explained how homes that were once non-conforming because of their proximity to the tideline are now able to be considered conforming, depending on how each jurisdiction decides to draw its development line. He compared the General Use Standards



TOWN COUNCIL MINUTES

REGULAR MEETING

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currently used to determine a setback line to the new exception guidelines which determines the development line using the first line of vegetation. He said the town would need to ask the state for an exception to go with this new measurement and, once approved, the state can never ask Kure Beach to change it back.

Commissioner Heglar said this new way of measuring is loosening the regulations, and structures that weren't allowed to be built before this are now allowed to be built closer to the ocean. He said that this will shift flood insurance costs to the coast, which is why he doesn't like it.

Explaining how this exception would apply to Kure Beach, Inspector Batson said that, currently, the town has no unbuildable lots on the ocean front but there are quite a few older homes that are non-conforming to the 60-foot set back. He said this new way of measuring could allow for a bigger property footprint, but council opted last year not to apply for the exception. He said he will review which oceanfront lots the new exception would affect, but The Riggings is pretty much out of the town's control since CAMA has allowed them to put sand bags along the ocean front.

Other points made by Mr. Richardson were as follows: this program will be available and isn't going away anytime soon; the town can give him drawings and he can show where the new setback lines would be under the exception; he doesn't know if FEMA has looked at this yet; NC is the only state that has this coastal program; it doesn't look like the new setback lines will be a limiting factor for beach nourishment.

Council told Mr. Richardson that Kure Beach has an oceanfront easement line with the Army Corps of Engineers (USACE), to which Mr. Richardson responded that, no matter what the new exception states, one still can't go ocean-ward of that easement line. He said that Carolina Beach may potentially submit their easement line as their development line and it may make sense for Kure Beach to do the same. Discussion ensued about the resale value of conforming versus non-conforming oceanfront properties with Mr. Richardson stating there isn't a lot of data on how values are affected because it depends on the market and the motivation of the buyers.

Mayor Swearingen asked Inspector Batson to take a look at this to see if there would be a benefit to ask for the exception.

DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL

1. Mary Stevens, 610 S. Fort Fisher Blvd.

Ms. Stevens said that she was told a year ago that a new water line would be installed in her part of town, across the street from the Lutheran Center. She asked what the installation time frame was going to be.



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Director Beeker said it is going to be difficult to lay a new water line in that area of town because a 6-inch line will need to be pushed through the ground, under Highway 421, and it will also be difficult tying in the water and sewer from the back of the lots because there are no easements on the properties; but, the town attorney is looking into getting easements from the property owners. He said he met with the engineer today about the project and expects to lay a 2-inch water line within the next month or two to eliminate some of the problems until the main work is able to be done. He said the work will have to be done with shovels, not backhoes, because of the limited space in which to work.

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Marketing Committee

a. Presentation of FY16-17 Proposed Marketing Budget

Marketing Committee member, Debbie Elliott, reviewed Marketing's proposed budget plan for the next fiscal year. Her presentation included the proposed timing and seasonality of advertising, the target audience and areas for each season, and the types of advertising that will be done. She reviewed the proposed budget pointing out that there is a media contingency of \$11,945 which is a new item that will enable them to take advantage of last-minute deals on less expensive, but larger, advertisements.

Commissioner Heglar said the total proposed budget is \$203,915, which is based on the increase in Room Occupancy Tax; none of the money comes out of the community tax base.

MOTION – Commissioner Heglar moved to approve the FY16-17 Marketing Budget of \$203,915, as presented.

SECOND – MPT Bloszinsky

VOTE – Unanimous

2. Planning & Zoning Commission

Chairman John Ellen said there would be no July meeting.

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Finance Department

Finance Officer Copenhaver told council that, after the July 9th public hearing, he looked at the water and sewer billing for Ocean Dunes and confirmed that the town is billing them correctly; he communicated this to the Ocean Dunes representative. He added that he attended a meeting at the county offices regarding sales tax distribution, explaining that Carolina Beach had raised the issue that, when one town raises its property tax, it has an impact on how sales tax is distributed because the county uses the Ad Valorem method of distributing sales tax. Because of this, Carolina Beach had suggested having some sort of hold harmless agreement, but no one else was supportive of the idea.



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2. Building Department

Inspector Batson said the H Avenue beach access ramp is complete, but the handrail was found to have deficiencies that need to be resolved; they found a vendor to do the lighting in the next few weeks; and Public Works graded the parking lot and reset the bike racks and signs.

Mayor Swearingen said the county had a meeting and the issue of dunes came up. She said that Layton Bedsole said Spencer Rogers from NC Sea Grant is helping some towns ride their beaches to see if their dunes are adequate. She asked Inspector Batson to schedule a time for Mr. Rogers to do this for Kure Beach.

Inspector Batson said he will contact Mr. Rogers and arrange this.

3. Fire Department

Mayor Swearingen asked the town attorney to find out if there is any legislation forbidding the town from billing someone who receives emergency help from Kure Beach at the south end of Fort Fisher, at the rocks, which is Brunswick County's jurisdiction because it is costing the town time and money to rescue people there. She added that the signage at the south end that warns people to not play on the rocks is turned so that no one can see it.

Town Clerk Avery said she was told that USACE is responsible for the signage.

Mayor Swearingen asked the town clerk to call Bob Keesler with USACE to see what it will take for them to fix the sign.

Commissioner Dugan said the town's emergency services is supplying support for another jurisdiction. He explained that people call 911 who get stranded on Zeke's Island when the tide comes back in, and the town has been supplying a ferry to go get them, which is above and beyond the emergency service duties.

Commissioner Heglar asked the town attorney to provide council with what legal authority the town could charge people for the emergency services it provides to people at the rocks and Zeke's Island in Brunswick County jurisdiction.

The town attorney said he would give the information to them at next month's meeting.

4. Public Works Department

Director Beeker said that the Town Clerk told him that she is getting complaints from some residents about the new LED street lights shining in their bedroom windows at night so they can't sleep. He said he called David Mumm at Duke Energy who told him that they could install shields on the lights, but they would cost about \$15 each, per month. Mr. Mumm told him he has only installed a couple in Wrightsville Beach and none in Carolina Beach.



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REGULAR MEETING

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Mayor Swearingen interjected that WECT will be doing a report on how wonderful it is that Kure Beach has installed low-sodium, turtle-safe lights at the park. She added that there was a recent medical report regarding LED lights being harmful by keeping people from sleeping and causing other problems.

Director Beeker said that he has a list of about 30 low-sodium, turtle-safe lights that were installed in town which he sent to Ms. Pollard at Duke Energy for their records, but he has recently noticed that some of the low-sodium lights have replaced with LED lights. When he spoke to Mr. Mumm about this, Mr. Mumm said he didn't know about the list, so Director Beeker sent him a copy. He said he doesn't know whether to tell Mr. Mumm to leave the LED lights or ask him to change them back to the low-sodium lights. In addition, he said that he has been told that the low-sodium lights will eventually be discontinued and replaced with LED lights. Mr. Mumm told him they don't have any sort of turtle-safe LED light. Director Beeker asked for council's direction on how to proceed with both issues.

Discussion ensued about the cost of installing shields for the 126 LED lights that are in town, including cost and safety issues.

Council said they will forego renting shields for the LED street lights, but they asked Director Beeker to look into what sort of shading Duke Energy can provide on the LED lights for turtle-safe lighting, since the low-sodium lights will be discontinued.

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Adoption of the FY16-17 Proposed Budget Ordinance and Fee Schedule

The finance officer said that council hasn't given him any changes to the proposed budget that he presented to them at their May 17th regular meeting, nor after the public hearing on June 9th.

MOTION – Commissioner Heglar moved to adopt the FY16-17 Budget Ordinance and Fee Schedule, as presented.

SECOND – MPT Bloszinsky

VOTE – Unanimous

Said budget ordinance and fee schedule are herein incorporated as part of these minutes.

2. Architectural Firms for Town Hall Expansion/Fire Station

Commissioner Dugan said five architectural firms responded to council's request for architectural service proposals and, during a special council meeting in May, council eliminated two of the firms. He said that he, MPT Bloszinsky and Commissioner Whitley visited various buildings that the three remaining firms designed and spoke with the clients to see if they were pleased with the service they received.



TOWN COUNCIL MINUTES

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MPT Bloszinsky said that the two firms they were impressed with the most, and recommend that council interview, are Oakley Collier Architects, PA, and Becker Morgan Group, Inc. He explained that they looked for the best overall value and both of these firms held exceptionally well to the budget and completion time.

MOTION – Commissioner Dugan moved to schedule Oakley Collier Architects, PA, and Becker Morgan Group, Inc., to be interviewed during a special meeting scheduled at Town Hall to be held on Tuesday, July 19th at 5:00 p.m., for the purpose of determining which architectural firm to hire for the proposed project.

SECOND – Commissioner Whitley

VOTE – Unanimous

3. Storm water project to support Beachwalk Pond upgrades

Commissioner Heglar explained that it has gotten into the busy season and Public Works has a lot of other projects on which they are working; so, in order to redirect the water from the Beachwalk ditch to the pond, as directed by the state in a permit application, the town needs to contract the work out.

MOTION – Commissioner Heglar moved to authorize the Public Works Director to work with the Finance Officer to spend no more than \$32,000 from the Storm Water Fund to contract with a company to run an underground pipe to redirect water from Beachwalk's ditch to the pond, as required by the state's permit.

SECOND – Commissioner Dugan

VOTE – Unanimous

Director Beeker said that he has three different projects he needs to start soon, so this will enable him to contract with a company to start this project after the permit is issued. He expects that, in about three weeks, the permit will be issued and the work can be completed without the town having to wait for Public Works to do the job in the midst of their other projects.

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Plaque for Wilmington Regional Association of Realtors (WRAR) flagpole and plant donation

Mayor Swearingen asked for council's approval to have a plaque placed at the Community Center, dedicated to the WRAR, in thanks for the donation of a new flag pole and landscaping at the center. She said that the plaque would be placed near the flagpole. She said Recreation Manager Keely will check on the appropriate size and cost of the plaque.

MPT Bloszinsky said the donation was significant enough to honor the WRAR with a plaque which also may help encourage other organizations to do things for the town.



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June 21, 2016

MOTION – Commissioner Heglar moved to approve the purchase and placement at the Community Center of a plaque in appreciation of the WRAR’s donation of a flagpole and landscaping at the Community Center.

SECOND – Commissioner Dugan

VOTE – Unanimous

2. DOT Grant Application

Mayor Swearingen said this agenda item was in reference to an application for planning a multi-purpose path that was part of the MPO’s regional greenway and multi-purpose path. She said she had decided to pursue the grant after talking to Sunny Point, but she received word this afternoon from them that they would never allow us to have a multi-purpose path down either side of Dow Road.

3. Proposed amendments to Articles II, III, IV and V of the Personnel Policy and adoption of salary bands as the compensation plan

Town Clerk Avery recommended council approve the proposed amendments and the salary band which would become effective July 1, 2016. She said the proposed amendments relate back to the proposed salary band compensation plan. She said she gave all of the information to the council members and received some change requests.

MOTION – Commissioner Heglar moved to approve amendments to Articles II, III and IV of the Personnel Policy, as presented.

SECOND – Commissioner Whitley

VOTE – Unanimous

MOTION – Commissioner Heglar moved to adopt the salary bands compensation plan, as presented.

SECOND – MPT Bloszinsky

VOTE – Unanimous

Commissioner Heglar said that he had issues with Article V of the Personnel Policy and he emailed his proposal to council. He said that the original policy prohibits relatives working in the same department and gave examples of how that policy isn’t currently being followed by the town. He said there is a huge history of relatives working together for the town, but he understands the policy was written to deter nepotism. He said he researched policies from the NYC Fire Department and Princeton and Ohio State Universities, and he used those as the basis for his language. He said his proposal guards against nepotism and outlines who is allowed to make hiring decisions.

After finding that some corrections the mayor wanted incorporated into Commissioner Heglar’s proposal were mistakenly left out, Commissioner Heglar said he will work with the mayor to incorporate her changes and bring the proposal back to the July council meeting for a vote.



TOWN COUNCIL MINUTES

REGULAR MEETING

June 21, 2016

4. Emerald Isle Amicus Brief

Mayor Swearingen read an email from the town manager of Emerald Isle, NC, stating they have received a great response from other NC coastal counties and towns supporting the Amicus Brief. She said they have retained two attorneys to work on the briefs; one for the northern beaches and one for the southern beaches. She said they are asking the entities who want to join the cause to contribute money to pay the attorneys. She explained it is critical for those people who don't own oceanfront properties to be able to continue to enjoy the beach strand and the briefs will be presented to the NC Supreme Court on July 27, 2016.

Attorney Canoutas explained that a gentleman has sued Emerald Isle, contending that the land on the oceanfront in front of his property is his private property, even though the state constitution says it is land held in public trust. He thinks the town should join in on the Amicus Brief to protect itself, although Kure Beach is unique in that the town has easements on its banks that are recorded and can't be taken away.

MOTION – Commissioner Whitley moved to approve \$1,000, to be paid out of the Governmental and Volunteer Relations budget, to support the Emerald Isle Amicus Brief.

SECOND – MPT Bloszinsky

VOTE – Unanimous

Attorney Canoutas said he will contact Emerald Isle to tell them of council's support.

MAYOR UPDATES

1. Meeting Updates

Mayor Swearingen gave an overview of Town Hall Day in Raleigh. She said she, along with other officials from Wilmington and Carolina Beach, met with legislators as well as with the head of the Economic Development office and with Representative Catlin who the governor is appointing to the Coastal Resources Commission. She said that she and MPT Bloszinsky attended the annual meeting of the Economic Development Commission where Senator Burr said the state is one of the top three destinations in the country, attracting business and industry. She said she was glad to hear him say tourism is a large factor in economic development for the state. She said it is important for the town officials to continue to meet for economic development meetings to keep tourism in the forefront of the discussions so it is known that tourism is something that helps the state's economy; it's not just a form of recreation. She said that the county commissioners met with congressional representatives, a week after that meeting for a "Beach 101" type of meeting, along with representatives from the beach towns. She said that Layton Bedsole announced that the state is doing an Economic Development Study on the impact of tourism in NC and they hope to have it completed before the Long Session in Raleigh is held. She said it also looks like Carolina Beach will get their three year extension on renourishment, but she is concerned that Kure Beach could be overlooked if the extension is



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denied because the documentation refers to “Carolina Beach and VICINITY; the word “vicinity” meaning Kure Beach. She said she will personally stay on top of that.

MPT Bloszinsky added that the state is paying for the study.

COMMISSIONER ITEMS

Commissioner Dugan encouraged everyone to thank Police Chief Cooper for the great job he has done over the last 20 years which has been truly spectacular.

MPT Bloszinsky encouraged everyone to welcome Lieutenant Bowden as the town’s next police chief. He said that he has been with the town for 16 years and “gets it.” He said that the lease was signed by all parties for the downtown parking lot and the first payment has been made to the owner. He said there is an RV and a boat parked on the town’s property that is located next to Public Works. He asked Commissioner Whitley to talk to Inspector Batson about taking some sort of action on it.

ADJOURNMENT

MOTION – Commissioner Heglar moved to adjourn.

SECOND – MPT Bloszinsky

VOTE – Unanimous

The meeting adjourned at 8:40 p.m.

Emilie Swearingen, Mayor

ATTEST: Nancy Hewitt, CMC, Deputy Clerk

NOTE: These are action minutes reflecting items considered and actions taken by Council. These minutes are not a transcript of the meeting.

Nancy Hewitt

From: Heglar, David W <HeglarDW@Corning.com>
Sent: Wednesday, July 13, 2016 9:26 AM
To: Emilie Swearingen; Nancy Avery; Craig Bloszinsky; Jim Dugan; Joseph Whitley; David Heglar
Cc: Nancy Hewitt
Subject: Personnel Policy
Attachments: other pp amendments UPDATE.docx

Council –

Please review and give feedback to the changes. I used the input from the Mayor and from Nancy to modify this. I want to get everyone's inputs in and all the corrections prior to Monday so we are good for the Tuesday night meeting.

David

David W. Heglar, PE | Senior Maintenance Project Engineer
Corning Incorporated | Wilmington, NC 28405 | Email: heglardw@corning.com
Tel: (910) 784-8265 | Mobile: (910) 232-3041

<p>ARTICLE V Conditions of Employment</p> <p><i>Section 5. Employment of Relatives</i></p> <p>The Town prohibits the hiring and employment of immediate family in permanent positions within the same work unit. "Immediate Family" is defined in Article VII, Section 12. The Town also prohibits the employment of any person into a permanent position who is an immediate family member of individuals holding the following positions: Mayor, Mayor Pro Temp, Town Commissioners Member, Town Clerk, Finance Officer, Police Chief, Public Works and Utilities Director, or Town Attorney. Otherwise, the Town will consider employing family members or related persons in the service of the Town, provided that such employment does not:</p> <ol style="list-style-type: none"> 1) result in a relative supervising relatives; 2) result in a relative auditing the work of a relative; 3) create a conflict of interest with either relative and the Town; or 4) create the potential or perception of favoritism. 	<p>ARTICLE V Conditions of Employment</p> <p><i>Section 5. Employment of Relatives</i></p> <p>A. The Town prohibits the hiring and employment of immediate family in full time positions within the same work unit. No two members of an immediate family shall be employed in the same department if such employment will result in one member supervising the other or in one member occupying a position that has influence over the others employment, promotion, salary administration, or related management or personnel.</p> <p>B. The term immediate family shall be defined as spouse, child, parent, brother, sister, grandparent, grandchild, guardian, various combinations of step, half and in-law, and adopted relationships of the employee, and others living in the same household.</p> <p>C. The Town also prohibits the employment of any person into a full time position who is an immediate family member of individuals holding the following positions: Mayor, Mayor Pro Temp, Town Council Member, Town Clerk, Finance Officer, Police Chief, Fire Chief, Building Inspector, Public Works Director, or Town Attorney. Otherwise, the Town will consider employing family members or related persons in the service of the Town, provided that such employment does not:</p> <ol style="list-style-type: none"> 1) result in a relative auditing the 	<p>ARTICLE V Conditions of Employment</p> <p><i>Section 5. Employment of Relatives</i></p> <p>A. The Town of Kure Beach encourages, and stresses the importance of, the recruitment, selection, and advancement of employees on the basis of demonstrated work, knowledge, skills, and abilities. If relatives meet the established requirements for fulltime job vacancies based on their qualifications and performance, then they are eligible for employment with the Town of Kure Beach with certain restrictions as stated in this section. Hiring within the same department normally is prohibited for individuals of the immediate family. Exceptions to this requirement will be reviewed and approved by the appropriate Department Head, Personnel Officer and Town Council. Additionally, to avoid a conflict of interest or an appearance of conflict of interest all decisions regarding a direct benefit, e.g., initial hire or rehire, promotion, salary, performance appraisals, work assignments or other working conditions for immediate family members within a department will be reviewed by the Personnel Officer Personnel Officer and the Council Liaison for appropriateness and recorded in the employee's personnel file.</p> <p>B. The term "immediate family" shall be defined as spouse, child, parent, brother, sister, grandparent, grandchild, guardian, various combinations of step, half and in-law, and adopted relationships of the employee,</p>
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<p>Should an immediate family member of an employee be elected to the Board of Commissioners, that employee must terminate his or her employment effective with the swearing in to Board of that member.</p>	<p>work of a relative; 2) create a conflict of interest with either relative and the Town; or 3) create the potential or perception of favoritism. D. Should an immediate family member of an employee be elected to the Board of Commissioners, that employee must terminate his or her employment effective with the swearing in to Board of that member. *The provisions of this section shall not be retroactive and will not apply to incumbent members of the Town Council or employees at the time of the adoption of this amendment.</p>	<p>and others living in the same household. C. The Town also recognizes that the employment of any person into a fulltime position, who is an immediate family member of individuals holding the following positions: Mayor, Mayor Pro-Tem, Town Council Commissioner, Town Attorney or Department Head, presents the potential of a conflict of interest or appearance of conflict of interest and requires additional safeguards. All employment decisions regarding the immediate family of these elected officials and staff department heads require: 1. Approval by a majority vote of the Council in an open a closed meeting with the related member abstaining from the vote (if the relationship is a council member); and 2. The Approval Inputs from the Town department heads in the same open closed meeting for Council consideration. of all Town department heads on the record (with the exception of the related department head, if the relationship is a department head). (Mayor indicates this is not a complete sentence) If a department head is unable to attend; a recommendation approval in writing of the hiring decision is sufficient.</p>
		<p>3. Both conditions (a) and (b) above require majorities a Council majority for the person in question to be</p>

		<p>employed by the town.</p> <p>D. Should an immediate family member of an employee be elected to the Board of Commissioners Town Council, that Commissioner will shall not be assigned as the Liaison to the department in which the immediate family member is employed. Additionally, for personnel actions regarding that employee, which are specific to that employee, the Commissioner is required to abstain from any Council actions.</p> <p>E. All applicants for employment with the town are required to disclose the names of relatives currently employed by the town, as indicated on the employment application. Failure of the employee to provide this information during the hiring process may be grounds for termination of employment.</p> <p><i>Mayor comments: How can you terminate someone who is not hired?</i></p>
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RE: Art V Sect 5

Nancy Avery

Sent: Monday, July 11, 2016 5:03 PM**To:** Heglar, David W [HeglarDW@Corning.com]**Attachments:** other pp amendments.docx (23 KB) ; Mayor input.pdf (656 KB) ; Heglar draft.pdf (603 KB)

David - attached is the amendment you drafted regarding employment of relatives. It contains input from the mayor. I also attached a copy of her input. The only other commissioner I heard from was Craig, who supported your first draft with no changes. Also attached is your original version.

After reviewing again, my concern is that, with this policy, we are taking personnel matters into a public meeting. I am ok with section A that states the liaison (did include Personnel Officer but the mayor wants it removed) review direct benefits for appropriateness. Section C1 and II, though, make me uncomfortable with the hiring decision having to be made in an open session, rather than a closed session. Currently the only hiring decisions made in open session are for department heads. This will bring other employees into that same position. I think it is going to be uncomfortable for both the potential employee and the department heads to be asked to vote on this. Just my thoughts.

This is on the July 19th Council agenda.

Nancy Avery
Town Clerk
Town of Kure Beach, NC
townclerk@tokb.org
910-458-8216 (office)
910-458-7421 (fax)
910-443-0410 (cell)
www.townofkurebeach.org

From: Heglar, David W [HeglarDW@Corning.com]**Sent:** Monday, June 13, 2016 10:13 PM**To:** Emilie Swearingen; Craig Bloszinsky; Joseph Whitley; Jim Dugan; Jim Dugan; Nancy Avery; David Heglar**Subject:** Art V Sect 5

Council –

Following our meeting I continued to consider the Employment of Relative issue. I did research on multiple entities that manage this difficult issue and found both large municipalities (New York City) and major universities (Princeton) that have history with this issue. Utilizing portions of their policies as well as my own thought - I would propose the following change to that specific section.

I tried to balance the actual or appearance of conflict of interest due to nepotism – with the history of the town – which has had the Letender brothers, Sonny and his father (although not sure if at the same time), my grandfather and father (although a volunteer fire chief vs a full time employee), my father and me , the Kennedy brothers as examples of family members in the town.

I agree that we should put in policies and safeguards to ensure that nepotism is addressed – but I am uncomfortable with the current or suggested changes to the policy.

Please review and provide feedback to Nancy or me.

Nancy – please plan to put this as the last item of New Business – and review other recommended changes in light of this recommendation if they may be required.

Call me with any questions as I am on the road with my son visiting battlefields in the North East – just got in from Gettysburg – and it is awesome.

Respectfully –

David

David W. Heglar, PE
Corning Incorporated
OFC Senior Maintenance Project Engineer
310 N. College Road
Wilmington, NC 28405
(bus) 910-784-8265
(cell) 910-232-3041

RE: Art V Sect 5

Craig Bloszinsky

Sent: Tuesday, June 14, 2016 1:35 PM**To:** Heglar, David W [HeglarDW@Corning.com]; Emilie Swearingen; Joseph Whitley; Jim Dugan; Nancy Avery; David Heglar

Solid David, I can support this, it has necessary and reasonable safeguards.

CB

From: Heglar, David W [HeglarDW@Corning.com]

Sent: Monday, June 13, 2016 10:13 PM

To: Emilie Swearingen; Craig Bloszinsky; Joseph Whitley; Jim Dugan; Jim Dugan; Nancy Avery; David Heglar

Subject: Art V Sect 5

Council -

Following our meeting I continued to consider the Employment of Relative issue. I did research on multiple entities that manage this difficult issue and found both large municipalities (New York City) and major universities (Princeton) that have history with this issue. Utilizing portions of their policies as well as my own thought - I would propose the following change to that specific section.

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I agree that we should put in policies and safeguards to ensure that nepotism is addressed - but I am uncomfortable with the current or suggested changes to the policy.

Please review and provide feedback to Nancy or me.

Nancy - please plan to put this as the last item of New Business - and review other recommended changes in light of this recommendation if they may be required.

Call me with any questions as I am on the road with my son visiting battlefields in the North East - just got in from Gettysburg - and it is awesome.

Respectfully -

David

David W. Heglar, PE
Corning Incorporated
OFC Senior Maintenance Project Engineer
310 N. College Road
Wilmington, NC 28405
(bus) 910-784-8265
(cell) 910-232-3041

A. The Town of Kure Beach encourages, and stresses the importance of, the recruitment, selection, and advancement of employees on the basis of demonstrated work, knowledge, skills, and abilities. If relatives meet the established requirements for full time job vacancies based on their qualifications and performance, then they are eligible for employment with the Town of Kure Beach with certain restrictions as stated in this section. Hiring within the same department normally is prohibited for individuals of the immediate family. Exceptions to this requirement will be reviewed and approved by the appropriate Department Head, ~~Personel~~ Personnel Manager and Town Council. Additionally, to avoid a conflict of interest or an appearance of conflict of interest all decisions regarding a direct benefit, e.g., initial hire or rehire, promotion, salary, performance appraisals, work assignments or other working conditions for immediate family members within a department will be reviewed by the ~~Personel~~ Personnel Manager and the Council Liason for appropriateness and recorded in the employee's personnel file.

B. The term "immediate family" shall be defined as spouse, child, parent, brother, sister, grandparent, grandchild, guardian, various combinations of step, half and in-law, and adopted relationships of the employee, and others living in the same household. (NO CHANGE)

C. The Town also recognizes that the employment of any person into a full time position, who is an immediate family member of individuals holding the following positions: Mayor, Mayor Pro-Tem, Town Council Member, Town Attorney or Department Head, presents the potential of a conflict of interest or appearance of conflict of interest and requires additional safeguards. All employment decisions regarding the immediate family of ~~these~~ elected officials and ~~Staff~~ Commissioner Department Heads requires:

a. Approval by a majority vote of the Council in an open meeting with the related member abstaining from the vote (if the relationship is a Council Member); and

b. ~~The~~ approval in the same open meeting of all Town Department Heads on the record (with the exception of the related Department Head, if the relationship is a Department Head). If a Department Head is unable to attend, ~~an~~ approval in writing of the hiring decision is sufficient.

c. Both conditions (a) and (b) above require ~~majorities~~ a Council majority for the person in question to be employed by the town.

D. Should an immediate family member of an employee be elected to the Board of ~~Commissioners~~ Town Council, that Commissioner ~~will~~ shall not be assigned as the Liason to the

Very confusing

Not a complete sentence

Town Council

Department in which the immediate family member is employed. Additionally, for personnel actions regarding that employee, in which are specific to that employee, the Commissioner is required to abstain from any Council actions.

- E. All applicants for employment with the town are required to disclose the names of relatives currently employed by the town, as indicated on the employment application. Failure of the employee to provide this information may be grounds for the termination of employment.

How can you terminate
someone who is not hired?



JOINT MEMORANDUM

TO: NCDOT Division 3

FROM: Ea Ruth, WRAR Governmental Affairs Chair
Tyler Newman, BASE CEO
Adrienne Cox, WRAR Public Affairs Director

SUBJECT: Support of Hampstead Bypass (R-3300)

DATE: July 6, 2016

The Wilmington Regional Association of REALTORS® and the Business Alliance for a Sound Economy (BASE)—representing the Jacksonville Board of REALTORS® support the WMPO local input point assignment of 100 points to the Hampstead Bypass (R-3300). The Associations, along coastal southeastern North Carolina, recognize the regional benefit of providing a safe, and efficient transportation facility connecting Jacksonville and Wilmington urban centers, while also impacting the quality of life of residents and the business communities in Hampstead and Pender County.

We would like to echo our support of this necessary improvement that will foster economic development in our region, as recognized by the Jacksonville Urban Area MPO: 2040 Long Range Plan (2015), the Highway 17 Association: US 17 Economic Impact Study (2013), and the Military Growth Task Force: Regional Growth Management Plan (2009).

Thank you for your consideration. If you have questions, please contact Adrienne Cox at 910-473-5605 or Tyler Newman at 910-799-2611.

Nancy Hewitt

From: David Piepmeyer <dpiepmeyer@pendercountync.gov>
Sent: Monday, July 11, 2016 8:45 AM
To: Emilie Swearingen
Cc: Nancy Avery; Nancy Hewitt
Subject: RE: Support Letter for Hampstead Bypass

Emilie,
That would be great. Thanks and have a good week.

David Piepmeyer

Pender County Board of Commissioners
County Office Phone: 910-259-1200
Home Phone: 910-270-8512
email: dpiepmeyer@pendercountync.gov

From: Emilie Swearingen [emilieswearingen@townofkurebeach.org]
Sent: Monday, July 11, 2016 8:12 AM
To: David Piepmeyer
Cc: Nancy Avery; Nancy Hewitt
Subject: RE: Support Letter for Hampstead Bypass

David, I know Kure Beach is a few miles away, but I would be glad to ask our Town Council, at our July 19th meeting, to consider a similar resolution, if it's not too late.

Emilie Swearingen, Mayor
Kure Beach Town Council

From: David Piepmeyer [mailto:dpiepmeyer@pendercountync.gov]
Sent: Friday, July 8, 2016 8:36 AM
To: Watkins, Skip <swatkins@nhcgov.com>; Mike Kozlosky <Mike.Kozlosky@wilmingtonnc.gov>; David Williams <dwilliams@pendercountync.gov>; George Brown <gbrown@pendercountync.gov>; Kyle Breuer <kbreuer@pendercountync.gov>; Randell Woodruff <rwoodruff@pendercountync.gov>
Cc: jbarfield@nhcgov.com <'jbarfield@nhcgov.com'>; Patbatleman@aol.com <'Patbatleman@aol.com'>; joeb@townofbelville.com <'joeb@townofbelville.com'>; mayor@townofnavassa.org <'mayor@townofnavassa.org'>; captaingld <captaingld@bellsouth.net> (captaingld@bellsouth.net) <captaingld@bellsouth.net>; 'Hank Miller <hank.miller@gmail.com>; 'John Lennon <johnlennon@oceancrest.com>; dpiepmeyer@pendercountync.gov <'dpiepmeyer@pendercountync.gov'>; commissioner.williams@brunswickcountync.gov <'commissioner.williams@brunswickcountync.gov'>; swatkins@nhcgov.com <'swatkins@nhcgov.com'>; Neil Anderson <Neil.Anderson@wilmingtonnc.gov>; Emilie Swearingen <emilieswearingen@townofkurebeach.org>; Charlie Rivenbark <Charlie.Rivenbark@wilmingtonnc.gov>; Charlie Rivenbark (EXTERNAL) <charlie@mwmrealestate.com>
Subject: RE: Support Letter for Hampstead Bypass

Thanks Skip for your support; I wholeheartedly agree with your assessment. Also, thanks for attending the NCDOT public meeting regarding the Hampstead Median Project; your presence and comments were noticed and appreciated.

BTW - A formal resolution of support from the Pender County Board of Commissioners for the Hampstead Bypass should be delivered to WMPO within the week. Mike - I would appreciate if this resolution could be shared with all the TAC members as it again demonstrates local government support of this very important project.

Respectfully,

David Piepmeyer

Pender County Board of Commissioners
County Office Phone: 910-259-1200
Home Phone: 910-270-8512
email: dpiepmeyer@pendercountync.gov

From: Watkins, Skip [swatkins@nhcgov.com]
Sent: Thursday, July 07, 2016 6:43 PM
To: Mike Kozlosky
Cc: jbarfield@nhcgov.com; Patbattleman@aol.com; joeb@townofbelville.com; mayor@townofnavassa.org; captaingld@bellsouth.net; captaingld@bellsouth.net; 'Hank Miller'; 'John Lennon'; dpiepmeyer@pendercountync.gov; commissioner.williams@brunswickcountync.gov; swatkins@nhcgov.com; Neil Anderson; Emilie Swearingen; Charlie Rivenbark; Charlie Rivenbark (EXTERNAL)
Subject: Re: Support Letter for Hampstead Bypass

Fellow WMPO members,

My role on this Board is probably the most important I serve on other than the actual NH Co Bd of Commissioners. We have many transportation needs in our Region. Other than the next crossing of the Cape Fear River, I feel that the Hampstead By-pass is the most important. It is however the most reasonably attainable. The number of accidents and deaths in this area are only going to grow as our Region grows.

I hope we can assign as many points as possible to this project.

Yours.....Skip

Sent from my iPad

On Jul 7, 2016, at 3:17 PM, Mike Kozlosky <Mike.Kozlosky@wilmingtonnc.gov> wrote:

TAC members,

Attached please find a joint Wilmington and Jacksonville, represented by Business Alliance for a Sound Economy (BASE), REALTOR® Letter of Support for the Hampstead Bypass. I wanted to pass this along and please let me know if you have any questions. Thanks.

Mike Kozlosky
Executive Director
Wilmington MPO
(910) 342-2781

From: Adrienne Cox [<mailto:adrienne@wrar.com>]
Sent: Thursday, July 07, 2016 2:54 PM
To: Suraiya Motsinger <Suraiya.Motsinger@wilmingtonnc.gov>; Mike Kozlosky <Mike.Kozlosky@wilmingtonnc.gov>
Cc: Shane Johnson <shane@wrar.com>
Subject: RE: Support Letter for Hampstead Bypass

Hi Suraiya, Mike,

I like the new WMPO website. It looks great!

It was great to see you, Suraiya, last evening at the NCDOT Division 3 local input STIP meeting. Attached to this email is a joint Wilmington and Jacksonville, represented by Business Alliance for a Sound Economy (BASE), REALTOR® Letter of Support for the Hampstead Bypass.

Please let feel free to contact me if you have any questions or comments.

Thank you,
Adrienne

Adrienne Cox
Public Affairs Director

Wilmington Regional Association of REALTORS®
Government and Community Affairs
1826 Sir Tyler Dr.
Wilmington, NC 28405
910-473-5605

From: Suraiya Motsinger [mailto:Suraiya.Motsinger@wilmingtonnc.gov]
Sent: Thursday, July 7, 2016 2:44 PM
To: Adrienne Cox <adrienne@wrar.com>
Subject: Support Letter

Hi Adrienne!

If you'd like, please shoot that support letter to Mike & Myself – we'll forward it on if you do!

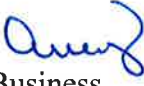
Suraiya (Rashid) Motsinger
Senior Transportation Planner
Wilmington Urban Area Metropolitan Planning Organization (WMPO)
305 Chestnut Street, 4th Floor
Wilmington, NC 28401
#(910) 341-3234
<http://wmpo.org/>

E-mail correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

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MEMO

TO: Town Council
FROM: Nancy Avery, Town Clerk 
RE: Agenda item 2 under New Business
DATE: 7/11/16

Background

An advertisement for bids to construct the Bypass Force Main on sewer pump station # 1 resulted in four sealed bids received and opened on June 30th. This construction will allow more sewage to be diverted to the lagoon, rather than Carolina Beach, as needed.

Engineering Services administered the process and recommends accepting the bid from T & H Construction of Hampstead, N.C. in the amount of \$132,494.22. The engineer's letter of recommendation is attached. Public Works Director Beeker requested this be on the agenda for award.

Action requested by staff

A vote to award the contract to T & H Construction for the Bypass Force Main project in the Water & Sewer Department at a cost of \$132,494.22 contingent upon the Town Attorney's approval of the contract language.

Funding required

Funded in current FY16-17 budget.

Comments for consideration

None



ENGINEERING
SERVICES, PA

1202 Benson Road
Suite 200
P.O. Box 1849
Garner, NC 27529



Telephone:
919.662.7272

Fax:
919.662.7320

Rcvd 7/6/16

July 1, 2016

Mr. Sonny Beeker
Public Works Director, Town of Kure Beach
117 Settlers Lane
Kure Beach, NC 28449

RE: Pump Station #1 Bypass Force Main Project
Award Letter & Bid Tabulation
Engineering Services Project No. 15009

Dear Mr. Beeker:

On June 30th, four (4) bids for the Kure Beach Pump Station #1 Bypass Force Main project were received. The results of the bids are noted in the attached bid tabulation.

T & H Construction of North Carolina, of Hampstead, North Carolina is the apparent lowest responsible, responsive bidder for the project in the amount of \$132,494.22.

The contractor's licensing status and references have been reviewed. We have found no issues with their ability to perform and complete the work required for this project. It is my recommendation to award the project to T & H Construction, contingent upon the Town Attorney and Town Staff approval of the contract documents and the finance approvals.

If you have any questions, please contact me at Engineering Services, P.A. at (919) 662-7272.

Sincerely,
ENGINEERING SERVICES, P.A.

Brian G. Cox, P.E.

Enc:

Cc: Ms. Nancy Avery, Town Clerk, Town of Kure Beach, w/enc.

**TOWN OF KURE BEACH
PUMP STATION #1 BYPASS FORCE MAIN
BID TABULATION
Bid Date: June 30, 2016**

Engineering Services, P.A. Project No. 15009

BIDDER	TOTAL BID
CIVIL WORKS CONTRACTING	\$251,570.25
ATLANTIC CONSTRUCTION & DEV.	NO BID SUBMITTED
T.A. LOVING CO.	NO BID SUBMITTED
HERRING-RIVENBARK, INC.	\$159,730.00
STATE UTILITY CONTRACTORS	\$226,890.00
T&H CONSTRUCTION OF NC	\$132,494.22

This Bid Tabulation Sheet has been reviewed by me and is hereby certified to be correct.



Signature
ENGINEERING SERVICES, PA
Brian Cox, PE

**TOWN OF KURE BEACH
PUMP STATION #1 BYPASS FORCE MAIN
ES Project #15009**

Bid Date: June 30, 2016

Item No.	BASE BID Procedure and/or Materials	QTY	Units	T&H Construction of NC		Herring-Rivenbark, Inc.		State Utility Cont.		Civil Works Cont.	
				Unit Price	TTL Price	Unit Price	TTL Price	Unit Price	TTL Price	Unit Price	TTL Price
1	8" C900 DR18 Force Main	2396	LF	17.52	41,977.92	25.00	59,900.00	45.00	107,820.00	44.90	107,580.40
2	8" DIP Force Main	200	LF	53.00	10,600.00	48.25	9,650.00	60.00	12,000.00	165.15	33,030.00
3	8" 45° DI Bends w/Mega-Lug Fittings	16	EA	750.00	12,000.00	630.00	10,080.00	425.00	6,800.00	690.00	11,040.00
4	8" 90° DI Bends w/Mega-Lug Fittings	1	EA	800.00	800.00	715.00	715.00	470.00	470.00	710.00	710.00
5	8" Gate Valve w/CI Valve Box	0	EA	1,500.00	Price Only	2,340.00	Price Only	1,550.00	Price Only	1,630.00	Price Only
6	10" Gate Valve w/CI Valve Box	0	EA	2,000.00	Price Only	3,210.00	Price Only	2,500.00	Price Only	2,270.00	Price Only
7	8" X 10" DI Tee	0	EA	4,000.00	Price Only	1,284.00	Price Only	900.00	Price Only	2,995.00	Price Only
8	Air/Vacuum Valve & Manhole	1	LS	8,000.00	8,000.00	8,350.00	8,350.00	3,950.00	3,950.00	6,070.00	6,070.00
9	10" Cut-In Gate Valve at PS#1	1	LS	5,000.00	5,000.00	3,850.00	3,850.00	9,200.00	9,200.00	9,085.00	9,085.00
10	Concrete Deadman	1	LS	1,800.00	1,800.00	2,950.00	2,950.00	2,500.00	2,500.00	1,740.00	1,740.00
11	Headworks Connection	0	LS	6,500.00	Price Only	5,400.00	Price Only	7,750.00	Price Only	2,095.00	Price Only
12	Select Backfill	25	CY	15.00	375.00	25.00	625.00	60.00	1,500.00	19.65	491.25
13	NCDOT #57 Washed Stone	40	TN	50.00	2,000.00	40.00	1,600.00	75.00	3,000.00	51.75	2,070.00
14	Asphalt Patch (Per Detail)	310	SY	54.83	16,997.30	50.00	15,500.00	75.00	23,250.00	73.50	22,785.00
15	Concrete Driveway (Per Detail)	35	SY	55.00	1,925.00	60.00	2,100.00	130.00	4,550.00	164.00	5,740.00
16	Mobilization (3% Maximum)	1	LS	3,859.00	3,859.00	3,250.00	3,250.00	6,750.00	6,750.00	5,950.00	5,950.00
17	8" X 10" TS&V w/Conc. Blocking (Addm #1)	2	EA	4,250.00	8,500.00	6,585.00	13,170.00	7,000.00	14,000.00	5,130.00	10,260.00
18	6" Thick ABC Stone (1.867 SY) (Addm #1)	622	TN	30.00	18,660.00	45.00	27,990.00	50.00	31,100.00	56.30	35,018.60
	TOTAL BASE BID				\$ 132,494.22		\$ 159,730.00		\$ 226,890.00		\$ 251,570.25

**TOWN OF KURE BEACH
PUMP STATION #1 BYPASS FORCE MAIN**

**T & H CONSTRUCTION OF NORTH CAROLINA
REFERENCE LIST CONTACTED & RESPONSES**

Contractor License NC #47885 Unlimited/Public Utility/Grading & Excavating

Contact: NC Licensing Board for General Contractors

Comments: Contacted the board and found the contractor's license is current and no complaints have been filed against the contractor.

Project: Cape Fear Public Utility Authority, Bald Eagle Lane Water Line

Contact: Matthew Tribett, CFPUA (910) 332-6415

Reference Comments: "Good to work with, worked well with property owners and would recommend to work on any future jobs."

Project: Hampstead Force Main

Contact: Randy Hoffer, Engineer (910) 327-2880

Reference Comments: "Good contractor to work with, completed the project ahead of schedule and added more work to their contract. I would recommend to work on any future jobs."

Project: Town of Lake Waccamaw Phase 4 Sewer Improvements Project

Contact: Todd Steele, Engineer (919) 662-7272

Reference Comments: "Good to work with and have completed several projects with T & H Construction. All of the projects went well."

2016 PELICAN AWARDS

BEAUFORT, NC

08/06/2016, 5-9 pm

	Amount	Quantity	Total
Hotel 8/6/16	\$45	1	\$45
Gas Allow: 230 miles, roundtrip @ .54/mile	\$124	1	\$124
TOTAL ESTIMATED COST			\$169

**Emilie requesting to attend, see attached letter
To accept award on behalf of town**



North Carolina
Coastal Federation
Working Together for a Healthy Coast

Rec'd 7/11/16
TC, Aug

July 5, 2016

Nancy Avery, Town Clerk
Town of Kure Beach
117 Settlers Lane
Kure Beach, NC 28449

Dear Nancy:

I am very pleased to inform you that The Town of Kure Beach has been selected to receive a 2016 Pelican Award for your resolution opposing offshore oil along the North Carolina coast.

The federation annually recognizes the exemplary achievements and actions by people who have made significant contributions to the coast. This year we are recognizing the 33 local governments that passed oil resolutions.

Please join us on Saturday, August 6, 2016 for our Pelican Awards and Boathouse Boil. The event will be held at the Boathouse at Front Street Village, 2400 Lennoxville Road in Beaufort, NC 28516. The awards program and festivities are from 5:00 p.m until 9:00 p.m.

We invite you to join us for this enjoyable evening that includes the awards program, reception, dinner and silent auction. Additional tickets may be purchased by going to <http://www.nccoast.org/event/pelican-awards-and-boathouse-boil/>. Please RSVP to Lauren Kolodij at laurenk@nccoast.org by July 20 so she can provide you with additional event details.

Congratulations and thank you for your continued stewardship of our beautiful North Carolina coast!

With my best regards,

Todd Miller
Executive Director