



TOWN COUNCIL AGENDA

REGULAR MEETING

January 22, 2018 @ 6:30 p.m.

MEETING TO BE HELD AT TEMPORARY TOWN HALL LOCATED AT FORT FISHER AIR FORCE RECREATION AREA

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

Call to Order – Mayor Bloszinsky

Invocation & Pledge of Allegiance – Mayor Bloszinsky

APPROVAL OF CONSENT AGENDA ITEMS

1. *Accept resignation of Jeannie Gordon from the Community Center Committee
2. *Community Center Committee requests Council's approval moving Lisa Lepo from Alternate Position to Full Member
3. *Building Inspections Report – December 2017
4. *Fire Department Report – November 2017
5. *Approve application for TDA funding totaling \$178,202.68 for lifeguard services summer 2017
6. *Approve application for TDA funding totaling \$8,800 for summer concerts at FFAFB
7. *Finance Report
8. *Minutes:
*December 11, 2017 regular/organizational

Consent agenda items are voted on as one item. If a member of Council wishes to discuss an individual item, a motion must be made and approved to move the item to the agenda.

ADOPTION OF THE AGENDA

PUBLIC HEARING – System development fee

A proposed system development fee assessment of \$592.26 for water and sewer connection for all new development, per unit. The hearing was advertised in the Star News on January 14th and in the Island Gazette on January 17th. Additionally, a 45 day public comment period was held from November 7 to December 22, 2017.

Opening of Hearing – Mayor Bloszinsky

Public comments

Closing of Hearing – Mayor Bloszinsky

DISCUSSION AND CONSIDERATION OF PRESENTATIONS TO COUNCIL

DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL

Sign up at podium (3-minute limit)



TOWN COUNCIL AGENDA

REGULAR MEETING

January 22, 2018 @ 6:30 p.m.

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Board of Adjustment
2. Community Center Committee
3. Marketing Committee
 - Presentation on rollover budget (Elliott)
4. Planning & Zoning Commission
 - Recommendation of applicants (Galbraith or Whitley)
5. Shoreline Access and Beach Protection Committee
6. Non-town Committee Reports

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Administration and Recreation
2. Finance Department
3. Building Department
4. *Fire Department – Request of Council to direct the Marketing Committee to work with the Fire Department on their marketing efforts to assist with the Fishing Tournament Fundraiser.
5. Police Department
6. Public Works Department

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. *Appointments to Planning and Zoning Commission for regular and alternate position

Interview of:

- Dolores Coe
 - Retha Deaton
 - Randy McNeely
 - Richard Makrickas
 - Robert Young (unable to attend, out of town)
2. *Proposed draft amendments to Chapter 19 (Zoning) of the Code of Ordinances regarding setback regulation clarification and consistency submitted by P&Z in November 2017
 3. Proposed system development fee assessment of \$592.00 for water and sewer connection for all new development, per unit. (Copenhaver)

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. *Appointment to WMPO CAC committee
2. *Request for potential wheelchair access at beach access 1004-1/2 (Myrtle/Oceanview)
3. *Overpayments/refunds on utility payments (Heglar)



TOWN COUNCIL AGENDA

REGULAR MEETING

January 22, 2018 @ 6:30 p.m.

4. *DOT request to update ordinances on speed limits (Avery)
5. *Signage on beach for Ethyl-Dow structure (Bloszinsky)

MAYOR UPDATES (no action required)

COMMISSIONER ITEMS (no action required)

CLOSED SESSION (if required)

ADJOURNMENT

CONSENT

Nancy Applewhite

From: Nikki Keely
Sent: Tuesday, January 9, 2018 3:31 PM
To: Nancy Applewhite
Cc: Nancy Avery
Subject: CC Committee Updates

Hello,

Sending over the changes to the Community Center Committee that we discussed earlier:

- Jeannie Gordon is resigning from the Committee effective 1/10/18. (Resignation letter provided.)
- The Committee voted to move Lisa Leppo from the Alternate position to Full Member, taking the spot vacated by Jeannie.

Please let me know if you need anything else.

Thanks,
Nikki Keely
Recreation Manager, CPRP

Town of Kure Beach
117 Settlers Lane
Kure Beach, NC 28449
910.458.8216/Fax 910.458.7421
www.townofkurebeach.org

January 9, 2018

Kure Beach Town Council
Kure Beach, North Carolina 28449

Gentlemen

Please accept my resignation as a member of the Kure Beach Community Center committee, effective January 10, 2018. We have purchased a home in Castle Hayne and will be moving off island in February.

Serving on the community center committee for over eleven years has truly been a fun, rewarding and enriching experience. And, working with the dozens of Council persons, administrative staff and, most especially, serving alongside the wonderful men and women of the committee has been so very enjoyable and fulfilling, with mountains of memories. Kure Beach is blessed to have many good people, with enormous talent, who are willing to give of their time.

This letter serves to remove me from the committee, but in no way means goodbye. KB will always be "our" beach; and, John and I will be returning to visit our many friends, catch the great events planned by Nikki, and, of course, enjoy the sun and surf.

Sincerely

Jeannie Gordon
125 Hanby Avenue

Kure Beach Inspections Dept.-All Permits Issue Date: 12/1/2017 - 12/31/2017

PermitNo	Issue Date	Applicant	Owner	Project Addr	Est Cost	Fee	Describe	Final
170104	12/1/2017	NEWMAN, ANN W	NEWMAN, ANN W	739 GULF STREAM DR	\$3,000	\$25.00	New shed	
B				Total 1	\$3,000	\$25.00		
170107	12/8/2017	KURE BEACH TOWN OF,	KURE BEACH TOWN OF,	608 K AVE	\$0		New fire station	
170106	12/8/2017	KURE BEACH TOWN OF,	KURE BEACH TOWN OF,	117 SETTLERS LN	\$0		Town hall expansion	
R-3				Total B 2	\$0	\$0.00		
170105	12/5/2017	REIDSVILLE, CENTRE LLC ETAL	REIDSVILLE, CENTRE LLC ETAL	121 ATLANTIC AVE	\$600,000	\$7,360.00	New SFD	
170112	12/29/2017	HYLER, EDDIE CYNTHIA	HYLER, EDDIE CYNTHIA	633 FORT FISHER BLV S	\$42,000	\$300.00	New Pool	
170110	12/14/2017	MAGUIRE, JOHN P WENDY L	MAGUIRE, JOHN P WENDY L	201 S FORT FISHER BLV	\$43,237	\$350.00	Solar Installation	
170111	12/18/2017	LAWLER, ROBERT AND KAREN	LAWLER, ROBERT AND KAREN	629 S FOURTH AVE	\$24,850	\$250.00	Deck Additions	
170103	12/1/2017	KUNTZ, JOHN MARY C MCKINLEY	KUNTZ, JOHN MARY C MCKINLEY	725 SLOOP POINTE LN	\$15,000	\$200.00	bathroom addition	
CAMA				Total R-3 5	\$725,087	\$8,460.00		
				Total Building 8	\$728,087	\$8,485.00		
17-12	12/5/2017	Laurel Companies LLC,	Laurel Companies LLC,	1211 N FORT FISHER BLV	\$0	\$100.00		
KB17-14	12/27/2017	FAULKNER, MICHAEL	FAULKNER, MICHAEL	853 S FORT FISHER BLV	\$0	\$100.00		
Fence				Total 2	\$0	\$200.00		
R-3				Total CAMA 2	\$0	\$200.00		
170017	12/18/2017	OREILLY, PATRICK M PATRICIA	OREILLY, PATRICK M PATRICIA	269 SEAWATCH WAY	\$0	\$25.00	New 4' fence	
170018	12/20/2017	WRIGHT, JOSEPH W LINNIE B	WRIGHT, JOSEPH W LINNIE B	309 SIXTH AVE S	\$0	\$25.00	New 4' fence	
				Total R-3 2	\$0	\$50.00		
				Total Fence 2	\$0	\$50.00		
				Total Permits: 12	\$728,087	\$8,735.00		

KURE BEACH FIRE DEPARTMENT

FIRE CHIEF'S REPORT NOVEMBER, 2017

DATE	PURPOSE
11/02/17	SMOKE ODOR
11/03/17	MUTUAL AID Cbfd
11/04/17	EMS
11/05/17	EMS
11/07/17	WATER RESCUE
11/08/17	MUTUAL AID Cbfd
11/09/17	EMS
11/10/17	EMS
11/10/17	WATERCRAFT RESCUE
11/11/17	EMS
11/11/17	STRUCTURE FIRE
11/17/17	EMS
11/17/17	FLARE SIGHTING
11/18/17	ASSIST PUBLIC
11/19/17	EMS
11/19/17	POWER WIRE
11/20/17	FLARE SIGHTING
11/24/17	MUTUAL AID Cbfd
11/26/17	3 FALSE ALARMS
11/28/17	EMS
11/28/17	ASSIST PUBLIC
11/29/17	ASSIST PUBLIC

All equipment checked and found to be in working order

Ed Kennedy
Chief

NEW HANOVER COUNTY TOURISM DEVELOPMENT AUTHORITY
APPLICATION FOR FUNDING FOR TOURISM RELATED EXPENDITURES

Governing Body: Kure Beach Town Council

Contact Person: Arlen Copenhaver, Finance & Budget Officer

Address: 117 Settlers Lane, Kure Beach, NC 28449

Phone: (910)-458-8216 Fax: (910)-458-7421 Email: acopenhaver@townofkurebeach.org

Date Approved by Governing Body: January 22, 2018

Date Project/ Activity Will Begin: Completed Will be Completed: Requested Annually

Total Cost of Project/Activity: \$178,202.68 Amount Requested: \$178,202.68

Description of Project/ Activity (*include its correlation to travel and tourism and its merit as a project or activity designed to enhance the area as a travel destination*):

The Town of Kure Beach respectfully requests funding for expenditures for lifeguard services for the summer of 2017. The requested funds include expenditures for two budget years, 2016 – 2017 and 2017 – 2018. The expenses to be reimbursed are calculated as follows:

Total Lifeguard Expenses Incurred FY 2016/2017	\$169,091.34
Less: Lifeguard Expenses Included on 01/17/17	
TDA Request	<u>\$ 81,253.90</u>
FY 2016/2017 Remaining To Be Reimbursed	\$ 87,837.44
FY 2017/2018 Lifeguard Expenses Incurred From	
7/1/17 – 12/31/17	<u>\$ 90,365.24</u>
Amount of This Request	<u>\$178,202.68</u>

This program is directly related to tourism as it acts to protect vacationers and visitors from harm as they swim and enjoy the beach strand in the incorporated Town limits of Kure Beach. Visitors are attracted to beaches that offer lifeguard services, particularly those with young children and older adults. Kure Beach has always been on the cutting edge of oceanfront safety. We have a proven track record of placing a high priority on protection of our visitors. The Kure Beach Lifeguard Program budget is attached to this request indicating amounts previously received and the amount of this request.

Your consideration of this funding is appreciated.

If approved, please remit payment to the attention of Arlen Copenhaver.

Submitted By: Arlen Copenhaver, Finance & Budget Officer

Date: 01/22/2018

Return Application To:
Cape Fear Coast Convention and Visitors Bureau
Attention: Kim Hufham, Pres/ CEO
505 Nutt Street, Unit A
Wilmington, NC 28401
(910) 341-4030

NEW HANOVER COUNTY TOURISM DEVELOPMENT AUTHORITY
APPLICATION FOR FUNDING FOR TOURISM RELATED EXPENDITURES

Governing Body: Kure Beach Town Council

Contact Person: Arlen Copenhaver, Finance & Budget Officer

Address: 117 Settlers Lane Kure Beach, NC 28449

Phone: (910)-458-8216 Fax: (910)-458-7421 Email: acopenhaver@townofkurebeach.org

Date Approved by Governing Body: January 22, 2018

Date Project/ Activity Will Begin: Completed Will be Completed: Requested Annually

Total Cost of Project/Activity: \$8,800.00 Amount Requested: \$8,800.00

Description of Project/ Activity (*include its correlation to travel and tourism and its merit as a project or activity designed to enhance the area as a travel destination*):

The Town of Kure Beach respectfully requests funding for expenditures that were incurred for the Pleasure Island Chamber of Commerce Free Summer Concerts held during the summer of 2017 (Fiscal Year 2017/2018).

The six free summer concerts, held at the Fort Fisher Military Recreation Area, attract tourists to Kure Beach by providing an enjoyable and affordable entertainment venue. The expenditures for Fiscal Year 2017/2018 total \$8,800 and are supported by documentation attached to this request.

Your consideration of this funding is appreciated.

If approved, please remit payment to the attention of Arlen Copenhaver.

Submitted By: Arlen Copenhaver, Finance & Budget Officer

Date: 1/22/18

Return Application To:
Cape Fear Coast Convention and Visitors Bureau
Attention: Kim Hufham, Pres/ CEO
505 Nutt Street, Unit A
Wilmington, NC 28401
(910) 341-4030

TOWN OF KURE BEACH
REVENUE AND EXPENDITURE SUMMARY
JULY 1, 2017 TO JANUARY 16, 2018

REVENUES

	2018 Initial Bud.	2018 Amend. Bud.	Actual 1/16/2018	% Collected
GENERAL FUND				
Property Taxes (Cur. & PY)	\$ 2,491,300	\$ 2,491,300	\$ 2,249,592	90.3%
Local Option Sales Tax	\$ 850,075	\$ 850,075	\$ 507,262	59.7%
Garbage & Recycling	\$ 382,350	\$ 382,350	\$ 201,977	52.8%
Franchise & Utility Tax	\$ 234,500	\$ 234,500	\$ 117,555	50.1%
TDA Funds	\$ 205,650	\$ 205,650	\$ 26,917	13.1%
CAMA Grants - Beach Access Paving	\$ 89,332	\$ 89,332	\$ -	0.0%
Communication Tower Rent	\$ 79,125	\$ 79,125	\$ 46,006	58.1%
Bldg. Permit & Fire Inspect. Fees	\$ 59,300	\$ 59,300	\$ 42,685	72.0%
Sales Tax Refund	\$ 54,000	\$ 54,000	\$ 57,479	106.4%
Com Ctr/Parks & Rec/St Festival	\$ 20,500	\$ 20,500	\$ 9,190	44.8%
Motor Vehicle License Tax/Decals	\$ 15,000	\$ 15,000	\$ 12,840	85.6%
Town Facility Rentals	\$ 15,000	\$ 15,000	\$ 11,278	75.2%
ABC Revenue	\$ 14,600	\$ 14,600	\$ 12,302	84.3%
OPF - Bluefish Purchases	\$ 11,000	\$ 11,000	\$ 3,740	34.0%
Beer & Wine Tax	\$ 9,500	\$ 9,500	\$ -	0.0%
All Other Revenues	\$ 6,185	\$ 466,571	\$ 14,740	3.2%
Other Financing Sources	\$ 70,000	\$ 70,000	\$ 31,668	45.2%
Total Revenues	\$ 4,607,417	\$ 5,067,803	\$ 3,345,231	66.0%

WATER & SEWER FUND

Water Charges	\$ 805,000	\$ 805,000	\$ 419,446	52.1%
Sewer Charges	\$ 1,155,000	\$ 1,155,000	\$ 584,280	50.6%
Tap, Connect & Reconnect Fees	\$ 37,200	\$ 37,200	\$ 35,720	96.0%
All Other Revenues	\$ 8,455	\$ 8,455	\$ 5,346	63.2%
Other Financing Sources	\$ 145,000	\$ 145,000	\$ 31,958	22.0%
Total Revenues	\$ 2,150,655	\$ 2,150,655	\$ 1,076,750	50.1%

STORM WATER FUND

Total Revenues	\$ 630,094	\$ 630,094	\$ 186,566	29.6%
-----------------------	-------------------	-------------------	-------------------	--------------

POWELL BILL FUND

Total Revenues	\$ 65,070	\$ 65,070	\$ 65,339	100.4%
-----------------------	------------------	------------------	------------------	---------------

SEWER EXPANSION RESERVE FUND (SERF)

Total Revenues	\$ 30,330	\$ 30,330	\$ 322	1.1%
-----------------------	------------------	------------------	---------------	-------------

BEACH PROTECTION FUND

Total Revenues	\$ 47,090	\$ 47,090	\$ 47,069	100.0%
-----------------------	------------------	------------------	------------------	---------------

FEDERAL ASSET FORFEITURE FUND

Total Revenues	\$ 50,000	\$ 50,000	\$ -	0.0%
-----------------------	------------------	------------------	-------------	-------------

EXPENDITURES

	2018 Initial Bud.	2018 Amend. Bud.	Actual 1/16/2018	% Spent
GENERAL FUND				
Governing Body	\$ 38,505	\$ 38,505	\$ 25,651	66.6%
Committees	\$ 120,010	\$ 120,010	\$ 2,719	2.3%
Finance	\$ 150,786	\$ 150,786	\$ 93,421	62.0%
Administration	\$ 407,848	\$ 583,848	\$ 337,147	57.7%
Community Center	\$ 23,300	\$ 23,300	\$ 7,403	31.8%
Emergency Mgmt./Elections	\$ 3,100	\$ 3,100	\$ 2,662	85.9%
Tax Collections	\$ 27,000	\$ 27,000	\$ 10,365	38.4%
Legal	\$ 28,950	\$ 28,950	\$ 15,256	52.7%
Police Department	\$ 1,308,960	\$ 1,315,160	\$ 640,719	48.7%
Fire Department	\$ 701,867	\$ 695,667	\$ 351,445	50.5%
Lifeguards	\$ 196,850	\$ 196,850	\$ 91,244	46.4%
Parks & Recreation	\$ 146,027	\$ 146,027	\$ 66,058	45.2%
Bldg Inspection/Code Enforcement	\$ 135,201	\$ 135,201	\$ 66,770	49.4%
Streets & Sanitation	\$ 863,848	\$ 863,848	\$ 428,491	49.6%
Debt Service	\$ 360,615	\$ 564,042	\$ 262,921	46.6%
Transfer to Other Funds	\$ 46,450	\$ 127,409	\$ 127,409	100.0%
Contingency	\$ 48,100	\$ 48,100	\$ -	0.0%
Total Expenses	\$ 4,607,417	\$ 5,067,803	\$ 2,529,681	49.9%

WATER & SEWER FUND

Governing Body	\$ 17,505	\$ 17,505	\$ 9,151	52.3%
Legal	\$ 28,950	\$ 28,950	\$ 15,256	52.7%
Finance	\$ 186,200	\$ 186,200	\$ 100,918	54.2%
Administration	\$ 260,170	\$ 260,170	\$ 147,254	56.6%
Operations	\$ 1,657,830	\$ 1,657,830	\$ 757,985	45.7%
Total Expenses	\$ 2,150,655	\$ 2,150,655	\$ 1,030,564	47.9%

STORM WATER FUND

Total Expenses	\$ 630,094	\$ 630,094	\$ 414,431	65.8%
-----------------------	-------------------	-------------------	-------------------	--------------

POWELL BILL FUND

Total Expenses	\$ 65,070	\$ 65,070	\$ 1,174	1.8%
-----------------------	------------------	------------------	-----------------	-------------

SEWER EXPANSION RESERVE FUND (SERF)

Total Expenses	\$ 30,330	\$ 30,330	\$ -	0.0%
-----------------------	------------------	------------------	-------------	-------------

BEACH PROTECTION FUND

Total Expenses	\$ 47,090	\$ 47,090	\$ 47,090	100.0%
-----------------------	------------------	------------------	------------------	---------------

FEDERAL ASSET FORFEITURE FUND

Total Expenses	\$ 50,000	\$ 50,000	\$ 16,155	32.3%
-----------------------	------------------	------------------	------------------	--------------

TOWN OF KURE BEACH
 CASH AND INVESTMENTS
 AS OF DECEMBER 31, 2017

<u>FUND</u>	<u>CASH IN BANK</u>	<u>INVESTMENTS</u>	<u>TOTAL CASH & INVESTMENTS</u>
General	\$2,824,500	\$344,349	\$3,168,849
Water/Sewer	\$1,447,212	\$589,163	\$2,036,375
Storm Water	(\$12,118)	\$242,083	\$229,965
SERF	\$55,386	\$91,931	\$147,317
Powell Bill	\$334,148	\$20,072	\$354,220
Beach Protection	\$158,090	\$176,613	\$334,703
Federal Asset Forfeiture	\$61,184	\$0	\$61,184
Capital Project Funds	\$48,238	\$0	\$48,238
TOTAL	\$4,916,640	\$1,464,211	\$6,380,851

<u>INSTITUTION</u>	<u>CASH IN BANK</u>	<u>INVESTMENTS</u>
BB&T	\$4,916,640	\$0
First Bank - Certificates of Deposit	\$0	\$912,934
NCCMT Term Portfolio	\$0	\$541,861
NCCMT Governmental Portfolio	\$0	\$9,416
TOTAL	\$4,916,640	\$1,464,211

TOWN OF KURE BEACH
SUMMARY OF CONTINGENCY FUND AND COMMITTEE
EXPENDITURE ACTIVITY
07/01/2017 - 01/16/2018

CONTINGENCY FUND

Fiscal Year 2018 Budget	\$48,100.00
Less:	
No activity	<u>\$0.00</u>
Remaining Budget as of 01/16/2018	<u><u>\$48,100.00</u></u>

COMMITTEE (Shoreline Access and Beach Protection) EXPENDITURES

Fiscal Year 2018 Budget	\$120,010.00
Less Expenditures:	
Dune Signage	\$718.60
E & I Ave. Beach Access Parking - Design & Engineering - Capital Project	<u>\$2,000.00</u>
Total Expenditures	\$2,718.60
Projects Approved By Council But Not Yet Expended:	
E & I Ave. Beach Access Parking Project - Capital Project	<u>\$112,710.00</u>
Total Approved, Not Expended	<u><u>\$112,710.00</u></u>
Remaining Budget as of 01/16/2018	<u><u>\$4,581.40</u></u>

**TOWN OF KURE BEACH
DEBT LISTING
JANUARY 22, 2018**

LOAN PURPOSE/DESCRIPTION	FUND	LENDER	DATE OF LOAN	AMOUNT FINANCED	INTEREST RATE	LOAN TERM (YRS)	DATE PAID OFF	BALANCE AT 1/22/18	PAYMENT FREQUENCY	PAYMENT AMOUNT	NEXT PAY DATE	INT. EXPENSE LIFE OF LOAN
Fire Station/Town Hall Project (a)	G, W/S	BB&T	12/8/2017	\$5,000,000	2.58%	15	12/8/2032	\$5,000,000.00	Semi-annual	\$231,166.67	6/8/2018	\$999,750.00
Sewer Rehabilitation Project (b)	W/S	Fed Gov	5/1/2010	\$432,660	0.00%	20	5/1/2030	\$137,224.32	Annual	\$10,555.72	5/1/2018	\$0.00
Ocean Front Park (development)	G	BB&T	7/12/2011	\$347,000	4.39%	17	7/12/2028	\$224,529.44	Annual	\$30,268.60	7/12/2018	\$137,099.64
Ocean Front Park (acquisition)	G	BB&T	12/19/2007	\$3,600,000	4.28%	20	12/19/2027	\$649,038.55	Annual	\$92,682.71	12/19/2018	\$690,135.16
Kure Beach Pump Station #1	W/S	1st Bank	6/28/2017	\$475,000	2.11%	10	6/28/2027	\$453,587.13	Semi-annual	\$26,507.64	6/28/2018	\$55,152.80
334 S. 4th, 402 H & 406 H Ave. Water Tower & Well House & Town Hall Expansion (c)	G, W/S	BB&T	3/12/2015	\$409,471	2.49%	10	3/12/2025	\$327,576.91	Annual	\$49,103.79	3/12/2018	\$56,077.07
2016 John Deere Backhoe (d)	W/S, SW	BB&T	4/11/2007	\$1,187,187	3.92%	15	5/7/2022	\$431,108.77	Semi-annual	\$52,716.71	5/7/2018	\$394,314.33
2018 Police Dodge Durango	G	1st Bank	11/9/2016	\$105,273	1.87%	5	11/9/2021	\$84,991.26	Annual	\$22,250.35	11/9/2018	\$5,978.75
2017 Freightliner Garbage Truck	G	1st Bank	10/19/2017	\$31,668	1.95%	4	10/19/2021	\$31,668.00	Annual	\$8,306.69	10/19/2018	\$1,558.73
Compact Excavator (d)	W/S, SW	1st Bank	8/23/2016	\$179,756	1.70%	5	8/23/2021	\$145,006.54	Annual	\$37,805.31	8/23/2018	\$9,270.57
(2) 2016 Police Dodge Chargers	G	1st Bank	7/28/2017	\$69,915	1.80%	4	7/28/2021	\$63,915.00	Annual	\$16,704.21	7/28/2018	\$2,901.83
O'Brien 7065 Hydrojetter (d)	W/S, SW	1st Bank	11/9/2016	\$69,500	1.60%	4	11/9/2020	\$48,000.96	Annual	\$16,515.04	11/9/2018	\$2,560.16
2016 Chevrolet Silverado	G	1st Bank	8/13/2015	\$81,485	1.70%	5	8/13/2020	\$49,712.69	Annual	\$17,149.28	8/13/2018	\$4,202.44
Cutter Court Drainage Project	SW	B of A	7/26/2016	\$36,867	1.60%	4	7/26/2020	\$27,868.52	Annual	\$9,593.55	7/26/2018	\$1,486.39
FY 2016 Equipment & Vehicles (e)	G, W/S	BB&T	7/23/2005	\$875,000	4.40%	15	6/23/2020	\$183,273.44	Monthly	\$6,677.76	2/23/2018	\$326,995.49
(2) 2015 Police Cars	G	BB&T	9/14/2015	\$186,000	2.01%	4	9/14/2019	\$94,850.52	Annual	\$48,859.87	9/14/2018	\$9,439.48
2015 Ford F-250 Utility Truck	W/S	BB&T	3/27/2015	\$48,359	2.19%	4	3/27/2019	\$24,703.23	Annual	\$12,758.83	3/27/2018	\$2,676.33
Downtown Improvement Project	G	BB&T	10/24/2014	\$32,216	2.19%	4	10/24/2018	\$8,317.58	Annual	\$8,499.73	10/24/2018	\$1,782.92
			1/17/2014	\$117,000	1.93%	4.5	6/17/2018	\$24,521.80	Annual	\$24,719.00	6/17/2018	\$6,595.00

FUND CODES

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

TOTAL OUTSTANDING DEBT AT 1/22/2018:

General Fund	\$ 6,050,399.92
Water/Sewer Fund	\$ 1,676,911.83
Storm Water Fund	\$ 282,582.92
Total	\$ 8,009,894.66

NOTES

- (a) - 88% of loan is General Fund and 12% is Water/Sewer Fund.
- (b) - Total amount borrowed was \$432,660. As part of ARRA, the unpaid balance was immediately reduced by one-half of the loan amount.
- (c) - 78% of loan is Water/Sewer Fund and 22% is General Fund.
- (d) - 50% of loan is Water/Sewer Fund and 50% is Storm Water Fund.
- (e) - 55.5% of loan is General Fund and 44.5% is Water/Sewer Fund.

LOAN PAYMENTS DUE (Next 12 Months):

01/23/2018 - 03/31/2018	\$ 128,646.00
04/01/2018 - 06/30/2018	\$ 115,055.60
07/01/2018 - 09/30/2018	\$ 365,699.02
10/01/2018 - 01/22/2019	\$ 531,074.81
Total	\$ 1,140,475.43

**TOWN OF KURE BEACH
KURE BEACH PUMP STATION #1
CAPITAL PROJECT FUND SUMMARY
AS OF 01/16/2018**

	<u>APPROVED BUDGET</u>	<u>ACTUAL AS OF 01/16/18</u>
<u>EXPENDITURES</u>		
<u>ENGINEERING SERVICES, PA</u>		
Land Surveying Fees	\$4,000	\$4,000.00
Engineering Planning	\$5,000	\$0.00
Engineering Design	\$47,000	\$47,000.00
Bidding Assistance	\$6,500	\$6,500.00
Construction Administration	\$25,000	\$22,500.00
Construction Inspection	<u>\$28,500</u>	<u>\$25,650.00</u>
Total Engineering Services, PA	<u>\$116,000</u>	<u>\$105,650.00</u>
<u>OTHER PROJECT COSTS</u>		
Legal Fees	\$4,750	\$26.00
LGC Loan Application Fee	<u>\$1,250</u>	<u>\$1,250.00</u>
Total Other Costs	<u>\$6,000</u>	<u>\$1,276.00</u>
<u>CONSTRUCTION</u>		
T&H CONSTRUCTION OF HAMPSTEAD, NC	\$632,514	\$528,704.46
AVRETT PLUMBING CO., INC.	<u>\$57,217</u>	<u>\$67,217.00</u>
Total Construction Costs	<u>\$689,731</u>	<u>\$595,921.46</u>
<u>GRAND TOTAL EXPENDITURES</u>	<u>\$811,731</u>	<u>\$702,847.46</u>
<u>PROJECT REVENUE SOURCES</u>		
Transfer From Water/Sewer Fund to Pump Station #1 Capital Project Fund	\$186,731	\$186,731.00
Transfer From Sewer Expansion Reserve Fund (SERF) to Pump Station #1 Capital Project Fund	\$150,000	\$150,000.00
Installment Financing	<u>\$475,000</u>	<u>\$475,000.00</u>
<u>GRAND TOTAL PROJECT REVENUE SOURCES</u>	<u>\$811,731</u>	<u>\$811,731.00</u>

**TOWN HALL RENOVATION AND NEW FIRE STATION
CAPITAL PROJECT FUND SUMMARY
AS OF 01/16/2018**

	APPROVED BUDGET	ACTUAL AS OF 01/16/18
<u>EXPENDITURES</u>		
<u>OAKLEY COLLIER ARCHITECTS</u>		
Feasibility Study	\$28,500	\$28,500.00
Schematic Design	\$74,407	\$74,407.40
Design Development	\$55,806	\$55,805.55
Construction Documents	\$148,815	\$148,814.80
Bidding & Negotiation	\$18,602	\$18,601.85
Contract Administration	\$74,407	\$6,198.14
Reimbursable Expenses	\$14,720	\$11,841.41
Retainer	\$0	\$7,000.00
Total Oakley Collier Architects	\$415,257	\$351,169.15
<u>OTHER PROJECT COSTS</u>		
Surveys	\$6,500	\$4,200.00
Legal Fees	\$25,000	\$20,081.53
LGC Loan Application Fee	\$1,250	\$1,250.00
Bank Loan Fees	\$2,900	\$2,900.00
Special Inspections	\$16,000	\$0.00
Other	\$500	\$150.00
Total Other Project Costs	\$52,150	\$28,581.53
<u>PROJECT MANAGEMENT COSTS</u>		
Constructive Building Solutions	\$100,000	\$25,000.00
<u>CONSTRUCTION</u>		
Town Hall	\$2,496,343	\$65.00
Fire Station	\$2,267,209	\$65.00
Total Construction Costs	\$4,763,552	\$130.00
<u>GRAND TOTAL EXPENDITURES</u>	\$5,330,959	\$404,880.68
 <u>PROJECT REVENUE SOURCES</u>		
Transfer From General Fund	\$330,959	\$330,959.00
Installment Financing	\$5,000,000	\$5,000,000.00
Interest on Project Fund Bank Account	\$0	\$28.75
<u>GRAND TOTAL PROJECT REVENUE SOURCES</u>	\$5,330,959	\$5,330,987.75



TOWN COUNCIL MINUTES

REGULAR/ORGANIZATIONAL MEETING

December 11, 2017 @ 6:30 p.m.

The Kure Beach Town Council held a Regular Meeting on Monday, December 11, 2017 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-elect Craig Bloszinsky
Commissioner Joseph Whitley
Commissioner Jim Dugan
Commissioner David Heglar
Commissioner-elect John Ellen
Commissioner-elect Allen Oliver

COUNCIL MEMBERS ABSENT

All present

STAFF PRESENT

Town Clerk – Nancy Avery
Building Inspector – John Batson
Fire Chief – Ed Kennedy
Police Chief – Mike Bowden
Public Works Director – Sonny Beeker
Utility Systems Operator/Crew Leader – Jimmy Mesimer
Administrative Assistant – Nancy Applewhite

CALL TO ORDER

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

Mayor Swearingen recognized special guests in the audience: North Carolina Legislative Representative Ted Davis, Jr., New Hanover County Commissioner Skip Watkins, former Mayor of Wilmington, Harper Peterson and former Kure Beach Mayor, Mac Montgomery. Present from the Town of Carolina Beach: Mayor-elect Joe Benson, Commissioner LeAnn Pierce, Commissioner Tom Bridges and Commissioner-elect JoDan Garza. Also in attendance was the Honorable Rebecca W. Blackmore.

APPROVAL OF CONSENT AGENDA ITEMS

1. Approve 90% (\$32,447.70) of requested total rollover amount total of \$36,053 from FY16/17 to FY17/18 budget for TDA Marketing funds as requested by the Marketing Committee and address the remaining 10% (\$3,605.30) at the January Council meeting.
2. ECS Southeast, LLP in the amount of \$16,831.00 to perform required special inspections for renovation, expansion and construction project for town hall complex and new fire station.



TOWN COUNCIL MINUTES

REGULAR/ORGANIZATIONAL MEETING

December 11, 2017 @ 6:30 p.m.

3. Budget Amendment No. 18-04 transferring \$6,200.00 from the Fire Department budget to the Police Department budget for the value of a Police vehicle reassigned for Fire Department use
4. Budget Amendment 18-05 to increase the GF and WF debt service budgets by a total of \$231,167 for the first Fire Station/Town Hall project loan payment due June of 2018
5. Approve application for TDA Funding for maintenance and improvements to the Joe Eakes Park tennis courts and basketball court.
6. Schedule public hearing as first order of business on January 2018 agenda to receive public comment on proposed system development fee assessment of \$592.26 for water and sewer connection for all new development per unit.
7. Accept resignation of John Ellen from both the P&Z Commission and the WMPO CAC
8. Accept resignation of Allen Oliver from the WMPO Bicycle and Pedestrian Safety Committee
9. Building Inspections Report – November 2017
Finance Report
10. Minutes:
 - November 20, 2017 closed session
 - November 20, 2017 regular session

MOTION – Mayor-elect Bloszinsky moved to recommend the removal of item number one from the Consent Agenda until the TDA Marketing presentation is made and details are reviewed at the January 2018 meeting.

SECOND – Commissioner Whitley

VOTE – Unanimous

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

SECOND – Commissioner Dugan, Commissioner Whitley

VOTE – Unanimous

ADOPTION OF THE AGENDA

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

SECOND – Commissioner Whitley

VOTE – Unanimous

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Mayor-elect Bloszinsky presented plaques to Mayor Swearingen and Commissioner Dugan in appreciation for their dedication and years of service to the Town of Kure Beach.
2. Mayor Swearingen asked the newly-elected officials to stand at the podium to take their



TOWN COUNCIL MINUTES

REGULAR/ORGANIZATIONAL MEETING

December 11, 2017 @ 6:30 p.m.

oaths of office administered by New Hanover County District Court Judge Rebecca W. Blackmore, a resident of Kure Beach, as follows:

- Craig Bloszinsky, Mayor (2-year term)
- John Ellen, Commissioner (4-year term)
- Allen Oliver, Commissioner (4-year term)

After taking their oaths, Mayor Bloszinsky thanked both Mayor Swearingen and Commissioner Dugan for their service and requested council members to take their seats. He then communicated that the meeting would continue with the order of business to define the roles and responsibilities of the new council.

3. Council appointment of Mayor Pro Tem for 2 year term

Mayor Bloszinsky made a request for a recommendation to the appointment of Mayor Pro Tem.

MOTION – Commissioner Whitley recommended the appointment of Commissioner Heglar as Mayor Pro Tem

SECOND – Commissioner Ellen

VOTE – Unanimous

4. Council appointment of Building Commissioner as liaison to Building Inspections Dept.

MOTION – MPT Heglar moved to appoint Commissioner Whitley as the Building Commissioner.

SECOND – Commissioner Oliver

VOTE – Unanimous

5. Council appointment of 2 council members to serve on KB/CB Sewer Authority

MOTION – MPT Heglar moved to appoint Commissioner Whitley to join him in serving on the KB/CB Sewer Authority

SECOND – Commissioner Oliver

VOTE – Unanimous

6. Mayor Bloszinsky assigned the Department Head liaisons

- Administration & Recreation – Mayor Bloszinsky
- Finance – Commissioner Oliver
- Fire – Commissioner Ellen
- Police – Mayor Bloszinsky
- Public Works – MPT Heglar



TOWN COUNCIL MINUTES

REGULAR/ORGANIZATIONAL MEETING

December 11, 2017 @ 6:30 p.m.

7. Committee liaisons assigned by Mayor Bloszinsky
 - Community Center - Mayor Bloszinsky
 - Joint Committee Chairpersons – *left open*
 - Marketing – Commissioner Ellen
 - Planning & Zoning Commission – Commissioner Whitley
 - Shoreline Access and Beach Protection - Commissioner Whitley

8. Council review and appointment of non-town committee appointments
 - a. Council of Governments (COG) – Commissioner Oliver
 - b. FF State Recreational Area Advisory – Commissioner Whitley
 - c. MPO Citizens Advisory Committee – *left open*
 - d. MPO Bicycle and Pedestrian Committee – *left open*
 - e. MPO Advisory Board – Commissioner Ellen
 - f. Ports, Waterway and Beach Commission – Commissioner Oliver
 - g. Tourism Development Authority (TDA) – Mayor Bloszinsky with Ann Brodsky
 - h. Cape Fear Disability Commission – Resident Dustin Robinson appointed 10/16/17
 - i. MPO Technical Coordinating (TCC) – Town Clerk Avery to maintain appointment

9. Council designation of 3 members of Council as banking signatories
 - Mayor Bloszinsky
 - MPT Heglar
 - Commissioner Ellen

MOTION – MPT Heglar moved to appoint and accept the non-town committee appointments and the designated banking signatories as listed in item numbers 8 and 9.

SECOND – Commissioner Ellen

VOTE – Unanimous

Mayor Bloszinsky reiterated and confirmed the appointments and designations with each member of council, and closed the summary of the appointments for government.

10. Annual Council Retreat

Dates were presented for the retreat and after discussion the date of Friday, January 26, 2018 was agreed upon with the commencement time of 9:00 a.m.

MOTION – MPT Heglar moved to set January 26th as the Annual Council Retreat beginning at 9:00 a.m.

SECOND – Commissioner Ellen

VOTE – Unanimous



TOWN COUNCIL MINUTES

REGULAR/ORGANIZATIONAL MEETING

December 11, 2017 @ 6:30 p.m.

COMMISSIONER ITEMS

Commissioner Ellen advised that the Citizens Advisory Committee would be meeting Wednesday, December 14th. He asked Mayor Bloszinsky whom he would prefer to attend the meeting, as no one had yet been appointed. Mayor Bloszinsky requested Commissioner Ellen to attend the meeting representing the Town of Kure Beach.

MPT Heglar stated that it was definitely an honor to serve the people, but is also challenging. He also communicated that it was an honor to serve with both Mayor Swearingen and Commissioner Dugan and thanked them for their service. He said that they represented the town well, had worked hard, and had done what was best for the town. MPT Heglar said he felt fortunate that there were individuals like them to work for the Town of Kure Beach. He requested the audience to please seek them out to thank them for their service, and also thank those who have taken office. MPT Heglar also thanked the audience for being in attendance.

MAYOR UPDATES

Nothing to report.

ADJOURNMENT

MOTION – Commissioner Heglar moved to adjourn the meeting

SECOND – Commissioner Ellen

VOTE – Unanimous

Mayor Bloszinsky invited all those in attendance to the reception at the Beachwalk Clubhouse located next door to Town Hall.

The meeting adjourned at 7:30 p.m.

Craig Bloszinsky, Mayor

ATTEST: Nancy Avery, Town Clerk

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

COMMITTEE MARKETING

Nancy Avery

From: Debbie Elliott <debbie@talkinc.com>
Sent: Tuesday, December 5, 2017 11:04 AM
To: Nancy Avery
Subject: Re: Agenda for December 11 Town Council
Attachments: KB Rollover Presentation 11.28.17.pdf; KB Rollovers PR SM Presentation 11.28.17.pdf

Hi Nancy. Here is the rollover budget. Attached are two presentations on the Rollover budget -- one for paid advertising from the ad agency and one for social media from the PR firm.

Kure Beach Rollovers

16/17 Budget Holdback – 10%	\$ 20,392
Unspent budget	4,588
16/17 Revenue over projections	<u>\$ 11,073</u>
less 25% required fund balance	
Total 16/17 Rollover (*17/18 BA)	\$ 36,053
*Budget Amendment	

Kure Beach Rollovers Proposal

Digital Media	\$25,000
Social Media	\$ 8,850
Contingency	\$2,203
Total	\$36,053

Marketing Committee Rollover Budgets & Council Actions

December 18, 2012 Council Meeting

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Marketing Advisory Committee
 - a. Approval of targeted use of Cape Fear Visitors Bureau's (CVB) Tourism Development Authority rollover funds for FY12-13

Brant Barnwell, Chairman, explained the rollover recommendations from the Marketing Advisory Committee. He said the rollover funds are the second half of the Room Occupancy Tax; almost \$42,000. He reviewed a list of the accomplishments the committee made in 2012 and gave statistics on inquiries from people interested in visiting Kure Beach. He stated that the Facebook and Twitter fan base has increased. The recommendation is to enhance programs already in place: increase the size of the advertisements running in Southern Living Magazine; encourage more visits from media sources; and enhance the Town's Youtube presence.

Commissioner Heglar asked how the Cape Fear Visitors Bureau monitored its user generated content for Youtube videos.

Chairman Barnwell said that a group called Clean Design will monitor what is posted and the CVB will filter unacceptable video content received from the public.

MOTION – Commissioner Heglar made the motion to approve the Marketing Committee's recommendations of targeted use of the CFVBC (TDA) rollover funds for FY12-13 pending the receipt of the CFVBC's user generated content policy (i.e. the CFVBC's policy on filtering videos the public might place on the Youtube website representing Kure Beach, including who will monitor the video content and what filters will be used).

SECOND – Mayor Pro Tem Keener

VOTE – Unanimous

December 16, 2014 Council Meeting

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Marketing Committee
 - a. Recommendation for Rollover Money
- Robin Nalepa, Chairperson, summarized the Marketing Committee's recommendation on how to use the \$41,100 rollover money from the County that was received through Room Occupancy Tax (ROT) and asked for Council's approval on their recommendation.

MOTION – Commissioner Swearingen made the motion to approve the budget for the rollover amount of \$41,100.

SECOND – Commissioner Pagley

VOTE – FAILED in a tie vote, as follows: Commissioners Swearingen and Pagley FOR; Mayor Lambeth and Mayor Pro Tem Bloszinsky AGAINST. Commissioner Heglar was excused from the meeting.

Marketing Committee member, Anne Brodsky, stated that the Marketing Committee worked very hard at Council's request to come up with a plan to use this money which is not the Town's money to spend. She asked Council if they wanted vacationers or not. She pointed out that the money must be used for tourist-related activities and the Town would not be able to use it for anything else.

Commissioner Pagley pointed out that Council cut Marketing's regular budget this year, but the rollover money is a bonus from last year's budget and said that Marketing should be able to put it in their budget.

Commissioner Swearingen said there was a greater increase this year in ROT than in the past, which she attributed to the increase in social media exposure and the hard work done by the Marketing Committee. She said Council either wants to continue to have a good tourist increase for Kure Beach or they don't; it's black and white.

Mayor Lambeth said that his intent on cutting Marketing's regular budget this year was to see how tourism plays out next season without as much advertising; whether tourism will increase, stay the same or decrease.

Mayor Pro Tem Bloszinsky said that he would like to get a better picture of how the cash is flowing and asked Marketing to provide Council with what last year's budget, rollover and expenditures were, compared to this year's budget, rollover and planned expenditures. He said that Council wants to be good stewards of the ROT, which is actually spent for the shoulder season.

Mayor Lambeth said that he would like the Marketing Committee to present to Council, again, how they're specifically going to spend the rollover money, during the shoulder season, along with all of the information Mayor Pro Tem Bloszinsky requested.

Mayor Pro Tem Bloszinsky asked if they would take a look at the budget as it is today, and list what items they took out and what items they added.

Ms. Brodsky said that they will gather all of the requested information to give to Council, including this year's and last year's information, as well as information from the year before that. Commissioner Swearingen said all of the information requested would take at least 30 minutes to present and they will have someone from the TDA give the presentation.

MOTION – Commissioner Swearingen made the motion to table Marketing's request for approval of the Rollover budget until the January Council Retreat on Tuesday, January 27, 2014. The Town Clerk and Finance Officer are to determine the best time on the retreat agenda for the budget presentation and vote.

SECOND – Commissioner Pagley

VOTE – Unanimous

January 26, 2015 & January 27, 2015 Council Retreat

15. Convention and Visitors Bureau (CVB) and Marketing Committee presentation and ROT Rollover Funds

Mayor Pro Tem Bloszinsky told the Marketing Committee that Council appreciated their service to the Town and proceeded to ask Shawn Braden and Kim Hufham from the Wilmington and Beaches CVB to present their information to Council.

Ms. Hufham reviewed how Room Occupancy Tax (ROT) is distributed, including the amounts distributed to Kure Beach which led to further discussion among the participants about the use of ROT funds.

Commissioner Heglar asked TDA Board and Marketing Committee member, Anne Brodsky, to take back to the TDA Board that Kure Beach Town Council is hanging on to the funds in order to someday be able to use that money for Beach Nourishment. He said that the CVB's ads are almost all about the beaches, and if we don't keep sand on the beaches, there's not going to be a beach to visit.

Ms. Brodsky reminded Council that they gave specific questions to the Marketing Committee to be answered at this retreat. She asked Council to patiently listen to the presentation and their questions would be answered.

Ms. Hufham said she understands Council's position on needing beach nourishment, but the legislation has mandated how the ROT funds are to be spent and the CVB's job is to protect the marketing money. She proceeded to show the results of funds used for marketing during different times of the year, how the rollover funds are calculated and fund balances for Kure Beach.

Ms. Braden showed how they measure and track campaigns, and how the marketing campaign was performed in FY13-14.

Commissioner Heglar asked why they were concerned about drawing visitors from Raleigh since they are usually day trippers, and Kure Beach residents and some business owners dislike day trippers.

Ms. Brodsky explained that they're trying to get Kure Beach to grow healthily and, speaking as a business owner, Raleigh is very important to her. She said the CVB and the Marketing Committee do a lot of research and know what marketing works and what doesn't work.

Christine Avery from the Marketing Committee said they've had Raleigh people who stay the entire week, and business is definitely growing in the shoulder season.

Ms. Braden reviewed the volume of website visits due to paid ads, and stated that this demonstrates that there is a limited volume of website visits in the fall if you don't have paid advertising in the shoulder season. She noted there was a large volume of ROT collected during the 150th Anniversary of the Battle of Fort Fisher.

Commissioner Heglar said that the amount received during the event didn't cover the amount the Town spent on Fire and Police coverage; it was a net loss for the Town.

Ms. Avery said that it will still have positive repercussions as visitors will most likely come back to Kure Beach in the summer, now that they've seen the area on their visit for the anniversary

celebration. She said that, in the long run it is a benefit; not necessarily to be seen now, but to most likely be seen later in increased visitation.

Discussion ensued about the financial benefits and drawbacks of special events that involve Kure Beach resources.

Ms. Braden said that she believes she has answered Council's questions and proceeded to say there are looming deadlines that need to be met to spend the rollover money.

Commissioner Bloszinsky said he wants to know if the benefits are growing at the same rate the investments are growing. He said the Town would like to focus some of the extra rollover money toward particular Town events, to which the Marketing Committee pointed out that those funds should come from the Activity fund balance that was shown to Council earlier in the presentation.

Ms. Hufham said they've been mandated by the legislation to spend the rollover money for marketing and we have to live by those rules. She said it's not you against us; we want to work out the best for all of us, but when we're operating out of compliance and breaking the law, if we don't follow the mandate.

Ms. Avery said she's been with the Marketing Committee for a very long time and the Town has been steadily growing in ROT, which means there's more money for everyone. She said that this money could best be used now instead of held for something in the future that may or may not come.

MOTION – Commissioner Heglar made the motion to approve spending the \$41,100 rollover ROT funds, as presented by the Marketing Committee, with the understanding that Marketing will include beach renourishment in the campaign, however possible.

SECOND – Commissioner Pagley

VOTE – Unanimous

December 20, 2016 Council Meeting

1. Marketing Committee

Chairperson Elliott gave a presentation on the marketing campaign for the time period between July 1 and October 31, 2016. She reviewed the advertising methods and results. She said \$44,600 was spent on this campaign, compared to \$32,000 for the 2015 fall campaign. She said that online media continues to be the primary driver of inquiries in both quantity and efficiency.

Mayor Swearingen and MPT Bloszinsky said they were impressed with the results of the marketing campaign.

Ms. Elliott reviewed Marketing's proposal for the rollover budget stating that 60 percent of the budget is to be spent on in-state advertising and 40 percent is to be spent on out-of-state advertising. She reviewed the rollover budget line items which came to a total of \$60,000, in addition to a \$4,588 media contingency, for a grand total rollover budget of \$64,588. She asked Council to approve the use of the rollover funds, as presented.

Commissioner Heglar said that the item wasn't put on the December Council meeting agenda, so they need to have more time to review the proposed rollover budget.

CONSENSUS – Council asked that Marketing's rollover budget be placed on the January Council agenda for further review before approval, and they asked Ms. Elliott to remind them what they asked the Marketing Committee to reserve from last year's rollover budget.

February 16, 2016 Council Meeting

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

2. Marketing Committee

a. Kim Hufham, Tourism Development Authority (TDA)

Ms. Hufham said that Mayor Swearingen attended her first TDA meeting in January and asked that she come to share her presentation with council. She presented a flow chart demonstrating the use of Room Occupancy Tax (ROT) funds, explaining its breakdown. She said that they advertised the town in Charlotte and the Piedmont Triad, as well as out-of-state and got great results. She said that the town has outpaced every other municipality in New Hanover County over the last few years on tourism and ROT growth.

b. Rollover ROT Funds

Marketing Advisory Committee (MAC) Chairperson, Robin Nalepa, reviewed Marketing's plan and asked for council to approve their recommendations for use of the total rollover of \$47,542 from ROT funds.

Commissioner Heglar asked where the ten percent reserve was located that council had them set aside from last year's budget, to which Ms. Nalepa responded that the ten percent is listed on the spreadsheet as "contingency" in the amount of \$3,042. She reminded council that the only thing for which the money can be used is marketing, so the town is just sitting on those funds and not achieving anything with them.

Discussion ensued about the best time of year to advertise using the majority of the funds that would be most beneficial to Kure Beach businesses.

MOTION – MPT Bloszinsky moved to direct the Marketing Advisory Committee to query the local business owners on the best time of the year to use the marketing advertising funds, and bring their findings back to council.

SECOND – Commissioner Heglar

MOTION – MPT Bloszinsky and Commissioner Heglar removed their motion and second.

MOTION – Commissioner Heglar moved to approve the rollover budget, as presented, and directed the Marketing Committee to build a future budget for 35 percent to go in the reserve and, in the future, council will give the committee clear budget guidance moving forward.

SECOND – Commissioner Whitley

VOTE – Unanimous

KURE BEACH

ROLLOVER RECOMMENDATIONS

SOCIAL MEDIA

VIDEO CONTENT AMPLIFICATION

Video content is more engaging than static content

- Videos posted on KB's channels perform well in terms of engagement
- #GoLocalKB campaign that launched in May 2017 highlighting video interview of community celebrities and favorite business owners/staff showed particularly high engagement



VIDEO CONTENT AMPLIFICATION

FWV recommends amplifying spring video content with paid support

- Extend reach of video content
- Target prospects programmatically based on interests and behaviors
- Sequence creative so users see multiple versions of creative sequentially; further, retarget users with messaging that encourages visitation
- Optimize campaign for reach with links to drive website impact

Budget

- \$5,600
- Potential reach: 477k for 4-month campaign

FACEBOOK + INSTAGRAM LIVE

Incorporating motion into social media content mix encourages engagement

- Motion of all types (GIFs, Facebook Live, Instagram stories, etc.) is more engaging than static content
- Live video content is being heavily promoted in Facebook's newsfeed
- Nearby CB Facebook Live events have been performing well
 - Average view per event = 4,406
 - Average engagements per event = 311



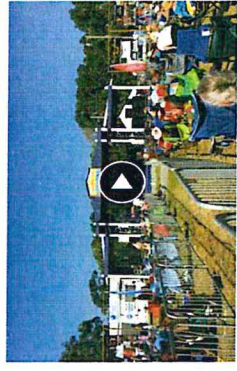
Visit Carolina Beach, NC
Join us for the End Friends by the Sea & Beachside Blast of the season with a Beach Bar. All the excitement takes place at the famous Carolina Beach Boardwalk.
11:50 - Wed Live 04/25/2017 - View Facebook Live



Visit Carolina Beach, NC
Join us for the End Friends by the Sea & Beachside Blast of the season. All the excitement takes place at the famous Carolina Beach Boardwalk.
10:07 - Wed Live 04/25/2017 - View Facebook Live



Visit Carolina Beach, NC
Join us for the End Friends by the Sea & Beachside Blast from the Carolina Beach Dragon Boat Regatta and Festival. May the best team win!
10:07 - Wed Live 04/25/2017 - View Facebook Live



Visit Carolina Beach, NC
We're relaxing on the sands of beaches, jazz and delicious seafood LIVE from the Pigeon Island Golf Club, Beach & Jazz Festival.
07:58:42 - Wed Live 04/25/2017 - View Facebook Live

FACEBOOK + INSTAGRAM LIVE

FWV recommends testing live video for KB in the spring

- Anniversary of the Battle of Fort Fisher (Jan. 13, 2018)
- Utilize livestream capabilities on Facebook and Instagram

Budget

- \$750

SNAPCHAT DISCOVER

Snapchat has 62MM active U.S. users consuming an average of 30 minutes of content every day

- 70% of Snapchat users are female
- 30% of U.S. Millennial internet users use Snapchat regularly
- Snapchat reaches 11% of the total U.S. digital population
- 71% of Snapchat users are under 34 years old

Publishers use Snapchat Discover to create daily "stories"

- Participating publishers currently include outlets such as BuzzFeed, Food Network, Tasty, The New York Times and National Geographic



SNAPCHAT DISCOVER

FWV recommends utilizing Snapchat Discover as a way to gain visibility on the platform without creating/maintaining a dedicated channel for KB

- Enables us to test the platform without investing significant resources since it still skews young
 - 45% of users are between 18 and 24
- FWV would pitch Snapchat Discover outlets with content ideas relevant to the platform
 - For example, roundups of the best beaches in the U.S., most historic beaches, etc.
 - We could also align with our PR calendar/topics
- Outreach would target digital/social media editors at target publications and would be tailored to the type of quick content that is appropriate for Snapchat

Budget

- \$2,500



clean

an integrated branding agency

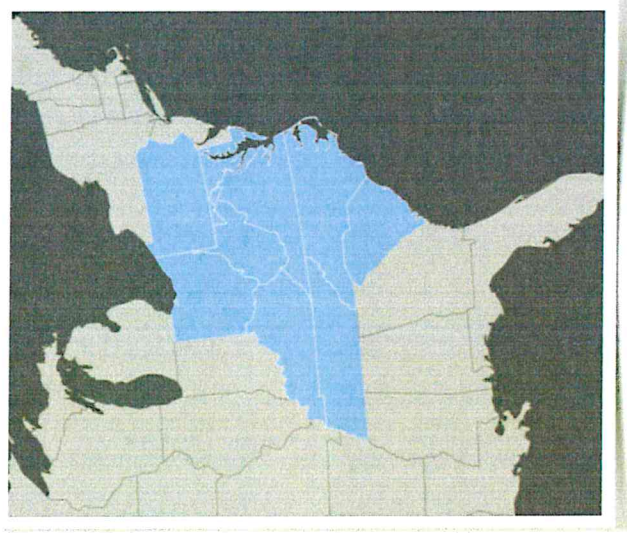


Kure Beach

rollover media recommendation

Spring 2018

geography



primary

- Triangle
- Greensboro
- Winston-Salem
- Charlotte
- Fayetteville

secondary

- Richmond, VA
- Columbus, OH
- Pittsburgh, PA
- Myrtle Beach, SC
- Baltimore, MD
- Charleston, WV
- Knoxville, TN
- Lexington, KY

60/40 in-state/out-of-state targeting split applied to all Spring media

facebook video

objective

- boost awareness and drive engagement amongst facebook users and the Kure Beach brand
- complement facebook display campaign, as users spend an average of 5x longer viewing a video than a static ad

program details

- :15 pre-roll video
- facebook's comprehensive targeting will be leveraged to reach a qualified audience with an interest in travel

march-april

- \$15,000

The Facebook logo, consisting of the word "facebook" in white lowercase letters on a blue rectangular background.

trip advisor

objective

- increase awareness of Kure Beach as a destination, drive deeper engagement
- capitalize on TA's qualified audience of vacation planners, drive them to Kure Beach's website

program details

- 236,000 guaranteed impressions served on NC coastal-related pages and Kure's tourism pages on tripadvisor

february-march

- \$5,000



influencer campaign

objective

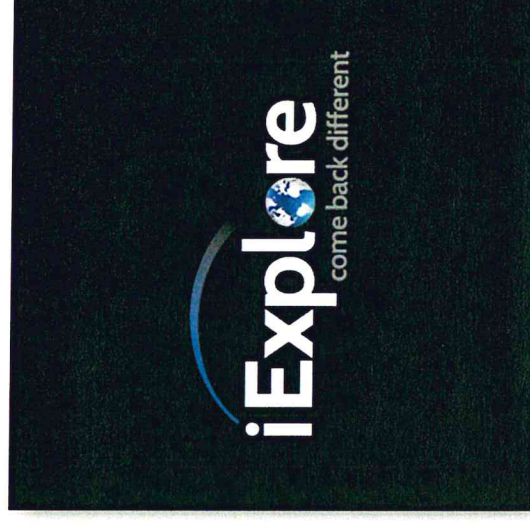
- supplement Spring influencer campaign with incremental funds to increase coverage and engagement opportunities (bringing total spend to \$15,000)

program details

- one influencer trip to Kure Beach
- 75 guaranteed social media posts
- 2 blog posts on influencer's blog, one on TravelMindset.com
- 20 amplification shares from iExplore
- 2 additional influencers share content on their channels

february-march

- \$5,000



spring 2017 campaign

iExplore
NORTH CAROLINA BEACHES

DESTINATIONS EXPERIENCES 48HR GUIDE

Beaches

Get Your Vitamin Sea Fix in Kure Beach, North Carolina

By Corinne Edmiston | Posted June 1, 2017

0 SHARES

Facebook Twitter Pinterest + More + Save

Content Produced in Partnership with Kure Beach

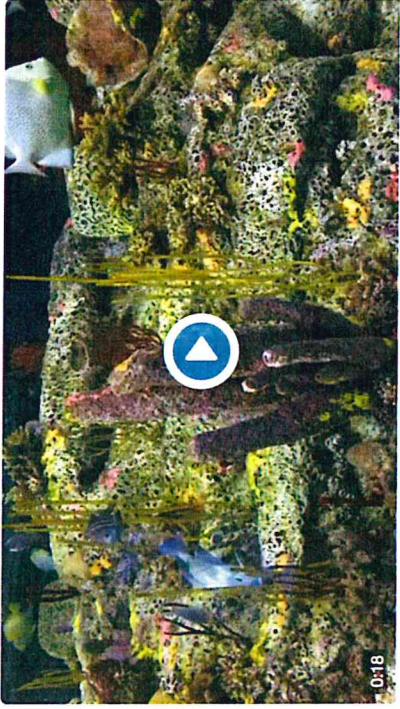
Far enough away from the hustle and bustle but still close enough to other beach activities, Kure Beach gives new meaning to "relaxing and fun beach vacation." Home to some of the best fishing opportunities in the entire state of North Carolina, Kure Beach's miles of undeveloped beach are ripe for exploring — on and off its sandy shores. With a state aquarium and historical site as well as dozen of outdoor adventures at the ready, you'll find Kure Beach is far from a sleepy beach town. Actually, we think you'll find it's exactly the sort of place your family will want to vacation at for many years to come.



Lindsay Ferrier
@SuburbanTurmoil

Follow

This moment of Zen comes from our visit to the excellent @NCAquariumFF in #KureBeach!



0:18

RETWEETS 2 LIKES 3

4:41 PM - 2 Apr 2017 from Wrightsboro, NC

spring 2017 campaign results

3,650,000 influencer social post impressions

39,312 native article pageviews

3,400 native article shares

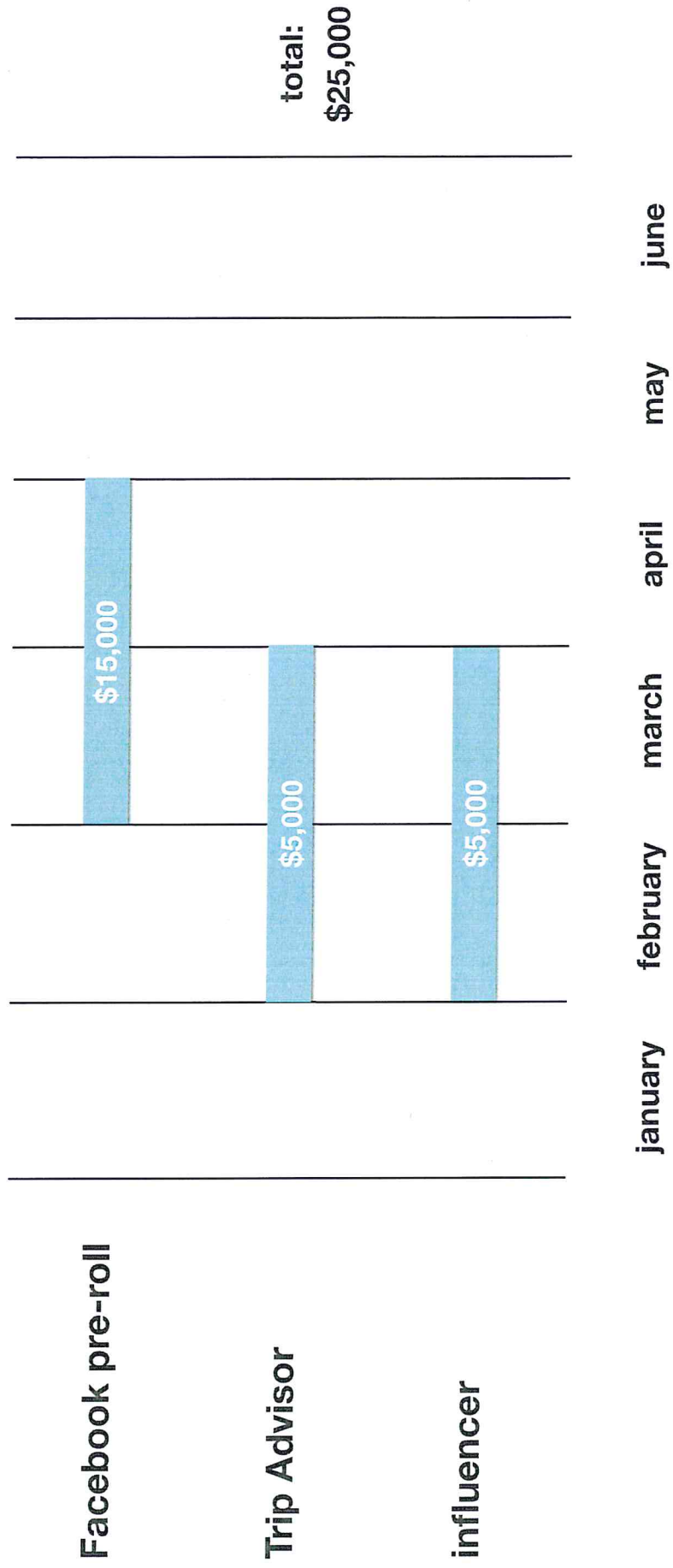
601 “likes” on social media

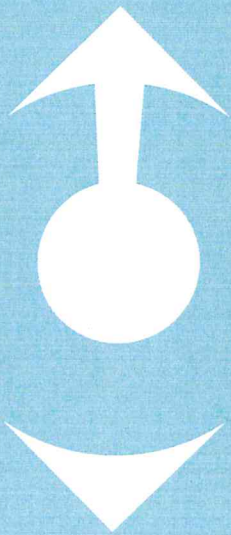
204 average seconds spent on articles

71 influencer posts on social media

*data covers 4/28/16-5/31/17

flowchart





PUBLIC HEARING

Memo



To: Kure Beach Town Council
From: Arlen Copenhaver
Date: January 17, 2018
Re: System Development Fee

The calculation of the potential System Development Fee (SDF) was originally presented to Town Council at a special meeting held on November 2, 2017. The description, methodology and calculation of the SDF provided at that meeting is attached.

On November 2nd, Town Council accepted the SDF calculation and authorized the start of the mandatory 45-day public comment period. The public comment period was from November 7, 2017 to December 22, 2017. During that time, there were no comments relating to the SDF received from the public.

A required Public Hearing relating to the SDF is scheduled for January 22, 2018, prior to the start of the regular Town Council meeting. Assuming no negative public feedback during the Public Hearing, my recommendation is to adopt a SDF of \$592 effective immediately. This fee will be assessed on new construction. Proposed Ordinance changes are included with your meeting materials, as well as an amended Town Fee Schedule.

Please let me know if you have any questions.

TOWN OF KURE BEACH
SYSTEM DEVELOPMENT FEES
AS OF OCTOBER 31, 2017

SUMMARY OF HOUSE BILL 436 (SESSION LAW 2017-138)

House Bill 436 (Session Law 2017-138) entitled “An Act to Provide for Uniform Authority to Implement System Development Fees for Public Water and Sewer Systems in North Carolina and to Clarify the Applicable Statute of Limitations” was signed by Governor Cooper on July 20, 2017. This bill clarifies a local government utility’s authority to assess upfront charges for water and sewer. This new law grants local government utilities specific authority to assess one type of upfront charge called a system development fee.

In the bill, a system development fee is defined as follows:

“A charge or assessment for service imposed with respect to new development to fund costs of capital improvements necessitated by and attributable to such new development, to recoup costs of existing facilities which serve such new development, or a combination of those costs, as provided in the Article.”

The system development fee must be calculated based on a written analysis that:

1. Is prepared by a financial professional or a licensed engineer qualified by experience and training or education to employ generally accepted accounting, engineering, and planning methodologies to calculate system development fees for public water and sewer systems.
2. Documents in reasonable detail the facts and data used in the analysis and their sufficiency and reliability.
3. Employs general accepted accounting, engineering, and planning methodologies, including buy-in, incremental cost or marginal cost, and combined cost methods for each service, setting forth appropriate analysis as to the consideration and selection of a method appropriate to the circumstances and adapted as necessary to satisfy all requirements of House Bill 436.
4. Documents and demonstrates the reliable application of the methodologies to the facts and data, including all reasoning, analysis, and interim calculations underlying each identifiable component of the system development fees and the aggregate thereof.
5. Identifies all assumptions and limiting conditions affecting the analysis and demonstrates that they do not materially undermine the reliability of conclusions reached.
6. Calculates a final system development fee per service unit of new development and includes an equivalency or conversion table for use in determining the fees applicable for various categories of demand.
7. Covers a planning horizon of not less than 10 years nor more than 20 years.

8. Is adopted by resolution or ordinance of the local government unit in accordance with G.S. 162A-209.

Adoption and Review Process

For not less than 45 days prior to considering the adoption of a system development fee analysis, the local governmental unit shall post the analysis on its Web site and solicit and furnish a means to submit written comments, which shall be considered by the preparer of the analysis for possible modifications or revisions.

After expiration of the period for posting, the governing body of the local governmental unit shall conduct a public hearing prior to considering adoption of the analysis with any modifications or revisions.

The local governmental unit shall publish the system development fee in its annual budget or rate plan or ordinance. The local governmental unit shall update the system development fee analysis at least every five years.

Use and Administration of Revenue

Revenue from system development fees calculated using the incremental cost method, exclusively or as part of the combined cost method, shall be expended only to pay:

1. Costs of constructing capital improvements including, and limited to, any of the following:
 - a. Construction contract prices.
 - b. Surveying and engineering fees.
 - c. Land acquisition cost.
 - d. Principal and interest on bonds, notes, or other obligations issued by or on behalf of the local governmental unit to finance any costs for an item listed sub-subdivisions a. through c. of this subdivision.
2. Professional fees incurred by the local governmental unit for preparation of the system development fee analysis.
3. If no capital improvements are planned for construction within five years or the foregoing costs are otherwise paid or provided for, then principal and interest on bonds, notes, or other obligations issued by or on behalf of a local governmental unit to finance the construction or acquisition of existing capital improvements.

Revenue from system development fees calculated using the buy-in method may be expended for previously completed capital improvements for which capacity exists and for capital rehabilitation projects. The basis for the buy-in calculation for previously completed capital improvements shall be determined by using a generally accepted method of valuing the actual or replacement costs of the capital improvement for which the buy-in fee is being collected less depreciation, debt credits, grants, and other generally accepted valuation adjustments.

System development fee revenues shall be accounted for by means of a capital reserve fund established pursuant to Part 2 of Article 3 of Chapter 159 of the General Statutes and limited as to expenditure of funds in accordance with this section.

Time for Collection of System Development Fees

For new development involving the subdivision of land, the system development fee shall be collected by a local governmental unit either at the time of plat recordation or when water or sewer service for the subdivision or other development is committed by the local governmental unit. For all other new development, the local governmental unit shall collect the system development fee at the time of application for connection of the individual unit of development to the service or facilities.

PROCESS FOR DETERMINING WATER AND SEWER SYSTEM DEVELOPMENT FEES FOR KURE BEACH

A common legal consideration (Rational Nexus) related to system development costs (SDC) that are used to calculate system development fees is establishing a reasonable relationship between the amount of the SDC and the cost associated with serving the new development. The Rational Nexus test considers the following elements:

1. A connection between new development and the new or expanded facilities required to accommodate such development.
2. Identification of the cost of new or expanded facilities.
3. Apportionment of the cost to new development in relation to the benefits it receives.

For element number one, Kure Beach Public Works Department evaluates capital improvement needs relating to water and sewer operations considering the need for new facilities to accommodate growth. These needs are incorporated into capital improvement plans. The water and sewer infrastructure has been constructed taking into account projected future growth and system demands.

Element number two, relating to the cost of new or expanded facilities, is satisfied by maintaining records of capital asset additions, disposals and improvements that are then used for financial reporting purposes and follow generally accepted accounting principles.

Element number three, apportionment of the cost to new development, is accomplished by using one of the permitted calculation methodologies.

Calculation Methodology

House Bill 436 identified three possible methodologies to use in calculating the system development fees. They are the buy-in method, cost or marginal cost method, or a combined cost method. Based on the planning philosophies and practices followed by Kure Beach that provide for increased capacity in advance of the actual demand, the buy-in method was determined to be the best method to calculate the system development fees. The buy-in method is based on the value of the system's existing capacity. This methodology is typically used when the existing system has adequate capacity for current and future development. With this method, new development "buys" a proportionate share of capacity at the cost of the existing facilities. The buy-in methodology is based on the concept of achieving capital equity between existing and new customers.

Data, Assumptions and Limitations

The capital asset data used in valuing the system capacity was obtained from the capital asset accounting records that are the basis of capital asset financial reporting in accordance with generally accepted accounting principles. These records detail the original cost, accumulated depreciation and net asset (book) value of each asset. The net book value of water and sewer capital assets as of June 30, 2017 was used in the calculation and updated with capital asset additions and disposals through October 31, 2017.

Additionally two types of valuation adjustments were applicable to determine the value of capacity. First is the debt credit. The outstanding debt relating to water and sewer operations must be deducted from the value of net assets. This is necessary because the debt service for the loans used to acquire the capital assets is included in the water and sewer operating budget and therefore are paid from revenue generated from the monthly water and sewer fees that are based on usage. As of October 31, 2017, the total outstanding debt for water and sewer operations was \$1,098,324.69.

The second valuation adjustment is the grant credit. This credit represents grant proceeds that were received for water or sewer capital additions and improvements. As a result, the capital assets of the Town were increased without using Town funds. The grant credit totals \$402,493.25 and pertains to sewer operations.

Regarding other assumptions, certain older water and sewer capital assets were identified only as "Infrastructure". Therefore, there was no clear delineation between which assets were water capital assets and which were sewer capital assets. In these instances, the assumption used was to equally divide these assets between water and sewer operations.

Finally, a limitation in performing the calculations was whether the water and sewer capital asset listings were complete. Without any other information available relating to water and sewer capital assets, the assumption was made that the capital asset records were sufficient and, therefore, the capital asset records did not contain any material omissions.

Kure Beach Use and Administration of System Development Fees

The system development fees collected by the Town will be accounted for in the Sewer Expansion Reserve Fund (SERF), which is an existing capital reserve fund. Use of the system development fee revenue will require Town Council action to move the funds from the SERF to the Water and Sewer Fund. As a result of using the buy-in method, the associated revenue can be used for previously completed capital improvements for which capacity exists and for capital rehabilitation projects.

Qualifications of Preparer of the Written Analysis

The system development fee analysis was prepared by Arlen Copenhaver, Finance & Budget Officer for the Town of Kure Beach. Arlen has been a Certified Public Accountant (CPA) for over 33 years and has over 36 years of finance-related experience. Included in his experience is over seven years of North Carolina local government finance experience that includes water and sewer financial operations, budgeting, accounting, financial reporting and rate analysis and determination for water and sewer operations.

SYSTEM DEVELOPMENT FEE ANALYSIS

Page 6 of this document summarizes the calculation of the system development fees for Kure Beach. The system development fee is divided into two components, water and sewer. Refer to page 6 for specifics of the calculation. In summary the calculated fees are:

CATEGORY	VALUE OF GALLONS PER DAY OF CAPACITY	AVERAGE DAILY USAGE (gals.)	SYSTEM DEVELOPMENT FEE
Water	\$1.83	137.5	\$251.63
Sewer	\$2.49	136.8	\$340.63
Total			\$592.26

The remaining pages of the analysis contain the documentation supporting the system development fees calculated on page 6.

**TOWN OF KURE BEACH
WATER AND SEWER
SYSTEM DEVELOPMENT FEES
AS OF 10/31/2017**

	(a)	(b)	(c) = (b)/30	(a) x (c)
CATEGORY	VALUE OF GALLONS PER DAY OF CAPACITY (EXHIBIT 1)	AVERAGE MONTHLY USAGE (gals.)	AVERAGE DAILY USAGE (gals.)	SYSTEM DEVELOPMENT FEE
Water	\$1.83	4,124	137.5	\$251.63
Sewer	\$2.49	4,103	136.8	\$340.63
TOTAL				\$592.26

NOTE: Average monthly usage for the three year period of 7/1/14 to 6/30/17 from the ICS Accounting System.

TOWN OF KURE BEACH
EXHIBIT 1
CALCULATION OF THE VALUE OF
GALLONS PER DAY OF CAPACITY FOR WATER AND SEWER

		WATER	SEWER
Total Net Book Value of Capital Assets	EXHIBIT 2	\$2,509,220.34	\$3,629,063.42
Less:			
Debt Credit	EXHIBIT 3	(\$391,853.34)	(\$706,471.35)
Grant Credit	EXHIBIT 4	\$0.00	(\$402,493.25)
Value of Capacity	(a)	\$2,117,367.00	\$2,520,098.82
Current Total Capacity (mgd)	(b)	1,157,000	1,012,784
Value of Gallons Per Day Capacity	(a)/(b)	\$1.83	\$2.49

Note: Current total capacity (million gallons per day) obtained from the Kure Beach Public Works Department.

EXHIBIT 2

**TOWN OF KURE BEACH
CAPITAL ASSET SUMMARY
FOR CALCULATION OF SYSTEM DEVELOPMENT FEES**

	<u>ORIGINAL COST</u>	<u>ACCUMULATED DEPRECIATION AS OF 6/30/17</u>	<u>NET BOOK VALUE AS OF 10/31/17</u>	<u>COMMENTS</u>
WATER				
Equipment & Vehicles	\$354,168.60	\$291,883.89	\$62,284.71	EXHIBIT 2-A
Infrastructure	\$4,165,159.00	\$1,785,477.59	\$2,379,681.41	EXHIBIT 2-B
Buildings	\$96,581.08	\$39,675.36	\$56,905.72	EXHIBIT 2-C
Land	\$10,348.50	\$0.00	\$10,348.50	EXHIBIT 2-C
Total Water Capital Assets	\$4,626,257.18	\$2,117,036.84	\$2,509,220.34	
SEWER				
Equipment & Vehicles	\$374,731.97	\$259,245.19	\$115,486.78	EXHIBIT 2-A
Infrastructure	\$5,251,338.81	\$1,805,016.39	\$3,446,322.42	EXHIBIT 2-B
Buildings	\$96,581.08	\$39,675.36	\$56,905.72	EXHIBIT 2-C
Land	\$10,348.50	\$0.00	\$10,348.50	EXHIBIT 2-C
Total Sewer Capital Assets	\$5,733,000.36	\$2,103,936.94	\$3,629,063.42	

TOWN OF KURE BEACH
 ALLOCATION OF EQUIPMENT AND VEHICLE
 CAPITAL ASSETS BETWEEN
 WATER AND SEWER OPERATIONS

	ORIGINAL COST	ACCUMULATED DEPRECIATION AS OF 6/30/17	NET BOOK VALUE AS OF 6/30/17	COMMENTS
Equipment & Vehicles				Total Water & Sewer Fund Equipment & Vehicle Capital Assets From 6/30/2017 Audited Financial Statements
Less Water only assets:	\$686,707.29	\$551,129.08	\$135,578.21	
Meyers Plunger Pump	\$5,852.19	\$5,852.19	\$0.00	
Assembly Road Tank Altitude Value	\$46,803.09	\$46,803.09	\$0.00	
Less Sewer only assets:				
O'Brien Hydrojetter	\$40,472.48	\$15,514.45	\$24,958.03	
Generator - Riggings lift station	\$22,510.63	\$4,502.13	\$18,008.50	
Additions:				
Compact Excavator purchased on 7/21/17	\$31,957.73	\$0.00	\$31,957.73	
Equipment & Vehicles to be divided equally between water & sewer	\$603,026.63	\$478,457.22	\$124,569.41	
Allocation of Equipment & Vehicles:				
Water:				
Assets shared with sewer	\$301,513.32	\$239,228.61	\$62,284.71	
Meyers Plunger Pump	\$5,852.19	\$5,852.19	\$0.00	
Assembly Road Tank Altitude Value	\$46,803.09	\$46,803.09	\$0.00	
Total Equipment & Vehicles - Water	\$354,168.60	\$291,883.89	\$62,284.71	
Sewer:				
Assets shared with water	\$301,513.32	\$239,228.61	\$62,284.71	
O'Brien Hydrojetter	\$40,472.48	\$15,514.45	\$24,958.03	
Generator - Riggings lift station	\$22,510.63	\$4,502.13	\$18,008.50	
Scanning Camera purchased on 8/10/17	\$10,235.54	\$0.00	\$10,235.54	
Total Equipment & Vehicles - Sewer	\$374,731.97	\$259,245.19	\$115,486.78	

**TOWN OF KURE BEACH
ALLOCATION OF INFRASTRUCTURE
CAPITAL ASSETS BETWEEN
WATER AND SEWER OPERATIONS**

EXHIBIT 2-B

	ORIGINAL COST	ACCUMULATED DEPRECIATION AS OF 6/30/17	NET BOOK VALUE AS OF 6/30/17	COMMENTS
Infrastructure	\$8,604,766.81	\$3,590,493.98	\$5,014,272.83	Total Water & Sewer Fund Infrastructure Capital Assets From 6/30/2017 Audited Financial Statements
Less Water only assets:				
Ft. Fisher Water Line Extension	\$30,792.00	\$4,105.60	\$26,686.40	
Less Sewer only assets:				
Sewer System Improvements (3/8/11)	\$73,752.79	\$9,342.05	\$64,410.74	
Sewer System Improvements (1/6/12)	\$5,000.00	\$550.00	\$4,450.00	
Sewer Treatment Dechlorification	\$14,169.69	\$11,317.36	\$2,852.33	
SeaView Sewer Infrastructure	\$8,000.00	\$306.67	\$7,693.33	
Bypass Force Main	\$204,318.33	\$2,128.32	\$202,190.01	
Infrastructure to be divided equally between water & sewer	\$8,268,734.00	\$3,562,743.98	\$4,705,990.02	
Allocation of Infrastructure:				
Water:				
Assets shared with sewer	\$4,134,367.00	\$1,781,371.99	\$2,352,995.01	
Ft. Fisher Water Line Extension	\$30,792.00	\$4,105.60	\$26,686.40	
Total Infrastructure - Water	\$4,165,159.00	\$1,785,477.59	\$2,379,681.41	
Sewer:				
Assets shared with water	\$4,134,367.00	\$1,781,371.99	\$2,352,995.01	
Sewer System Improvements (3/8/11)	\$73,752.79	\$9,342.05	\$64,410.74	
Sewer System Improvements (1/6/12)	\$5,000.00	\$550.00	\$4,450.00	
Sewer Treatment Dechlorification	\$14,169.69	\$11,317.36	\$2,852.33	
SeaView Sewer Infrastructure	\$8,000.00	\$306.67	\$7,693.33	
Bypass Force Main	\$204,318.33	\$2,128.32	\$202,190.01	
KB Pump Station #1 (completed 10/17)	\$811,731.00	\$0.00	\$811,731.00	
Total Infrastructure - Sewer	\$5,251,338.81	\$1,805,016.39	\$3,446,322.42	

EXHIBIT 2-C

**TOWN OF KURE BEACH
ALLOCATION OF BUILDINGS AND LAND
CAPITAL ASSETS BETWEEN
WATER AND SEWER OPERATIONS**

	<u>ORIGINAL COST</u>	<u>ACCUMULATED DEPRECIATION AS OF 6/30/17</u>	<u>NET BOOK VALUE AS OF 6/30/17</u>	<u>COMMENTS</u>
Buildings	\$193,162.16	\$79,350.71	\$113,811.45	Total Water & Sewer Fund Buildings Capital Assets From 6/30/2017 Audited Financial Statements
Less Water only assets:	\$0.00	\$0.00	\$0.00	
Less Sewer only assets:	\$0.00	\$0.00	\$0.00	
Buildings to be divided equally between water & sewer	\$193,162.16	\$79,350.71	\$113,811.45	
Allocation of Buildings:				
Water:				
Assets shared with sewer	\$96,581.08	\$39,675.36	\$56,905.73	
Total Buildings - Water	\$96,581.08	\$39,675.36	\$56,905.73	
Sewer:				
Assets shared with water	\$96,581.08	\$39,675.36	\$56,905.73	
Total Buildings - Sewer	\$96,581.08	\$39,675.36	\$56,905.73	
Land	\$20,697.00	\$0.00	\$20,697.00	Total Water & Sewer Fund Land Capital Assets From 6/30/2017 Audited Financial Statements
Less Water only assets:	\$0.00	\$0.00	\$0.00	
Less Sewer only assets:	\$0.00	\$0.00	\$0.00	
Land to be divided equally between water & sewer	\$20,697.00	\$0.00	\$20,697.00	
Allocation of Land:				
Water:				
Assets shared with sewer	\$10,348.50	\$0.00	\$10,348.50	
Total Land - Water	\$10,348.50	\$0.00	\$10,348.50	
Sewer:				
Assets shared with water	\$10,348.50	\$0.00	\$10,348.50	
Total Land - Sewer	\$10,348.50	\$0.00	\$10,348.50	

EXHIBIT 3

**TOWN OF KURE BEACH
CALCULATION OF DEBT CREDIT
AS OF 10/31/2017**

<u>LOAN DESCRIPTION</u>	<u>WATER PORTION</u>	<u>SEWER PORTION</u>	<u>TOTAL OUTSTANDING BALANCE AT 10/31/17</u>
Sewer Rehabilitation Project	\$0.00	\$137,224.32	\$137,224.32
Kure Beach Pump Station #1	\$0.00	\$475,000.00	\$475,000.00
Water Tower/Well House	\$336,264.84	\$0.00	\$336,264.84
2016 John Deere Backhoe	\$21,247.81	\$21,247.82	\$42,495.63
Compact Excavator	\$15,978.75	\$15,978.75	\$31,957.50
O'Brien Hydrojetter	\$0.00	\$24,856.35	\$24,856.35
FY 2016 Equipment:			
Polaris	\$3,271.15	\$3,271.15	\$6,542.30
Service Truck - 2016 Silverado	\$10,932.00	\$10,932.00	\$21,864.00
Riggings Lift Station Generator	\$0.00	\$13,802.17	\$13,802.17
2015 Ford F-250 Utility Truck	\$4,158.79	\$4,158.79	\$8,317.58
TOTAL	\$391,853.34	\$706,471.35	\$1,098,324.69

EXHIBIT 4

**TOWN OF KURE BEACH
CALCULATION OF GRANT CREDIT
AS OF 10/31/2017**

<u>FISCAL YEAR</u>	<u>G/L ACCT. NO.</u>	<u>ACCOUNT DESCRIPTION</u>	<u>AMOUNT</u>
2010	30-392-00-00	CWMTF Grants Sewer Rehab	\$268,717.07
2010	30-392-00-01	Financing Sewer Rehab/ARRA Funding	\$305,836.00
2011	30-392-00-00	CWMTF Grants Sewer Rehab	\$44,270.18
		TOTAL	\$618,823.25
		Less: Portion of proceeds processed as grant revenue that is actually debt and included in the outstanding debt calculation	(\$216,330.00)
		Total Grants - Sewer	\$402,493.25

COMMITTEE
P&Z MINUTES
INTERVIEWS



**KURE BEACH
PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES**

The Kure Beach Planning and Zoning Commission (P&Z) held its regular meeting on Wednesday, January 10, 2018. A quorum of members was present and Attorney Jim Eldridge attended.

P&Z MEMBERS PRESENT

Vice Chairman Craig Galbraith
Member Bill Moore
Member Kenneth Richardson
Member John Cawthorne

P&Z MEMBERS ABSENT

None

STAFF PRESENT

John Batson, Building Inspections
Nancy Avery, Town Clerk

1. CALL TO ORDER

Vice Chairman Galbraith called the meeting to order at 7 pm.

2. APPROVAL OF AGENDA

MOTION – Member Moore
SECOND – Member Cawthorne
VOTE - Unanimous

3. APPROVAL OF MEETING MINUTES: November 1, 2017

MOTION – Member Moore
SECOND – Member Richardson
VOTE - Unanimous

4. PUBLIC COMMENTS

John Ellen, former P&Z member and chair, stated it was an honor and pleasure to serve with the commission and staff members and he looks forward to the continued work through his council membership.

5. OLD BUSINESS

None

6. NEW BUSINESS

Vice Chair Galbraith stated that:

- Chairman John Ellen resigned effective December 7, 2017 and he thanked him for his service
- Election of Officers will occur at the February meeting

7. CANDIDATE INTERVIEWS

Vice Chair Galbraith asked each applicant to step to the podium, give an introduction and state why they are interested in serving on the commission.

1. Applicant Dolores Coe stated she:

- Has been a property owner for over 25 years
- Has an extreme vested interest in how the town grows and the regulations and zoning
- Is interested in serving the community and volunteers for lot of things on the island
- Served on the Board Of Adjustment for three years and is familiar with regulations and guidelines that go along with serving the community
- Is looking to the future for her kids and grandkids and wants the town to grow into something great

Questions from commission members with answers from the applicant (Q&A):

Member Richardson – Are you in favor or against the height restriction? What is the next priority for us? What do you see as future economic growth?

Ms. Coe replied that the height ordinance is in place for military restrictions, and she is in favor of keeping as it is. Priorities are infrastructure including sidewalks, which are dismal.

There is not a lot of economic growth opportunity because the height limit does restrict it. The business owners are unable to tear down and rebuild because there is not enough return on investment. She believes the real economic growth will be property values.

Vice Chair Galbraith – How would you, as a P&Z member, increase property values?

Ms. Coe responded that she is not in favor in an increase in taxes, but in fair valuation and resulting taxes. Supply and demand will cause this increase.

Member Moore - How do you balance the law and your personal beliefs?

Ms. Coe said she leaves her personal beliefs at the door. If residents aren't resonating with an idea and that isn't what they want, she goes with the residents. She also said she goes with the laws in place.

Member Cawthorne – What is the best attribute a commissioner should have?

Ms. Coe stated it should be that you leave your personal beliefs at the door and work for the interest of the community.

2. Applicant Richard Makrickas stated he:

- Has been a resident for just over a year, but has owned a home here for 16 years. He and his wife have been beach folks since the 1970s, first in Emerald Isle and then Kure Beach
- Has a background in civil engineering and plan management
- Retired from Goodyear rubber tire after 43 years
- Moved 24 times in 43 years to 8 different countries and managed to keep the same wife
- Is looking for the opportunity to link engineering with volunteerism and wants to help the town
- Has a small job in Carolina Beach managing facilities for a cabana next door to a hotel. This is giving him a different perspective. It would be great for both communities to work together.
- Would like to see more growth in the downtown and that greenspace is kept as the town grows

Q&A:

Member Cawthorne – What is the best attribute a commissioner should have?

Mr. Mackrickas said there are two attributes:

- Being a good team player is important because this board works with other groups and the community
- Being a good listener, not just at meetings, but around the town

Member Moore – Here's a hypothetical question. Suppose Council wants a zoning law changed and the commission doesn't agree – how do you handle that?

Mr. Mackrickas responded that you need the perspective of the whole organization. You have to respect the laws or take the responsibility to change laws. There must be conflicts like this on regular basis. It is important to listen, gather data and make proper suggestions.

Member Richardson – Are you in favor of or against the height restriction? What is the next priority for us? What do you see as future economic growth?

Mr. Mackrickas said he is in favor of keeping the current height restriction. Priorities are growth that needs to be measured, watching changes in the downtown area with commercial buildings disappearing and ending up as parking lots, and more green space. We don't want to pave the remaining opportunities with concrete. Historically, the residential community is what he thinks brought all of us here. We need to continue that with architectural interests.

3. Applicant Randy McNeely stated he:

- Has been coming to the area for last 12-15 years, a homeowner for 7 years and a resident for the last 2-3 months
- Graduated from Purdue University in 1981 and have been working in building and construction since then
- Has had the opportunity to work with many municipalities and planning boards throughout the southeast
- Does not understand all the group does, but knows it is a volunteer group
- He is employed with a general contractor now
- Strongly supports the height limitation

Q&A:

Member Richardson – What should P&Z's priorities be?

Mr. McNeely replied that we are all here for the same reason. It is a great community with great green space, a wonderful downtown with outdoor amphitheatre that he would like to see used more, disc golf tournaments, a great dogpark and a lot of amenities that the town offers that should be promoted more. There should be more festivals to bring visitors to the island to help the businesses. There is a good quality of life. He doesn't want to shut down growth too much, because that's why most of us are here.

Member Galbraith P&Z is a little different from other volunteer groups because it acts a little like staff in writing ordinances. People seem to think we are only zoning but we are also planning. How do you see planning as a role for P&Z?

Mr. McNeely said part of what we need to do is look at how we can best utilize the space we have. We do it to serve the community. Do we need to look at reducing green space or reducing parking? We have to plan and must listen to the community. He thinks it is important to be involved, not just by talking about the stuff we think is wrong or right, but we have to help create the vision of where Kure Beach wants to be in 25 years.

Member Cawthone – If I asked your spouse, best friend, pastor, etc., what you are best known for professionally, what would they say?

Mr. McNeely responded that his pastor would say professionalism and his wife would say he is a good husband and more importantly a good father in raising his three boys.

4. Applicant Robert Young stated:

- His wife Patricia and he bought here in 2009
- He has been a board member on the Kure Village HOA and he has addressed a lot of problems and resolutions with the community
- As head of the HOA architectural review board, he worked to revise standards and brought them up to date
- He developed a good relationship with John Batson (Building Inspector)
- He worked for four years for the NC Ferry service

Q&A:

Member Cawthorne - If I asked your spouse, best friend, pastor, etc., what are you best known for professionally, what would they say?

Mr. Young stated he thinks they all would say he is am open to working and listening with the public. He said that coming from up north, relationships are shallow. Here people work together and try to make things work.

Member Moore – What would you say about the parking issues?

Mr. Young asked how do you work with council to be open about parking? Residents are pro and con and he understands from the police department there is problem. We also face it in Kure Village with growth of families with lots of cars and where do they park them? The increase in the summer time is worse, where do you put all the cars? He said he is very open to working with this board and council to find out what people in the community have to say.

Member Galbraith - If parking represents an issue council asks us to look at, what is another issue you think should be addressed?

Mr. Young said infrastructure such as building and swimming pools are important, getting community input is important. If laws become antiquated, they need to be looked at.

Member Richardson – How do you feel about the height limit?

Mr. Young replied he would keep it the same

5. Applicant Retha Deaton stated she:

- Graduated from Wake Forest with degree in math
- Bought here in 2012 after the death of her husband and became a full time resident January of 2014
- Is familiar with conflict that can occur when trying to put a building in the ground.
- Was born and bred in Tarboro, NC which is a fairly depressed town. Back in the 1990s when it was growing, she served on the planning board for 12 years, with the last 8 as chair. They rewrote all of the unified development ordinances. After Hurricane Floyd, they had to rewrite ordinances for flood insurance. The most controversial item during her tenure was to convert a private alcohol and substance abuse facility into a department of corrections for women who were trained and placed in jobs in the community. It was a win/win situation because it took a facility that was going to sit and rot and remain dormant and gave it a great solution. There were a lot of legal obstacles and resident concerns to overcome which took many, many meetings.

Q&A:

Member Richardson – How do you feel about the height limit? What are priorities for the commission and what does she think about economic growth?

Ms. Deaton said she wants to keep it as it. Priority is the goodly number of retirees that need recreation facilities such as a bike path and an indoor pool facility. We would have with Carolina Beach for this. We also need forward planning because we have a finite resource here on this mound of sand we call our home. The ocean can create lots of problems, plus a river and the Sunnypoint terminal. That's going to be a long term planning option that will drive how we can grow.

Vice chair Galbraith – What skills do you recommend from your former P&Z service?

Ms. Deaton said it is important to do your homework, particularly if someone is asking for a variance. Tide around the neighborhood, talk to people to read the ordinance and make sure you understand it.

Member Cawthorne - What do you think is your best attribute?

Ms. Deaton said it is that she is a detail oriented person and a problem solver.

Vice chair Galbraith explained that the Town Council has the final decision and P&Z makes a recommendation. He asked the attorney if they can have a closed session. Attorney Eldridge replied it qualified under the Personnel exemption.

MOTION – Member Moore made the motion to go into closed session as per N.C.G.S. 143-318.11(a)(6) for a personnel matter at 7:50 pm.

SECOND – Member Richardson

VOTE – Unanimous

MOTION – Member Moore made a motion to return to open session at 8:11 pm.

SECOND – Member Richardson

VOTE – Unanimous

MOTION – Vice chair Galbraith made a motion to recommend to Town Council that Retha Deaton be the permanent member and Robert Young be the alternate member with recognition that all five are qualified candidates.

SECOND – Member Moore

VOTE -Unanimous

8. MEMBER ITEMS

None

9. ADJOURNMENT

MOTION – Member Cawthorne made the motion to adjourn at 8:12 pm.

SECOND – Member Richardson

VOTE - Unanimous

Craig Galbraith, Vice Chair

ATTEST:

Nancy Avery, Town Clerk

DEPARTMENT HEAD BUSINESS

Nancy Avery

From: Ed Kennedy
Sent: Saturday, January 13, 2018 1:35 PM
To: Nancy Avery
Subject: Agenda Add

Nancy,

Please add a spot for me at the council meeting. After discussing with our board of directors on our big fishing tournament fundraiser, I would like to request that council directs the marketing committee to work with the fundraiser in their marketing efforts. If you need any more information, please feel free to ask.

Sincerely,

Edmund C. Kennedy
Fire Chief
Kure Beach Fire Department
Office: 910-707-2034
Cell: 910-409-9398

OLD BUSINESS
P&Z APPS

Name: Robert H. Young

Address: 746 Settlers Lane, Kure Beach, NC 28449

Years of Residence: 8 years

Occupation: Retired

1. Why are you interested in a P & Z position?

Since both my wife and I moved here, we fell in love with this beautiful community. We have witnessed the growth that has transpired in the last few years. I would like to be involved with the decision-making policies to continue to keep Kure Beach the pristine town that it is.

2. What qualifications can you mention to support your appointment to a P & Z position?

I have been a Board Member affiliated with the Kure Beach Village HOA for 6 years. During that time, I was in charge the Architectural Review Board. This position involved the constant updating of our Guidelines to keep current with North Carolina State Building Codes for the past 5 years. I have established a good code requirement relationship with the Town Building Inspector "John Batson" to be in line with State and Town Codes.

My past employments have allowed me to interface with decision making matters and arrive at solutions that work. I excel in communication and people skills which, I believe, this position calls for.

3. Have you served on any other Town Committees in Kure Beach? In another Town? If yes, what where they? And how long did you serve?

I served on the Kure Beach Village Board Home Ownership Association for 6 years. Also, I worked on the North Carolina Ferry Division (Fort Fisher Branch) (Security) for 4 years. Interacting with the US Coast Guard and other legal authorities.

4. What are your thoughts on approving variances to Town ordinances and why do you feel that way?

I have had an opportunity to look over the Code Book for Kure Beach. I have noticed some of the Codes did not fully explain the understanding off the particular Codes listed in the Code Book. I would like to be involved in bringing Codes up to 21st Century Standards, and to assist the Town Council in decision making in terms of upgrading the Codes. Also, I would like to help establish a good working relationship with the P & Z Board.

5. We will look forward to your thoughts. Feel Free to contact us if you have any questions.

As Kure Beach is unique, I would like to explore how other communities in North Carolina address problems related to growth, infrastructure and parking issues that are similar to the size and population of Kure Beach, to look at their solutions and how we can as a Town, explore and

incorporate other ideas for the future of the Town of Kure Beach while also keeping in mind that Kure Beach is unique unto itself. I would like to keep the integrity of the Town of Kure Beach.



TOWN OF KURE BEACH
 REQUEST FOR APPOINTMENT
 Board/Commission/Committees

Aug

MUST BE A FULL-TIME RESIDENT TO SERVE ON BOARD OF ADJUSTMENT,
 COMMUNITY CENTER COMMITTEE OR PLANNING AND ZONING COMMISSION

Request for Appointment to: Planning Board
 Name ROBERT H. YOUNG
 KB Property Address 746 SETTLERS LANE
 Mailing Address SAME
 Contact PH# 978-317-0074 Email IMAGINE5943@MSN.COM

(You will receive the majority of correspondence via email)

Length of full-time residency in Kure Beach 8 YRS
 Employment RETIRED. 4 YEARS NORTH CAROLINA FERRY DIVISION FOR FISHER SECURITY.
 Job Title FOREMAN BOSTON TRANSIT MINORITY / INVENTORY CONTROL CORP. COB BEAUBOON, MA.
 Professional Activities BOARD MEMBER KURE VILLAGE HOME OWNERS ASSY FOR 6 YEARS.
 Volunteer Activities BOY SCOUTS AND BOYAL RANGERS COMMUNIST FEEL CHURCH

Other committee work, past or present ARCHITECTURAL FOR KURE BEACH VILLAGE HOA

What is your understanding of the purpose of this committee?
TO WORK WITH THE TOWN COUNCIL AND RESIDENTS OF KURE BEACH.

Why are you interested in serving on this committee?
TO KEEP THE TOWN POLISTINE, YET TO BE OPEN OF FUTURE GROWTH.

In what specific concerns or areas are you interested?
INFRASTRUCTURE, BEACH FRONTS, PARKING

What days and/or times between 8am-8pm, Monday through Friday, are you unable to attend meetings?
ALL OF ABOVE.

Any misrepresentation of fact on this application will subject the applicant to legal proceedings as prescribed by law.

Signature Robert H. Young Date 10/24/2017
 Thank you for your interest in serving the Town of Kure Beach

Please submit your application to:

Town Clerk, Kure Beach Town Hall, 117 Settlers Lane, Kure Beach, NC 28449

NOTE: All financial obligations to the town must be satisfied to be a Kure Beach committee member.

Town Use Only

Date Received _____ Initials _____ Financial Obligations Satisfied YES NO
 Interview Date _____ (If applicable) Appointment Date _____
 Term Length _____ Term Expiration _____



**TOWN OF KURE BEACH
REQUEST FOR APPOINTMENT**

Board/Commission/Committees

*Rec'd 11/6
TE AY*

MUST BE A FULL-TIME RESIDENT TO SERVE ON TOWN COMMITTEES

Request for Appointment to: Planning and Zoning Commission Alternate _____

Name Retha O Deaton

Address 749 Settlers Lane

Telephone _____ Cell (910) 515-4970

Email rdeaton1031@gmail.com (You will receive the majority of correspondence via email)

Length of permanent residence in Kure Beach 3 years

Employment Retired

Job Title Formerly worked at Carolina Telephone, Sprint and Embarq as an Outside Plant Engineer and Project Manager in the local telephone division, with emphasis on strategic workforce and equipment planning and data analysis.

Professional Activities Board of Elections Assistant and Judge

Volunteer Activities Water Aerobics Instructor, Church Work

Other committee work, past or present Served on the Planning Board for the Town of Tarboro for 12 years, the last eight as chairman

What is your understanding of the purpose of this committee?

To ensure that proposed buildings and expansion conform to town ordinances and/or make recommendations to council for revisions to the existing ordinances to ensure that current and future growth proceeds in a logical manner.

Why are you interested in serving on this committee?

We live in a community with limited land area. To ensure growth that benefits both the town and its residents, we need to ensure that growth proceeds in a reasonable manner.

What specific concerns or areas are you interested in?

Development of an appealing and active downtown business district and upkeep of residential areas

Are there any time blocks from 8am-8pm, Monday through Friday, when you cannot attend meetings?

Currently unavailable for meetings on the second Wednesday of each month from September to May. Generally spend a portion of July and August in Michigan.

Any misrepresentation of fact on this application will subject the applicant to legal proceedings as prescribed by law.

Signature Retha O Deaton Date 11/06 2017

Thank you for your interest in serving the Town of Kure Beach

Please return ORIGINAL to: Town Clerk - Town of Kure Beach 117 Settlers Lane, Kure Beach, NC 28449

NAME	Retha O. Deaton
ADDRESS	749 Settlers Lane, Kure Beach, NC
YEARS of RESIDENCE	Part time resident beginning in June 2012; full time resident beginning in January 2014.
OCCUPATION	<ul style="list-style-type: none"> • Retired from Carolina Telephone Co. with 37 years of service (aka United Telecommunications, Sprint United, Sprint, Embarq and CenturyLink) • 15 years as an Outside Plant Engineer • 3 years as a departmental desktop support manager • 19 years as strategic planner and data analyst for call centers
<p>Why are you interested in a P&Z position? Those of us who live in Kure Beach have a finite land mass bounded by the Atlantic Ocean, Cape Fear River, Military Ocean Terminal Sunny Point property, and the Town of Carolina Beach corporate limits. Elected officials, town staff, and those who serve in volunteer positions such as the P&Z Commission should manage the town in the best interests of its residents and businesses while adhering to town ordinances as well as the multiple federal, state, local, and environmental guidelines. I cannot envision a better position to learn and understand these constraints and recommend ways to make Kure Beach a vibrant, economically sound community.</p>	
<p>What qualifications can you mention to support your appointment to a P&Z position?</p> <ul style="list-style-type: none"> • Bachelor of Science in Mathematics from Wake Forest University • Outside plant engineering work for the telephone company provided a working knowledge of infrastructure • Problem identification and resolution skills developed as a strategic planner and data analyst 	
<p>Have you served on any other town committees in Kure Beach? No</p>	
<p>In another town? Yes</p>	
<p>If yes, what were they and how long did you serve? Served on the Town of Tarboro Planning Board for 12 years, 8 of which as the chairperson</p>	
<p>What are your thoughts on approving variances to town ordinances and why do you feel that way? Recommendations to council to approve variances to town ordinances should be dutifully studied to make the best decision for all concerned. All variance requests should be thoroughly investigated to understand the difficulty of compliance with town ordinances. Recommendations from the Building Inspector should be included in this process. Impacted parties, including neighbors, should be allowed to express their opinions at public hearings. In their recommendations to council, the P&Z Commission should ensure that the property owner/developer is not granted a special privilege. Further, consideration should be given to the future impacts of setting a precedent.</p> <p>During my tenure with the Town of Tarboro Planning Board, the decision to grant a variance so that a former private substance abuse facility could become a state facility under the management of the Department of Corrected created much discussion, especially during public hearings. The variance was approved and the facility became a model recovery option for female inmates. As these women were reintroduced to the outside world and the workplace, many opportunities arose for community volunteers and businesses – a win-win situation for the parties involved. The women became involved in our community and many of us learned their stories. Despite its success as a recovery program, the facility was closed due to budget constraints.</p>	



MEMO

To: Town Council
From: Nancy Avery, Town Clerk
Subject: P&Z recommendations for appointment
Date: January 18, 2018

Mayor and commissioners,

I served as the clerk to the P&Z Commission at its January meeting when interviews were conducted of the applicants.

P&Z voted as follows:

Recommend to Town Council that Retha Deaton be the permanent member and Robert Young be the alternate member with recognition that all five are qualified candidates.

Nancy Avery

From: Rick Makrickas <rickmakrickas@gmail.com>
Sent: Tuesday, January 16, 2018 3:12 PM
To: Nancy Avery
Subject: Mayor Bloszinsky's questions

Name

Richard J. Makrickas (Rick)

Address

522 Kure Village Way, Kure Beach, NC 28449 (Kure Estates)

Years of Residence

1 year residence / 15 years owning our property and home.

Occupation

Retired from The Goodyear Tire & Rubber Company (Engineer and Plant Manager). Currently Facility Manager at Cabana de Mar condominiums in Carolina Beach.

Why are you interested a P&Z position.

I would like to volunteer, and contribute to the future success of The Town of Kure Beach. I'd like to be more involved in our Community. I'd also like to continue utilizing and growing my Engineering and Management skills.

What qualifications can you mention to support your appt. to a P&Z position.

I would bring a strong Technical and Leadership background to the P&Z Committee. I have a Bachelor's Degree in Civil Engineering from the University of Illinois, and an MBA from Kent State University. I am also a Registered Professional Engineer in the State of North Carolina (Registration # 037330). During my 43 years with Goodyear, I had 21 years of experience in Engineering, including construction of tire manufacturing facilities. I also had 22 years of experience in Manufacturing Management, including 14 years of Plant Manager roles in 6 different Goodyear Tire Plants, in 4 different countries. Overall, we lived in 8 different countries, in 4 different continents (USA, Canada, Chile, Brasil, Germany, Luxembourg, Thailand, and China). I was a Plant Manager in facilities ranging from 150 Associates to 2,200 Associates.

Have you served on any other town committees in Kure Beach? In another town? If yes what were they and how long did you serve.

No, I have not served on any town committees in the past. My involvement has been in the private sector, working with departments in numerous towns regarding the building construction of new and expanding Goodyear facilities.

What are your thoughts on approving variances to town ordinances and why do you feel that way.

I am very conservative regarding the approval of variances to town ordinances. It is important for us to understand and respect current town ordinances, as they have helped establish the appearance and culture of our community. We need to be open minded to the future, but also appreciate our current conditions, and the desires of our citizens that live, work, and invest here. A good example is the past challenge to try to increase the height restriction in Kure Beach. The current height restriction contributes to our welcoming, small town atmosphere, which is something we do not want to lose. As we look to the future, we must continue to balance lifestyle, appearance, growth, commercial development, tax base, the environment, and green space, in beautiful Kure Beach.



TOWN OF KURE BEACH
 REQUEST FOR APPOINTMENT
 Board/Commission/Committees

T. C. Day

MUST BE A FULL-TIME RESIDENT TO SERVE ON TOWN COMMITTEES

Request for Appointment to: PLANNING AND ZONING COMMISSIONER - ALTERNATE

Name RICHARD J. MAERICKAS

Address 522 KURE VILLAGE WAY KURE BEACH, NC 28449

Telephone _____ Cell 910-508-8182

Email rick.maerickas@gmail.com (You will receive the majority of correspondence via email)

Length of permanent residence in Kure Beach 1 YR.

Employment GOODYEAR TIRE & RUBBER CO. (RETIRED) CAMS (CURRENT)

Job Title ENGINEERING MGR. PROPERTY MANAGER

Professional Activities REGISTERED PROFESSIONAL ENGINEER / STATE OF N.C.

Volunteer Activities ROTARY CLUB (WHILE LIVING IN CANADA)
AMERICAN CHAMBER OF COMMERCE PRESIDENT (WHILE LIVING IN DALIAN, CHINA)

Other committee work, past or present _____

What is your understanding of the purpose of this committee?

TO MONITOR TOWN OF K.B. ZONING PLAN AND IMPROVE FUTURE DEVELOPMENT.

Why are you interested in serving on this committee?

I'M A PROVEN LEADER, AFTER 43 YRS WITH GOODYEAR IN GLOBAL POSITIONS, I HAVE A CIVIL ENGINEERING DEGREE AND AN MBA, I HAVE A HIGH

What specific concerns or areas are you interested in? ENERGY LEVEL, AND I LOVE KURE BEACH. CONTINUED GROWTH, WHILE MAINTAINING OUR K.B. CULTURE.

Are there any time blocks from 8am-8pm, Monday through Friday, when you cannot attend meetings?

No

Any misrepresentation of fact on this application will subject the applicant to legal proceedings as prescribed by law.

Signature Richard J. Maerickas Date Nov. 7, 2017

Thank you for your interest in serving the Town of Kure Beach

Please return ORIGINAL to: Town Clerk - Town of Kure Beach 117 Settlers Lane, Kure Beach, NC 28449

Town Use Only

Date Received _____ Initials _____ Utilities Current YES NO
 Interview Date _____ (if applicable) Appointment Date _____
 Term Length _____ Term Expiration _____



TC Duey

TOWN OF KURE BEACH
REQUEST FOR APPOINTMENT
Board/Commission/Committees

MUST BE A FULL-TIME RESIDENT TO SERVE ON BOARD OF ADJUSTMENT,
COMMUNITY CENTER COMMITTEE OR PLANNING AND ZONING COMMISSION

Request for Appointment to: Planning & Zoning
 Name Dolores (d) Coe
 KB Property Address 326 N 57 Fisher Blvd
 Mailing Address Po Box 313, Kure Beach, NC
 Contact PH# 910 293 5342 Email dolorescoe28449@yahoo.com
 (You will receive the majority of correspondence via email)

Length of full-time residency in Kure Beach 15 years
 Employment Retired/Island Realty
 Job Title _____
 Professional Activities Member, IMCWA

Volunteer Activities Meal on Wheels, Various other Volunteering opportunities on the Island
 Other committee work, past or present Board of Adjustment

What is your understanding of the purpose of this committee?
Advise Council on ordinances - changes, etc.
 Why are you interested in serving on this committee?
Background work for Building Inspector
Serve Kure Beach in another volunteer opportunity
 In what specific concerns or areas are you interested?
I have no concerns. Interested in serving & learning
 What days and/or times between 8am-8pm, Monday through Friday, are you unable to attend meetings?
Always available new faced of town mgmt

Any misrepresentation of fact on this application will subject the applicant to legal proceedings as prescribed by law.

Signature [Signature] Date 11/08/17

Thank you for your interest in serving the Town of Kure Beach

Please submit your application to:

Town Clerk, Kure Beach Town Hall, 117 Settlers Lane, Kure Beach, NC 28449

NOTE: All financial obligations to the town must be satisfied to be a Kure Beach committee member.

Town Use Only

Date Received _____ Initials _____ Financial Obligations Satisfied YES NO
 Interview Date _____ (If applicable) Appointment Date _____
 Term Length _____ Term Expiration _____



TOWN OF KURE BEACH
REQUEST FOR APPOINTMENT
Board/Commission/Committees

TC-12-17

MUST BE A FULL-TIME RESIDENT TO SERVE ON TOWN COMMITTEES

Request for Appointment to: Planning and Zoning Commission

Name Randy McNeely

Address 821 Cutter Ct.

Telephone _____ Cell 910-524-1897

Email rmcneely@wmjordan.com (You will receive the majority of correspondence via email)

Length of permanent residence in Kure Beach 1 month /6 years part time

Employment W.M. Jordan Company (Commercial Building Contractor)

Job Title Senior Project Manager

Professional Activities NAIOP, Leadership Raleigh,

Volunteer Activities Board of Directors for Ronald McDonald House of Durham, 1 million meals, Apex Music Festival

Other committee work, past or present President of HOA, President of High School Booster Club, Chairman of Building Committee for major Church renovation,

What is your understanding of the purpose of this committee?

Review Town zoning requirements and control development. Review zoning requirements to keep current with changing needs.

Why are you interested in serving on this committee?

Now that I live here full time I would like to be involved and give back to the community.

What specific concerns or areas are you interested in?

Controlled and Organized growth and Development

Are there any time blocks from 8am-8pm, Monday through Friday, when you cannot attend meetings?

8-5 Monday-Friday

Any misrepresentation of fact on this application will subject the applicant to legal proceedings as prescribed by law.

Signature Randy McNeely Date 10/31/17

Thank you for your interest in serving the Town of Kure Beach

Please return ORIGINAL to: Town Clerk - Town of Kure Beach 117 Settlers Lane, Kure Beach, NC 28449

Town Use Only

Date Received _____ Initials _____ Utilities Current YES NO
Interview Date _____ (If applicable) Appointment Date _____
Term Length _____ Term Expiration _____

OLD BUSINESS
DRAFT
AMENDMENTS
SETBACKS



KURE BEACH
PLANNING & ZONING COMMISSION

P&Z Meeting Date: 11/01/2017

P&Z Agenda Item# 6.a.

ZONING CONSISTENCY STATEMENT
N.C.G.S. 160A-383

X This recommendation is CONSISTENT WITH the objectives/policies of the Town of Kure Beach Land Use Plan ("LUP") adopted by Council on 9/27/06 and by the Coastal Resources Commission on 11/17/06

_____ This recommendation is NOT CONSISTENT WITH the objectives/policies of the Town of Kure Beach Land Use Plan

X This recommendation is consistent with Part 3, Section 2.B. *Land Use Compatibility* of the LUP.

X Consideration of recommended text amendments to The Town of Kure Beach Code:

Chapter 19 Zoning, Art. I, Sect. 19-1, *Definitions*.

Chapter 19 Zoning, Art. III, Divs. 2-14, Sects. 19-93-95; -109-110; -153-155; -168-169; -178-180; -188-190; -204-205; -224-225; -244; -246; -265; -267; -284; -286; -304-305; -317; and -319, *District Regulations*.

Chapter 19 Zoning, Art. IV, Sects. 19-320-321.5; -326; and 328, *Supplemental District Regulations*.

Chapter 19 Zoning, Art. V, Sect. 357, *Nonconforming Uses*.

The Planning and Zoning Commission requests Town Council's consideration and approval of the proposed text amendments attached hereto and considers its recommendation to be reasonable and in the public interest based on its findings that: i) the amendments more effectively regulate the function and use of setbacks within the Town's Zoning Districts and ii) effective setback regulations are consistent with the goal on land use compatibility set forth in Part 3, Section 2.B. of the LUP which provides, in pertinent part, as follows:

Kure Beach desires to ensure that future development will be consistent with the historic small town nature of the community...and will work to...ensure that any uses of the land and water minimize negative environmental impact and avoid risks to public health, safety and welfare, and will not exceed the capability of the land or man-made features to support such use.

Kure Beach Planning and Zoning Commission:

 Chairman

CHAPTER 19 "SETBACK" TEXT AMENDMENTS

Sec. 19-1. - Definitions.

The terms for allowable uses are listed in this section of Kure Beach's Zoning Ordinance and the extracts of the 1987 Standard Industrial Classification Manual (SIC), presented in Appendix A, will be used to determine a uses classification.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building shall mean a structure enclosed and isolated by exterior walls constructed or used for residence, business, industry, or other public or private purposes, or accessory thereto, and including tents, lunch wagons, dining cars and trailers; provided that, however, the term "building" shall not mean nor be construed so as to include a container. The term "building" shall be construed as if followed by the words or part thereof.

Building line shall mean a line, which established the minimum allowable horizontal distance between the lot line and the nearest portion of any structure on the lot. (See yard requirements)

Building permit shall mean permission granted by the building inspector for the erection, relocation, reconstruction or structurally altering any building.

Pergola. A structure consisting of parallel colonnades supporting an open roof of girders and cross rafters.

Setback shall mean the distance between the minimum building line and the street right-of-way line required to obtain the front side, or rear yard open space provisions of this chapter in order to provide for runoff control, health, safety, firefighting, free flow of air and adequate offstreet parking. In the event there is not a street right-of-way involved, then the property line shall be used in establishing the setback.

Structures shall mean anything constructed or erected, the use of which requires location on the land including freestanding billboards, signs and fences. The term structure shall be construed as if followed by the words, or part thereof.

Yard shall mean an open space on the same lot with a building (primary and accessory), unoccupied and unobstructed from the ground upward except by trees, shrubbery, ~~or screen walls, or fences,~~ ground level decks and walkways, or as otherwise provided for or required underin this chapter. ~~The minimum allowable depth or width of a yard shall be determined by a line parallel to or following the curvature of the property line a constant distance there from.~~

Yard, front shall mean a yard across the full width of the lot, extending from the front line of the nearest building on the lot to the front line of the lot.

Yard, rear shall mean a yard across the full width of the lot, as measured from the furthest rear point of the principal building to the rear line of the lot.

Yard, side shall mean a yard across the full width of the lot, extending from the side line of the principal building on the lot to the side line of the lot.

(Ord. of 8-19-03; Ord. of 11-20-07; Ord. of 4-15-08; Ord. of 3-17-09; Ords. of 5-17-2016)

Cross reference— Definitions and rules of construction generally, § 1-2.

DIVISION 2. - RA-1 RESIDENTIAL DISTRICT

Sec. 19-93. - Dimensional requirements.

The following dimensional requirements shall apply to all uses in the RA-1 district unless other requirements are stated herein.

- (1) Minimum required lot area shall be five thousand (5,000) square feet;
- (2) Minimum required mean lot width shall be fifty (50) feet;
- (3) Minimum required front yard/setback and corner side yard/setback shall be twenty (20) feet;
- (4) Minimum required side yard/setback shall be five (5) feet;
- (5) Minimum required rear yard/setback shall be ten (10) feet;
- (6) Off-street parking shall be provided as required in section 19-334 et seq.

(Ord. of 8-19-03)

Sec. 19-94. - Modification to required lot area and required yards/setbacks.

A dwelling may be erected on a lot or plot having less than the minimum area and width in section 19-93, provided the same existed under one (1) ownership, to include heirs at law or legislators, by virtue of a recorded plat or deed recorded in the office of the register of deeds of New Hanover County prior to the original passage of this requirement. The following modifications (?) to required lot area and required yards/setbacks shall apply in this case:

- (1) Required lot area shall be five thousand (5,000) square feet.
- (2) ~~Front yards shall mean a~~No modification shall be allowed in front yards/setbacks.
- (3) Side yards/setbacks ~~may be shall not be~~ reduced to ~~not~~ less than five (5) feet on each side and the total width of the two (2) side yards/setbacks shall not be less than ten (10) feet.
- (4) Rear yards/setbacks ~~may be shall not be~~ reduced to ~~not~~ less than ten (10) feet.
- (5) ~~Reserved e~~Corner lot side yard/setback shall not be allowed to reduce the buildable width of the main building to less than twenty (20) feet.

(Ord. of 8-19-03)

Sec. 19-95. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339, provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

(Ord. of 8-19-03)

Sec. 19-96. - Signs.

The regulations and requirements for signs in this district shall conform to the Sign Code, Article VI of this chapter.

(Ord. of 8-19-03)

DIVISION 3. - RA-1A RESIDENTIAL DISTRICT

Sec. 19-109. - Dimensional requirements.

(a) The following dimensional requirements shall apply to all uses in the RA-1A district unless other requirements are stated herein:

- (1) Minimum required lot area shall be five thousand (5,000) square feet;
- (2) Minimum required mean lot width shall be fifty (50) feet;
- (3) Minimum required front yard/setback shall be twenty (20) feet;
- (4) Minimum required side yard/setback shall be five (5) feet;
- (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-110. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339, provided that off-street parking for residential uses shall only be allowed in the front yard/setback

DIVISION 4. - RA-2 RESIDENTIAL DISTRICT

Sec. 19-153. - Dimensional requirements.

The following dimensional requirements shall apply to all uses in the RA-2 district unless other requirements are stated herein:

- (1) Minimum required lot area shall be five thousand (5,000) square feet;
- (2) Minimum required mean lot width shall be fifty (50) feet;
- (3) Minimum required front yard/setback shall be twenty (20) feet;
- (4) Minimum required side yard/setback shall be five (5) feet;
- (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-154. - Modification to required lot area and required yards/setbacks.

- (a) A dwelling together with its accessory buildings may be erected on a lot or plot having less than five thousand (5,000) square feet provided the same existed under one (1) ownership, this to include heirs at law or legators, by virtue or a recorded plat or deed in the office of the register of deeds of New Hanover County prior to the original passage of this requirement in January 1961.
- (b) The following modification to required lot area and required yards shall apply in this case:
 - (1) Front yards/setbacks shall ~~have no modification in front yards~~ not be modified;
 - (2) Rear yards/setbacks shall ~~have no modification allowed to required rear yards~~ not be modified.

(Ord. of 8-19-03)

Sec. 19-155. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

DIVISION 5. - RA-2A RESIDENTIAL DISTRICT

Sec. 19-168. - Dimensional requirements.

(a) The following dimensional requirements shall apply to all uses in the RA-2A district unless other requirements are stated herein:

- (1) Minimum required lot area shall be five thousand (5,000) square feet;
- (2) Minimum required mean lot width shall be fifty (50) feet;
- (3) Minimum required front yard/setback shall be twenty (20) feet;
- (4) Minimum required side yard/setback shall be five (5) feet;
- (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-169. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

DIVISION 6. - RA-2T RESIDENTIAL TRAILER DISTRICT

Sec. 19-178. - Dimensional requirements.

- (a) The following dimensional requirements shall apply to all uses in the RA-2T district unless other requirements are stated herein:
- (1) Minimum required lot area shall be five thousand (5,000) square feet;
 - (2) Minimum required mean lot width shall be fifty (50) feet;
 - (3) Minimum required front yard/~~setback~~ shall be twenty (20) feet;
 - (4) Minimum required side yard/~~setback~~ shall be five (5) feet;
 - (5) Minimum required rear yard/~~setback~~ shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-179. - Modification to required lot area and required yards/~~setbacks~~.

- (a) A dwelling together with its accessory buildings may be erected on a lot or plot having less than five thousand (5,000) square feet provided the same existed under one (1) ownership, this to include heirs at law or legators, by virtue or a recorded deed in the office of the register of deeds of New Hanover County prior to the original passage of this requirement in January 1961.
- (b) The following modification to required lot area and required yards shall apply in this case:
- (1) Front yards/~~setbacks~~ shall ~~have no modification in front yards not be modified~~;
 - (2) Rear yards/~~setbacks~~ shall ~~have no modification allowed to required rear yards not be modified~~.

(Ord. of 8-19-03)

Sec. 19-180. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339, ~~provided that off-street parking for residential uses shall only be allowed in the front yard/setback~~.

DIVISION 7. - RA-3 RESIDENTIAL DISTRICT

Sec. 19-188. - Dimensional requirements.

- (a) The following dimensional requirements shall apply to all uses in the RA-3 district unless other requirements are stated herein:
- (1) Minimum, required lot area shall be five thousand (5,000) square feet;
 - (2) Minimum required mean lot width shall be fifty (50) feet;
 - (3) Minimum required front yard/setback shall be twenty (20) feet;
 - (4) Minimum required side yard/setback shall be five (5) feet;
 - (5) Minimum required rear yard/setback shall be ten (10) feet;
 - ~~(6) Off-street parking shall be provided as required in section 19-334 et seq.~~

(Ord. of 8-19-03)

Sec. 19-189. - Modification to required lot area and required yards/setbacks.

The following requirements are for lots having less than the required minimum area:

- (1) A dwelling may be erected on a lot or plot having less than the required minimum area and width provided the same existed under one (1) ownership, this to include heirs at law or legatees, by virtue of a recorded plot or deed recorded in the office of the register of deeds of New Hanover County prior to the original passage of this requirement.
- (2) The following modification to required yards/setbacks shall apply in this case:
 - a. Front yards/setbacks shall ~~have no modification allowed in front yards not be modified except as provided in b. herein.~~
 - b. The required side yard/setback on every lot having less than thirty-eight (38) feet frontage may be reduced by one half foot for each foot said lot is less than forty (40) feet in width, provided further, however, that no side yard/setback in this case shall be less than three (3) feet in width.
 - c. The side yard/setback on the street side of a reversed corner lot shall have a width not less than fifty (50) percent of the front yard/setback ~~depth~~ required on lots in the rear of such a reversed corner lot ~~and no accessory building on such reversed corner lot shall project beyond the front yard of the lots in the rear of such reversed corner lot. This regulation for reversed corner lots~~ The modifications provided for in this sub-section shall not have the effect of reducing the buildable width of the main building, to less than twenty-six (26) feet or for accessory buildings to less than twenty (20) feet on any lot of record at the time of the adoption of this modification in January, 1961.

(Ord. of 8-19-03)

Sec. 19-190. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

DIVISION 8. - RA-3A RESIDENTIAL DISTRICT

Sec. 19-204. - Dimensional requirements.

- (a) The following dimensional requirements shall apply to all uses in the RA-3A district unless other requirements are stated herein.
- (1) Minimum required lot area shall be five thousand (5,000) square feet;
 - (2) Minimum required mean lot width shall be fifty (50) feet;
 - (3) Minimum required front yard/setback shall be twenty (20) feet;
 - (4) Minimum required side yard/setback shall be five (5) feet;
 - (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-205. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339, provided that off-street parking for residential uses shall only be allowed in the front yard/setback

DIVISION 9. - RA-4 RESIDENTIAL DISTRICT

Sec. 19-224. - Dimensional requirements.

(a) The following dimensional requirements shall apply to all uses in the RA-4 district unless other requirements are stated herein:

- (1) Minimum required lot area shall be five thousand (5,000) square feet;
- (2) Minimum required mean lot width shall be fifty (50) feet;
- (3) Minimum required front yard/setback shall be twenty (20) feet;
- (4) Minimum side yard/setback shall be five (5) feet;
- (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-225. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

DIVISION 10. - B-1 BUSINESS DISTRICT

Sec. 19-244. Yards/Setbacks.

All areas zoned B-1 except the established fire district shall have a minimum front, side, and rear yards/setbacks of three (3) feet ~~front yard, three (3) feet side yard, and three (3) feet rear yard~~each.

(Ord. of 8-19-03)

Sec. 19-246. - Parking.

Parking shall be provided as required in sections 19-334 through 19-339 for all tourist lodgings including any residential and related uses; otherwise no offstreet parking shall be required.

DIVISION 11. - B-2 NEIGHBORHOOD BUSINESS DISTRICT

Sec. 19-265. -- Yards/Setbacks.

The following are the B-2 district setback requirements:

- (1) ~~Twenty (20) feet~~Minimum required yard/setback from a major thoroughfare shall be twenty (20) feet;
- (2) ~~Twenty (20) feet~~Minimum required yard/setback from a minor thoroughfare shall be twenty (20) feet;
- (3) ~~Five (5) feet setback from a side yard~~Minimum required side yard/setback shall be five (5) feet;
- (4) ~~Ten (10) feet~~Minimum required rear yard/setback shall be ten (10) feet. from a rear yard.

(Ord. of 8-19-03)

Sec. 19-267. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339, provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

DIVISION 12. - B-3 BUSINESS DISTRICT

Sec. 19-284. - Parking.

Parking shall be as required in sections 19-334 through 19-339, provided that off-street parking for residential uses shall only be allowed in the front yard/setback

(Ord. of 8-19-03)

Sec. 19-286. — Yards/Setbacks.

The following are the setbacks and yard requirements in the B-3 district:

- (1) ~~Twenty (20) feet~~Minimum required yard/setback from a major thoroughfare shall be twenty (20) feet;
- (2) ~~Twenty (20) feet~~Minimum required yard/setback from a minor thoroughfare shall be twenty (20) feet;
- (3) ~~Five (5) feet side yard~~Minimum required side yard/setback shall be five (5) feet;
- (4) ~~Ten (10) feet rear yard~~Minimum required rear yard/setback shall be ten (10) feet.

DIVISION 13. - RB-1 RESIDENTIAL BUSINESS DISTRICT

Sec. 19-304. - Dimensional requirements.

(a) The following dimensional requirements shall apply to all uses in the RB-1 district unless other requirements are stated herein:

- (1) Minimum required lot area shall be five thousand (5,000) square feet;
- (2) Minimum required mean lot width shall be fifty (50) feet;
- (3) Minimum required front yard/setback shall be twenty (20) feet;
- (4) Minimum required side yard/setback shall be five (5) feet;
- (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-305. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback

DIVISION 14. - B4 RESIDENTIAL/LABORATORY DISTRICT

Sec. 19-317. - Parking.

Parking shall be as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

(Ord. of 8-19-03)

Sec. 19-319. - Yards/Setbacks.

The following are the setbacks and yard requirements in the B-4 district:

- (1) ~~Twenty (20) feet~~ Minimum required yard/setback from a major thoroughfare shall be twenty (20) feet;
- (2) ~~Twenty (20) feet~~ Minimum required yard/setback from a minor thoroughfare shall be twenty (20) feet;
- (3) ~~Five (5) feet side yard~~ Minimum required side yard/setback shall be five (5) feet;
- (4) ~~Ten (10) feet rear yard~~ Minimum required rear yard/setback shall be ten (10) feet.

Sec. 19-320. - Control of yards/setbacks.

Any building or other structure requiring a building permit shall not be permitted in the setback area with the exception of the following items:

- (1) Fence.
- (2) Beach walkovers that are at least ten (10) feet to the rear of the building, and meet the 1996 Hurricane Replacement Standards.
- (3) Ground level walkways.
- (4) Ground level aprons for pools.

Sec. 19-321. - Reduction of lot and yards/setbacks areas-prohibited.

No lot area shall be so reduced or diminished such that the yards/setbacks or other required open spaces shall be smaller than prescribed by this chapter. No yard/setback or other open space about any building or non-permitted structure for the purpose of complying with the provisions of this chapter shall be considered as providing a yard/setback or other open space for the purpose of complying with the provisions of this chapter on an adjoining premises or open space on a lot whereon a building is to be erected.

Sec. 19-321.5. - Prerequisite to construction, demolition, remodeling and impervious surfaces, etc.

Except as provided in section 5-62, no building, building repairs remodeling, installation, driveway, parking lot, other structures, or other ground-covering impervious surfaces, other construction or demolition thereof shall be commenced within the Town's jurisdictional limits begin in the town until a permit has been obtained from the building inspector.

No permit shall be issued if the total square footage of the buildings other structures, and impervious ground-covering surface will exceed sixty-five (65) percent of the lot; excepting therefrom, those structures located in the B-1 district and the established fire district of the town. Any type driveway or impervious surface across the town right-of-way shall be limited to twenty-four (24) feet wide total.

Impervious surface coverage in the side yard/setback area of residential lots shall be limited to fifteen (15) percent of the yard/setback.

Driveways located in the front yard/setback area of residential lots shall be limited to thirty-six (36) feet in width. Driveways constructed of drip-through wooden, or gravel, or other permeable materials driveways are permissible in any district when serving a single-family residence.

Sec. 19-326. - Location of accessory buildings on residential lots.

Accessory buildings shall be in the rear yard and shall not exceed one (1) story with a height limit of fifteen (15) feet. Accessory buildings shall meet the setback requirements of a residence, and shall be erected, reconstructed or structurally altered in accordance with the building code.

Sec. 19-328. - Modification to front yards/setbacks in residential districts.

Where lots comprising twenty-five (25) percent or more of the frontage on one side of a block are developed with buildings at the time of the adoption of this ordinance, no building hereafter erected or structurally altered shall project beyond the average front yard/setback line so established by the pre-existing buildings, provided that, however, further that this regulation shall not be construed or so interpreted so as to require a front yard/setback depth of more than thirty (30) feet. No front yard depth need exceed the average provided for the two (2) adjoining buildings, one on either side thereof, if such two (2) adjoining buildings are less than two hundred (200) feet apart.

Sec. 19-357. - Continuance of nonconforming situation.

The lawful use of a structure, land, or use of structure and land existing at the time of the passage of this ordinance from which this section was derived may be continued although such does not conform with the provisions of this chapter provided they conform to the following provisions:

- (1) *Minimum single lot requirements.* Where the owner of a lot, or his successor in title thereto does not own sufficient land to enable him to conform to the area requirements of this chapter, the lot may be used as a building site, provided that the minimum back, front, and side yard/setback requirements for the district in which the lot is located are met.
- (2) *Extension in yard/setback space.* A structure that is nonconforming as to yard/setback requirements but conforms to the permissible use within the district in which it is located shall not be enlarged or extended in any direction (horizontally or vertically) into the required open space of the yard/setback area, except for energy conservation enclosures in subsection (9) below, and changes in roof design in subsection (10) below, and ramps, lifting devices and hand rails or a combination of these for the handicapped in subsection (11) below.
- (3) *Change of use.* A nonconforming use shall be changed to only those uses that are permitted in this chapter for the district in which such nonconforming use is located.
- (4) *Extension in use.* There shall be no extension in a nonconforming use that would increase the building's occupancy, square footage, production, servicing or utility demands except that any structure used for single-family residential purposes and maintained as a nonconforming use or structure may be enlarged or replaced with a similar structure of a larger size, so long as the enlargement or replacement does not create new nonconformities or increase the extent of existing nonconformities with respect to yard/setback requirements size—which at a minimum should comply with the RA-1A residential requirements.
- (5) *Repairs and alterations.* Normal maintenance, repairs, and improvements of nonconforming buildings shall be permitted provided that it does not violate sections (2)—(4) above.
- (6) *Damage or destruction.* Any nonconforming structure or any building containing a nonconforming use which has been damaged, destroyed, demolished, or removed either by accident or by natural causes may be reconstructed and used as before if a building permit is applied for within one (1) year from the date of destruction, provided, it does not violate subsections (2)—(4) above.
- (7) *Cessation.* If active operation of a nonconforming use is discontinued for a period of twelve (12) consecutive months, such nonconforming use shall thereafter be used only for a conforming use. A cessation will also occur when a structure is willfully removed. Once a nonconforming situation has been changed to a conforming situation, it shall not revert back to a nonconforming situation.
- (8) *Transfer of nonconforming property.* Nonconforming situations cannot be transferred with a lot if it is vacant at the time of transfer, except as noted in subsection (1) above.
- (9) *Energy conservation.* A covered entrance way already in existence within the setback area, which has a permanent foundation and floor and is covered by an existing roof, may be enclosed for energy conservation purposes. The inside dimensions of the enclosure shall be less than seventy (70) square feet in area.
- (10) *Change of roof design.* A flat roof may be changed to a pitched roof provided that such roof shall not exceed a four (4) to twelve (12) ratio. The pitched roof shall not extend horizontally any further than existing nonconforming the situation, nor shall it exceed the current building height limitation. Gutters and downspouts shall be provided to control runoff when adjoining property would be affected as a result of this modification. Where gutters are required, they shall not encroach on the adjoining property.
- (11) *Facilities for handicapped persons.* A ramp, lifting device and hand rails or a combination of these may be constructed in the setback area, provided that no other suitable conforming alternative exists, for the use of persons who are unable to enter or leave their place of dwelling without the

assistance of other persons or a self-propelled method of travel. The facilities listed in this section may not encroach upon the adjoining property. Application for the facility will be made to the building inspector who will investigate and make recommendation to the planning and zoning commission. After their review, planning and zoning will make recommendations to Kure Beach Town Council. After council's review of the case, and upon approval, they will instruct the building inspector to issue a permit and monitor the construction.

(Ord. of 8-19-03; Ord. of 3-18-08(8))

AFTER

CHAPTER 19 "SETBACK" TEXT AMENDMENTS

Sec. 19-1. - Definitions.

The terms for allowable uses are listed in this section of Kure Beach's Zoning Ordinance and the extracts of the 1987 Standard Industrial Classification Manual (SIC), presented in Appendix A, will be used to determine a uses classification.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building shall mean a structure enclosed and isolated by exterior walls constructed or used for residence, business, industry, or other public or private purposes, or accessory thereto, and including tents, lunch wagons, dining cars and trailers; provided that, however, the term "building" shall not mean nor be construed so as to include a container. The term "building" shall be construed as if followed by the words or part thereof.

Building line shall mean a line, which established the minimum allowable horizontal distance between the lot line and the nearest portion of any structure on the lot. (See yard requirements)

Building permit shall mean permission granted by the building inspector for the erection, relocation, reconstruction or structurally altering any building.

Pergola. A structure consisting of parallel colonnades supporting an open roof of girders and cross rafters.

Setback shall mean the distance between the minimum building line and the street right-of-way line required to obtain the front side, or rear yard open space provisions of this chapter in order to provide for runoff control, health, safety, firefighting, free flow of air and adequate offstreet parking. In the event there is not a street right-of-way involved, then the property line shall be used in establishing the setback.

Structures shall mean anything constructed or erected, the use of which requires location on the land including freestanding billboards, signs and fences. The term structure shall be construed as if followed by the words, or part thereof.

Yard shall mean an open space on the same lot with a building (primary and accessory), unoccupied and unobstructed from the ground upward except by trees, shrubbery, screen walls, fences, ground level decks and walkways, or as otherwise provided for or required under this chapter. *Yard, front* shall mean a yard across the full width of the lot, extending from the front line of the nearest building on the lot to the front line of the lot.

Yard, rear shall mean a yard across the full width of the lot, as measured from the furthest rear point of the principal building to the rear line of the lot.

Yard, side shall mean a yard across the full width of the lot, extending from the side line of the principal building on the lot to the side line of the lot.

(Ord. of 8-19-03; Ord. of 11-20-07; Ord. of 4-15-08; Ord. of 3-17-09; Ords. of 5-17-2016)

Cross reference— Definitions and rules of construction generally, § 1-2.

DIVISION 2. - RA-1 RESIDENTIAL DISTRICT

Sec. 19-93. - Dimensional requirements.

The following dimensional requirements shall apply to all uses in the RA-1 district unless other requirements are stated herein.

- (1) Minimum required lot area shall be five thousand (5,000) square feet;
- (2) Minimum required mean lot width shall be fifty (50) feet;
- (3) Minimum required front yard/setback and corner side yard/setback shall be twenty (20) feet;
- (4) Minimum required side yard/setback shall be five (5) feet;
- (5) Minimum required rear yard/setback shall be ten (10) feet;
- (6) Off-street parking shall be provided as required in section 19-334 et seq.

(Ord. of 8-19-03)

Sec. 19-94. - Modification to required lot area and required yards/setbacks

A dwelling may be erected on a lot or plot having less than the minimum area and width in section 19-93, provided the same existed under one (1) ownership, to include heirs at law or legislators, by virtue of a recorded plat or deed recorded in the office of the register of deeds of New Hanover County prior to the original passage of this requirement. The following modifications (?) to required lot area and required yards/setbacks shall apply in this case:

- (1) Required lot area shall be five thousand (5,000) square feet.
- (2) No modification shall be allowed in front yards/setbacks.
- (3) Side yards/setbacks shall not be reduced to less than five (5) feet on each side and the total width of the two (2) side yards/setbacks shall not be less than ten (10) feet.
- (4) Rear yards/setbacks shall not be reduced to less than ten (10) feet.
- (5) Corner lot side yard/setback shall not be allowed to reduce the buildable width of the main building to less than twenty (20) feet.

(Ord. of 8-19-03)

Sec. 19-95. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

(Ord. of 8-19-03)

Sec. 19-96. - Signs.

The regulations and requirements for signs in this district shall conform to the Sign Code, Article VI of this chapter.

(Ord. of 8-19-03)

DIVISION 3. - RA-1A RESIDENTIAL DISTRICT

Sec. 19-109. - Dimensional requirements.

(a) The following dimensional requirements shall apply to all uses in the RA-1A district unless other requirements are stated herein:

- (1) Minimum required lot area shall be five thousand (5,000) square feet;
- (2) Minimum required mean lot width shall be fifty (50) feet;
- (3) Minimum required front yard/setback shall be twenty (20) feet;
- (4) Minimum required side yard/setback shall be five (5) feet;
- (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-110. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

DIVISION 4. - RA-2 RESIDENTIAL DISTRICT

Sec. 19-153. - Dimensional requirements.

The following dimensional requirements shall apply to all uses in the RA-2 district unless other requirements are stated herein:

- (1) Minimum required lot area shall be five thousand (5,000) square feet;
- (2) Minimum required mean lot width shall be fifty (50) feet;
- (3) Minimum required front yard/setback shall be twenty (20) feet;
- (4) Minimum required side yard/setback shall be five (5) feet;
- (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-154. - Modification to required lot area and required yards/setbacks.

- (a) A dwelling together with its accessory buildings may be erected on a lot or plot having less than five thousand (5,000) square feet provided the same existed under one (1) ownership, this to include heirs at law or legators, by virtue or a recorded plat or deed in the office of the register of deeds of New Hanover County prior to the original passage of this requirement in January 1961.
- (b) The following modification to required lot area and required yards shall apply in this case:
 - (1) Front yards/setbacks shall not be modified;
 - (2) Rear yards/setbacks shall not be modified.

(Ord. of 8-19-03)

Sec. 19-155. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

DIVISION 5. - RA-2A RESIDENTIAL DISTRICT

Sec. 19-168. - Dimensional requirements.

(a) The following dimensional requirements shall apply to all uses in the RA-2A district unless other requirements are stated herein:

- (1) Minimum required lot area shall be five thousand (5,000) square feet;
- (2) Minimum required mean lot width shall be fifty (50) feet;
- (3) Minimum required front yard/setback shall be twenty (20) feet;
- (4) Minimum required side yard/setback shall be five (5) feet;
- (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-169. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback

DIVISION 6. - RA-2T RESIDENTIAL TRAILER DISTRICT

Sec. 19-178. - Dimensional requirements.

- (a) The following dimensional requirements shall apply to all uses in the RA-2T district unless other requirements are stated herein:
- (1) Minimum required lot area shall be five thousand (5,000) square feet;
 - (2) Minimum required mean lot width shall be fifty (50) feet;
 - (3) Minimum required front yard/setback shall be twenty (20) feet;
 - (4) Minimum required side yard/setback shall be five (5) feet;
 - (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-179. - Modification to required lot area and required yards/setbacks.

- (a) A dwelling together with its accessory buildings may be erected on a lot or plot having less than five thousand (5,000) square feet provided the same existed under one (1) ownership, this to include heirs at law or legators, by virtue or a recorded deed in the office of the register of deeds of New Hanover County prior to the original passage of this requirement in January 1961.
- (b) The following modification to required lot area and required yards shall apply in this case:
- (1) Front yards/setbacks shall not be modified;
 - (2) Rear yards/setbacks shall not be modified.

(Ord. of 8-19-03)

Sec. 19-180. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback

DIVISION 7. - RA-3 RESIDENTIAL DISTRICT

Sec. 19-188. - Dimensional requirements.

- (a) The following dimensional requirements shall apply to all uses in the RA-3 district unless other requirements are stated herein:
- (1) Minimum, required lot area shall be five thousand (5,000) square feet;
 - (2) Minimum required mean lot width shall be fifty (50) feet;
 - (3) Minimum required front yard/setback shall be twenty (20) feet;
 - (4) Minimum required side yard/setback shall be five (5) feet;
 - (5) Minimum required rear yard/setback shall be ten (10) feet;

(Ord. of 8-19-03)

Sec. 19-189. - Modification to required lot area and required yards/setbacks.

The following requirements are for lots having less than the required minimum area:

- (1) A dwelling may be erected on a lot or plot having less than the required minimum area and width provided the same existed under one (1) ownership, this to include heirs at law or legatees, by virtue of a recorded plot or deed recorded in the office of the register of deeds of New Hanover County prior to the original passage of this requirement.
- (2) The following modification to required yards/setbacks shall apply in this case:
 - a. Front yards/setbacks shall not be modified.
 - b. The required side yard/setback on every lot having less than thirty-eight (38) feet frontage may be reduced by one half foot for each foot said lot is less than forty (40) feet in width, provided further, however, that no side yard/setback/ in this case shall be less than three (3) feet in width.
 - c. The side yard/setback on the street side of a reversed corner lot shall have a width not less than fifty (50) percent of the front yard/setback required on lots in the rear of such a reversed corner lot. The modifications provided for in this sub-section shall not have the effect of reducing the buildable width of the main building, to less than twenty-six (26) feet or for accessory buildings to less than twenty (20) feet on any lot of record at the time of the adoption of this modification in January, 1961.

(Ord. of 8-19-03)

Sec. 19-190. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

DIVISION 8. - RA-3A RESIDENTIAL DISTRICT

Sec. 19-204. - Dimensional requirements.

- (a) The following dimensional requirements shall apply to all uses in the RA-3A district unless other requirements are stated herein.
- (1) Minimum required lot area shall be five thousand (5,000) square feet;
 - (2) Minimum required mean lot width shall be fifty (50) feet;
 - (3) Minimum required front yard/setback shall be twenty (20) feet;
 - (4) Minimum required side yard/setback shall be five (5) feet;
 - (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-205. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

DIVISION 9. - RA-4 RESIDENTIAL DISTRICT

Sec. 19-224. - Dimensional requirements.

(a) The following dimensional requirements shall apply to all uses in the RA-4 district unless other requirements are stated herein:

- (1) Minimum required lot area shall be five thousand (5,000) square feet;
- (2) Minimum required mean lot width shall be fifty (50) feet;
- (3) Minimum required front yard/setback shall be twenty (20) feet;
- (4) Minimum side yard/setback shall be five (5) feet;
- (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-225. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

DIVISION 10. - B-1 BUSINESS DISTRICT

Sec. 19-244. – Yards/Setbacks.

All areas zoned B-1 except the established fire district shall have minimum front, side, and rear yards/setbacks of three (3) feet each.

(Ord. of 8-19-03)

Sec. 19-246. - Parking.

Parking shall be provided as required in sections 19-334 through 19-339 for all tourist lodgings including any residential and related uses; otherwise no off-street parking shall be required.

DIVISION 11. - B-2 NEIGHBORHOOD BUSINESS DISTRICT

Sec. 19-265. – Yards/Setbacks.

The following are the B-2 district setback requirements:

- (1) Minimum required yard/setback from a major thoroughfare shall be twenty (20) feet;
- (2) Minimum required yard/setback from a minor thoroughfare shall be twenty (20) feet;
- (3) Minimum required side yard/setback shall be five (5) feet;
- (4) Minimum required rear yard/setback shall be ten (10) feet..

(Ord. of 8-19-03)

Sec. 19-267. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

DIVISION 12. - B-3 BUSINESS DISTRICT

Sec. 19-284. - Parking.

Parking shall be as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback

(Ord. of 8-19-03)

Sec. 19-286. – Yards/Setbacks.

The following are the setbacks and yard requirements in the B-3 district:

- (1) Minimum required yard/setback from a major thoroughfare shall be twenty (20) feet;
- (2) Minimum required yard/setback from a minor thoroughfare shall be twenty (20) feet;
- (3) Minimum required side yard/setback shall be five (5) feet;
- (4) Minimum required rear yard/setback shall be ten (10) feet

DIVISION 13. - RB-1 RESIDENTIAL BUSINESS DISTRICT

Sec. 19-304. - Dimensional requirements.

- (a) The following dimensional requirements shall apply to all uses in the RB-1 district unless other requirements are stated herein:
- (1) Minimum required lot area shall be five thousand (5,000) square feet;
 - (2) Minimum required mean lot width shall be fifty (50) feet;
 - (3) Minimum required front yard/setback shall be twenty (20) feet;
 - (4) Minimum required side yard/setback shall be five (5) feet;
 - (5) Minimum required rear yard/setback shall be ten (10) feet.

(Ord. of 8-19-03)

Sec. 19-305. - Parking requirements.

Parking shall be provided as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback

DIVISION 14. - B4 RESIDENTIAL/LABORATORY DISTRICT

Sec. 19-317. - Parking.

Parking shall be as required in sections 19-334 through 19-339; provided that off-street parking for residential uses shall only be allowed in the front yard/setback.

(Ord. of 8-19-03)

Sec. 19-319. – Yards/Setbacks.

The following are the setbacks and yard requirements in the B-4 district:

- (1) Minimum required yard/setback from a major thoroughfare shall be twenty (20) feet;
- (2) Minimum required yard/setback from a minor thoroughfare shall be twenty (20) feet;
- (3) Minimum required side yard/setback shall be five (5) feet;
- (4) Minimum required rear yard/setback shall be ten (10) feet..

Sec. 19-320. - Control of yards/setbacks.

Any building or other structure requiring a building permit shall not be permitted in the setback area with the exception of the following items:

- (1) Fence.
- (2) Beach walkovers that are at least ten (10) feet to the rear of the building, and meet the 1996 Hurricane Replacement Standards.
- (3) Ground level walkways.
- (4) Ground level aprons for pools.

Sec. 19-321. - Reduction of lot and yards/setbacks prohibited.

No lot area shall be so reduced or diminished such that the yards/setbacks or other required open spaces shall be smaller than prescribed by this chapter. No yard/setback or other open space about any building or non-permitted structure shall be considered as providing a yard/setback or other open space for the purpose of complying with the provisions of this chapter.

Sec. 19-321.5. - Prerequisite to construction, demolition, remodeling and impervious surfaces, etc.

Except as provided in section 5-62, no building, building repairs remodeling, installation, driveway, parking lot, other structures, other ground-covering impervious surfaces, or demolition thereof shall be commenced within the Town's jurisdictional limits until a permit has been obtained from the building inspector.

No permit shall be issued if the total square footage of the buildings, other structures, and impervious ground-covering surface will exceed sixty-five (65) percent of the lot; excepting therefrom, those structures located in the B-1 district and the established fire district of the town. Any type driveway or impervious surface across the town right-of-way shall be limited to twenty-four (24) feet wide total.

Impervious surface coverage in the side yard/setback area of residential lots shall be limited to fifteen (15) percent of the yard/setback.

Driveways located in the front yard/setback of residential lots shall be limited to thirty-six (36) feet in width. Driveways constructed of drip-through wooden, gravel, or other permeable materials are permissible in any district when serving a single-family residence.

Sec. 19-326. - Location of accessory buildings on residential lots.

Accessory buildings shall be in the rear yard and shall not exceed one (1) story with a height limit of fifteen (15) feet. Accessory buildings shall meet the setback requirements of a residence, and shall be erected, reconstructed or structurally altered in accordance with the building code.

Sec. 19-328. - Modification to front yards/setbacks in residential districts.

Where lots comprising twenty-five (25) percent or more of the frontage on one side of a block are developed with buildings at the time of the adoption of this ordinance, no building hereafter erected or structurally altered shall project beyond the average front yard/setback line established by the pre-existing buildings, provided that, however, this regulation shall not be construed or so interpreted so as to require a front yard/setback of more than thirty (30) feet.

Sec. 19-357. - Continuance of nonconforming situation.

The lawful use of a structure, land, or use of structure and land existing at the time of the passage of this ordinance from which this section was derived may be continued although such does not conform with the provisions of this chapter provided they conform to the following provisions:

- (1) *Minimum single lot requirements.* Where the owner of a lot, or his successor in title thereto does not own sufficient land to enable him to conform to the area requirements of this chapter, the lot may be used as a building site, provided that the minimum back, front, and side yard/setback requirements for the district in which the lot is located are met.
- (2) *Extension in yard/setback space.* A structure that is nonconforming as to yard/setback requirements but conforms to the permissible use within the district in which it is located shall not be enlarged or extended in any direction (horizontally or vertically) into the required open space of the yard/setback area, except for energy conservation enclosures in subsection (9) below, and changes in roof design in subsection (10) below, and ramps, lifting devices and hand rails or a combination of these for the handicapped in subsection (11) below.
- (3) *Change of use.* A nonconforming use shall be changed to only those uses that are permitted in this chapter for the district in which such nonconforming use is located.
- (4) *Extension in use.* There shall be no extension in a nonconforming use that would increase the building's occupancy, square footage, production, servicing or utility demands except that any structure used for single-family residential purposes and maintained as a nonconforming use or structure may be enlarged or replaced with a similar structure of a larger size, so long as the enlargement or replacement does not create new nonconformities or increase the extent of existing nonconformities with respect to yard/setback requirements which at a minimum should comply with the RA-1A residential requirements.
- (5) *Repairs and alterations.* Normal maintenance, repairs, and improvements of nonconforming buildings shall be permitted provided that it does not violate sections (2)–(4) above.
- (6) *Damage or destruction.* Any nonconforming structure or any building containing a nonconforming use which has been damaged, destroyed, demolished, or removed either by accident or by natural causes may be reconstructed and used as before if a building permit is applied for within one (1) year from the date of destruction, provided, it does not violate subsections (2)–(4) above.
- (7) *Cessation.* If active operation of a nonconforming use is discontinued for a period of twelve (12) consecutive months, such nonconforming use shall thereafter be used only for a conforming use. A cessation will also occur when a structure is willfully removed. Once a nonconforming situation has been changed to a conforming situation, it shall not revert back to a nonconforming situation.
- (8) *Transfer of nonconforming property.* Nonconforming situations cannot be transferred with a lot if it is vacant at the time of transfer, except as noted in subsection (1) above.
- (9) *Energy conservation.* A covered entrance way already in existence within the setback area, which has a permanent foundation and floor and is covered by an existing roof, may be enclosed for energy conservation purposes. The inside dimensions of the enclosure shall be less than seventy (70) square feet in area.
- (10) *Change of roof design.* A flat roof may be changed to a pitched roof provided that such roof shall not exceed a four (4) to twelve (12) ratio. The pitched roof shall not extend horizontally any further than existing nonconforming the situation, nor shall it exceed the current building height limitation. Gutters and downspouts shall be provided to control runoff when adjoining property would be affected as a result of this modification. Where gutters are required, they shall not encroach on the adjoining property.
- (11) *Facilities for handicapped persons.* A ramp, lifting device and hand rails or a combination of these may be constructed in the setback area, provided that no other suitable conforming alternative exists, for the use of persons who are unable to enter or leave their place of dwelling without the

assistance of other persons or a self-propelled method of travel. The facilities listed in this section may not encroach upon the adjoining property. Application for the facility will be made to the building inspector who will investigate and make recommendation to the planning and zoning commission. After their review, planning and zoning will make recommendations to Kure Beach Town Council. After council's review of the case, and upon approval, they will instruct the building inspector to issue a permit and monitor the construction.

(Ord. of 8-19-03; Ord. of 3-18-08(8))

OLD BUSINESS
SYSTEM
DEVELOPMENT
FEE

Fee Schedule Amendment
Page 2

Change 'User' to 'System Development'

Change amount to \$592.00



**TOWN OF KURE BEACH
FEE SCHEDULE
FISCAL YEAR 2017-2018**

Fee Schedule to be updated each year as part of the adoption of the new fiscal year budget ordinance.

<u>AD VALOREM TAX RATE per \$100</u>	\$0.285
<u>MOTOR VEHICLE LICENSE TAX (per vehicle registered in Kure Beach)</u>	\$5.00
<u>WATER FEES</u>	
Residential (monthly minimum - up to 2,500 gallons)	\$13.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum:	
2,501 gallons to 7,000 gallons	\$0.45
Over 7,000 gallons	\$0.675
Commercial (monthly minimum - up to 2,500 gallons)	\$18.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.694
Out of Town (ETJ) (monthly minimum - up to 2,500 gallons)	\$23.00
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.7875
<u>SEWER FEES</u>	
Residential (monthly minimum - up to 2,500 gallons)	\$23.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum:	
2,501 gallons to 7,000 gallons	\$0.58
Over 7,000 gallons	\$0.87
Commercial (monthly minimum - up to 2,500 gallons)	\$25.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$0.7125
Out of Town (ETJ) (monthly minimum - up to 2,500 gallons)	\$40.50
Incremental rate per 100 gallons over the 2,500 gallons monthly minimum	\$1.0125
<u>OTHER WATER & SEWER FEES</u>	
Water Service Fee - nonrefundable fee for service technician site visit	\$30.00
Additional Water Service Fee - fee for each additional visit if customer fails to meet technician at site	\$10.00
Water Service Meter Check Fee - customer request that a meter be read, checked, or turned on or off. If problem found with meter, fee can be waived at discretion of the Public Works Director	\$30.00
Water Cut-ons Outside Working Hours	\$25.00
Special Meter Tests - if customer requests meter test and the meter is found to be defective, charge will be refunded	\$50.00
Reconnection Fee - if water is cut-off due to non-payment	\$60.00
Returned Check Fee	\$25.00
Account Past Due Charge - per month	\$10.00

WATER TAP FEE

3/4 X 5/8	\$1,500.00
1 Inch	\$2,000.00
1 1/2 Inch	\$2,500.00
2 Inch	\$3,000.00
Irrigation	\$4,000.00

SEWER TAP FEE

4 inch	\$1,500.00
4 inch	\$1,500.00
6 inch	\$2,000.00
6 inch	\$2,000.00

SYSTEM DEVELOPMENT FEE

Section 17-127 of Code	\$592.00
------------------------	----------

IMPACT FEE

Voluntary Annexation Only Sect 17-128 of Code	\$400.00
---	----------

STORM WATER FEES

Building Fee - may be waived w/installation of engineered storm water system and approval of building inspector and public works director	\$4,000.00
Residential-monthly	\$8.71
Business - monthly	varies by account

RECYCLE FEE - per bin monthly (residential)

\$4.88

GARBAGE COLLECTION FEES

Residential - per cart monthly - 1st cart	\$6.00
Residential - per cart monthly - after the 1st cart	\$12.00
Commercial - per can monthly	\$26.25
Garbage cart purchase	\$80.00
Additional Vacation Rental (Summer) Garbage Collection (June until Labor Day): - Per cart per month (minimum of 2 months)	\$50.00

TRASH PICKUP FEE

Minimum	\$15.00
1/4 load	\$45.00
1/2 load	\$90.00
3/4 load	\$135.00
Full load	\$180.00
Appliances (per appliance)	\$15.00

CITY BEER AND WINE RETAIL LICENSE

As stipulated in N.C. General Statute 105-113.77

RE-ENTRY DECAL FEES

Resident or non-resident property owner, January 1 to March 31	\$5.00
Resident or non-resident property owner, after March 31	\$15.00

COPY/FAX FEES

Fax: 1 PAGE	\$2.00
Fax: Each additional page	\$1.00
Zoning map - each	\$5.00
Copies: Per page	\$0.10
Copy of Zoning Ordinance	\$10.00
Copy of Town Code	\$70.00
Flood map - each	\$5.00

RENT COMMUNITY CENTER:DEPOSIT & PER HOUR FEES-2 HOUR MINIMUM (then hourly)

Deposit (refundable if center is cleaned, as instructed, and there's no damage)	\$250.00
KB Resident/Property Owner & Non-Profit Organization	\$75.00 per hour
Non-resident & Commercial Organization for Profit	\$100.00 per hour

OTHER FEES COMMUNITY CENTER

Service charge for cancellation of contract	\$50.00
Rental fee will not be refunded for cancellation of lease by lessee made within 30 days before the event. Security deposit will be refunded.	

RENT OCEAN FRONT PARK PAVILION:DEPOSIT & PER HOUR FEES-*4 HOUR MINIMUM (then hourly)

***Exception: Can rent pavilion for 1 HOUR, if rented in conjunction with Community Center**

Deposit (refundable if no damage to pavilion/grounds)	\$250.00
KB Resident/Property Owner & Non-Profit Organization, Pavilion ONLY	\$75.00 per hour
Non-resident & Commercial Organization for Profit, Pavilion ONLY	\$100.00 per hour
KB Resident/Property Owner & Non-Profit Organization, Pavilion & Lawn	\$125.00 per hour
Non-resident & Commercial Organization for Profit, Pavilion & Lawn	\$150.00 per hour

PARKS AND RECREATION PROGRAM FEES

Fees for specific Parks and Recreation activities will be set prior to commencement of the activity	varies
---	--------

SPECIAL EVENT FEES

General Use Impact Fees:	
minimal use of public property - low impact - per day	\$150.00
includes intermittent traffic control - medium impact - per day	\$300.00
includes closing of public streets - high impact - per day	\$500.00
Personnel:	
Police - minimum of four hours - per hour (includes overhead)	\$40.00
Sanitation - per hour (includes overhead)	\$40.00
Street - per hour (includes overhead)	\$40.00
Fireman - per hour (includes overhead)	\$40.00
Facilities Rental:	
Council Chambers - per day	\$100.00
Public land per site - per day	\$100.00
Public building - per day	\$100.00
Equipment:	
Police/Fire/Lifeguard or other Town Vehicle - per hour	\$25.00
Trash pickup - per cart per pickup	\$15.00
- minimum 2 carts required for recyclable materials and one for regular trash	

PERMIT/CONSTRUCTION FEES

Fence	\$25.00	
Window Replacement	\$25.00	
Prefab Shed	\$25.00	
Handicap Ramp	\$25.00	
Beach Access	\$25.00	
Pool-residential	\$300.00	
Pool -commercial	\$2,000.00	
Landscape	\$25.00	
House moved (plus any cost incurred by public works or police dept.)	\$150.00	
House moved out of town (plus any cost incurred by public works or police dept.)	\$150.00	
Demolition (residence)	\$150.00	
Demolition (commercial)	\$300.00	
Building - New Construction - processing fee	\$200.00	
Mobile Home Fee-set up (plus permit fee)	\$200.00	
Mobile Home and Travel Trailer Park - \$5.00 space up to 100 spaces	\$350.00	
Yard sale	\$1.00	
Temporary structures in excess of 200 square feet - Sec. 12-45	\$250.00	obtained 7 days prior
Temporary structures in excess of 200 square feet - Sec. 12-45	\$500.00	obtained less than 7 days prior
Replace permit card -Each	\$10.00	
Improvements, additions and renovations to include decks, garages, etc.:		
from \$0 to \$500	\$25.00	
from \$501 to \$2,500	\$50.00	
from \$2,501 to \$5,000	\$100.00	
from \$5,001 to \$10,000	\$150.00	
from \$10,001 to \$20,000	\$200.00	
from \$20,001 to \$30,000	\$250.00	
from \$30,001 to \$40,000	\$300.00	
from \$40,001 to \$50,000	\$350.00	
from \$50,100 and above + \$5.00 per \$1,000.00 over \$50,001	\$400.00	
Signs		
from \$0 to \$500	\$25.00	
from \$501 to \$2,500	\$40.00	
from \$2,501 to \$5,000	\$55.00	
from \$5,001 to \$10,000	\$70.00	
from \$10,001 to \$20,000	\$85.00	
from \$20,001 to \$40,000	\$95.00	
from \$40,001 to \$50,000	\$130.00	
from \$50,100 and above + \$3.00 per \$1,000.00 over \$50,000	\$155.00	

PLANNING/ZONING FEES

Text amendment to Town Code	\$100.00
Advertisement for public notices	\$50.00
Application - minor subdivision (per lot)	\$200.00
Subdivision Appeal:	
TRC to Planning Board	\$150.00
TRC to Planning Board (Height Exception Application fee - Sec. 19-333.1)	\$250.00
TRC to BOA	\$375.00
Final plat approval submission (or 50 cents per lot, whichever is greater)	\$125.00
Request for zoning change (plus \$5.00 fee for each notification mailed)	\$100.00
Chapter 19 Zoning violation - Sec. 19-401	\$50.00

BOARD OF ADJUSTMENT FEES

Appeal/Variance	\$375.00
-----------------	----------

FIRE INSPECTION AND PERMIT FEES

Commercial New and Existing Construction Permit Fees:

A= Total gross building floor area of construction

B= Fee per Square Foot

0 - 5,000 sf

5,001-15,000 sf

Over 15,000 sf

AxB = Permit Fee

(AxBx.75)+(1250xB) = Permit Fee

AxBx.50) + (5000xB) + Permit Fee

Occupancy Type:

Fee Per Square Foot

Residential

\$0.05

Storage

\$0.035

Assembly

\$0.06

Institutional

\$0.06

Business

\$0.06

Mercantile

\$0.06

Hazardous

\$0.05

Factory Indust

\$0.04

Education

\$0.065

Construction Permits:

Sprinkler Systems

\$85.00

Fire Alarm Systems

\$85.00

Suppression Systems

\$85.00

Fire pump and related Equipment

\$85.00

Private Fire Hydrants

\$85.00

Standpipe Installation per Riser

\$85.00

Additions

Use Schedule or Min. \$45 + Inspection Fees

Up Fits

Use Schedule or Min. \$45 + Inspection Fees

Mobile Buildings

\$45 + Inspection fee

Accessory Structures

\$45 + Inspection fee

Commercial Inspection Fee

\$45 Per Inspection per bldg. (Applies to all bldgs.)

Occupancy Certification

\$25 + Inspection Fee

Occupying building without CO

\$250

Working without Permit

\$50 or 2x Permit Fee, whichever is greater

Stop Order Removal

\$200

Failure to Obtain Final Inspection

\$100

Afterhours/Weekend/Holiday Inspections

\$120

ABC Permit

\$45

Fire Flow Test

\$45

Day Care State Inspection

\$45

Witness Fire Flow/Pump Test

\$45

Commercial Construction Inspection

\$45

Reinspection Fee

\$45

Scheduled Fire Inspection

\$45

Standpipe Test per Riser

\$75

Temporary Structures (Tents, Etc.)

Revert to Building Permit Fee

CIVIL CITATION PROGRAM FEES

	<u>1st Offense</u>	<u>2nd Offense</u>
<u>Beach:</u>		
Dogs prohibited on beach strand Sec. 4-17	\$150.00	Misdemeanor
Vehicles prohibited on beach strand Sec. 10-104	\$25.00	Misdemeanor
Fire prohibited on beach strand Sec. 12-40	\$100.00	\$200.00
Litter, glass & alcohol prohibited on beach Sec.12-35	\$150.00	Misdemeanor
Boats, jet skis prohibited w/in 300' from high tide mark Sec. 12-37	\$25.00	\$50.00
Surfing regulations Sec. 12-33	\$25.00	Misdemeanor
Dune trespassing prohibited Sec. 12-39	\$100.00	Misdemeanor
Digging holes in the beach/beach restoration Sec. 12-46	\$100.00	Misdemeanor
No items on beach between 7pm-8am/No beach equip. within 15 ft of turtles/No beach equip. within 25 ft of emergency access points Sec. 12-43	\$50.00	\$100.00
Sleeping on beach after midnight prohibited Sec. 12-31	\$25.00	Misdemeanor
Nude bathing, including thong bathing suits or similar attire, prohibited Sec. 12-32	\$25.00	Misdemeanor
Leaping from commercial pier Sec. 12-34	\$250.00	
<u>Animals/Pets:</u>		
Dogs must be on a leash Sec. 4-16	\$150.00	Misdemeanor
Animal/Pet waste removal Sec. 4-16.1	\$150.00	Misdemeanor
<u>Vehicles/Parking:</u>		
Parking Ticket Sec. 10-222 - 235	\$25.00	
Parking in a handicap space	\$150.00	Misdemeanor
Soliciting transportation Sec. 10-68	\$10.00	
Vehicles prohibited certain areas Sec.10-60	\$50.00	Misdemeanor
<u>Miscellaneous:</u>		
Bicycle regulations Sec. 10-291-308	\$25.00	\$50.00
Noise violations prohibited Sec. 11-31	\$250.00	Misdemeanor
Alcohol consumption/open containers prohibited on public property Sec. 3-1	\$50.00	Misdemeanor
Requirements for taverns and bars Sec. 3-2	\$50.00	G.S.18B-302.1
Beach Vitex Prohibited Sec. 12-41	\$25.00	\$50.00
Numbering of buildings Sec.5-121	\$50.00	
Real estate signs on Town property Sec. 11-80	\$50.00	

Adopted by Town Council on June 20, 2017. Revised by vote of Town Council on January 22, 2018.

Craig Bloszinsky, Mayor

Attest: Nancy Avery, Town Clerk



AMENDMENTS TO THE TOWN OF KURE BEACH CODE OF ORDINANCES

That the Code of Ordinances of the Town of Kure Beach shall be amended as follows:

Part II Code

Chapter 17 Utilities

1. Section 42 Turning on water cut off by department

Subsection c, 5th line

Replace 'users' with 'System Development'

Chapter 17 Utilities

2. Section 48 Irrigation of common areas in subdivision

5th line

Replace 'user' with 'System Development'

Chapter 17 Utilities

3. Section 126 Tap in fee

Subsection b – 4th, 5th and 7th lines

Replace 'user' with 'System Development'

Subsection c – 5th line

Replace 'user' with 'System Development'

Chapter 17 Utilities

4. Section 127 User Fee

Section header – replace 'User' with 'System Development'

Subsection a

Replace 'user's' with 'System Development'

Subsection b

Replace 'user's' with 'System Development'

Subsection c

Replace 'user's' with 'System Development'

Subsection d

1st and 2nd line

Replace 'user' with 'System Development'

Last line

Delete 'all user fees collected by the water fund shall be appropriated to the sewer expansion reserve fund.'

Approved by Town Council January 22, 2018.

Nancy Avery, Town Clerk

CODE CURRENTLY READS:

1. Chapter 17, Section 42, subsection c

Turning on water cut off by department.

C. If a structure is burned to such an extent by fire that the structure is condemned or if the structure is condemned and destroyed or destroyed by the owner or removed leaving a vacant lot or parcel of land; then and in that event, if a new structure is not begun or replaced within twelve (12) months of the date of destruction or removal, the owner shall pay a reconnect fee for water plus he shall pay a users fee as adopted under the water and sewer tap fee schedule in [section 17-126](#).

AMENDED CODE WILL READ

Chapter 17, Section 42, subsection c

C. Turning on water cut off by department.

If a structure is burned to such an extent by fire that the structure is condemned or if the structure is condemned and destroyed or destroyed by the owner or removed leaving a vacant lot or parcel of land; then and in that event, if a new structure is not begun or replaced within twelve (12) months of the date of destruction or removal, the owner shall pay a reconnect fee for water plus he shall pay a ~~users~~ **System Development** fee as adopted under the water and sewer tap fee schedule in [section 17-126](#).

CODE CURRENTLY READS:

2. Chapter 17, Section 48

Irrigation of common areas in subdivision.

All common areas as defined in [section 15-162](#) of the Subdivision Regulations of the Code of the Town of Kure Beach shall be allowed to have irrigation sprinklers for the common area and shall be responsible for the payment of a tap fee and payment for water use at a commercial rate. Should the common area cease to exist or should a residence be constructed thereon; then and in that event, a user fee shall be charged to the owner thereof.

AMENDED CODE WILL READ:

Chapter 17, Section 48

Irrigation of common areas in subdivision.

All common areas as defined in [section 15-162](#) of the Subdivision Regulations of the Code of the Town of Kure Beach shall be allowed to have irrigation sprinklers for the common area and shall be responsible for the payment of a tap fee and payment for water use at a commercial rate. Should the common area cease to exist or should a residence be constructed thereon; then and in that event, a ~~user~~ **System Development** fee shall be charged to the owner thereof.

CODE CURRENTLY READS:

3. Chapter 17, Section 126, Subsections b and c

B. These rates which are on file in the town clerk's office shall apply to all structures constructed within the town. In addition to the water and sewer tap fees, a per unit ~~user's~~ fee will be charged on all construction in the Kure Beach service area and motel units with a kitchen or motel rooms shall be charged a user's fee per room. The construction of all water/sewer lines and/or the installation of all water/sewer taps must be inspected and approved by the town. User's fees shall be placed in a capital reserve fund for future expansion, construction repairs or alterations. All tap fees and user's fees must be paid prior to the installation of the service.

C. If a structure is burned to such an extent by fire that the structure is condemned, or if the structure is condemned and destroyed or destroyed by the owner, or removed leaving a vacant lot or parcel of land; then, and in that event, if a new structure is not begun or replaced within twelve (12) months of the date of destruction or removal, the owner shall pay a tap fee for water plus he shall pay a user's fee as adopted under the water and sewer tap fee schedule.

AMENDED CODE WILL READ:

Chapter 17, Section 126, Subsections b and c

B. These rates which are on file in the town clerk's office shall apply to all structures constructed within the town. In addition to the water and sewer tap fees, a per unit ~~user's~~ **System Development** fee will be charged on all construction in the Kure Beach service area and motel units with a kitchen or motel rooms shall be charged a ~~user's~~ **System Development** fee per room. The construction of all water/sewer lines and/or the installation of all water/sewer taps must be inspected and approved by the town. ~~User's~~ **System Development** fees shall be placed in a capital reserve fund for future expansion, construction repairs or alterations. All tap fees and ~~user's~~ **System Development** fees must be paid prior to the installation of the service.

C. If a structure is burned to such an extent by fire that the structure is condemned, or if the structure is condemned and destroyed or destroyed by the owner, or removed leaving a vacant lot or parcel of land; then, and in that event, if a new structure is not begun or replaced within twelve (12) months of the date of destruction or removal, the owner shall pay a tap fee for water plus he shall pay a ~~user's~~ **System Development** fee as adopted under the water and sewer tap fee schedule.

CODE CURRENTLY READS:

4. Chapter 17, Section 127, Subsections a - d

A. The user's fee for water and sewer shall be on file in the town clerk's office.

B. The user's fees shall apply to all services whether inside or outside of corporate limits and shall be payable upon the issuance of a building permit.

C. All of the user's fees shall apply to individual, residential, duplex, motels, or multifamily units, excepting therefrom any property owner within the corporate limits who wishes to replace or upgrade his premises shall not be subject to those fees unless or until he replaces more units than he originally had on his property and the additional units placed thereon over and above the original units shall be charged per unit under the schedule hereinabove set out. Further, any owner who has torn down or removed his dwelling prior to March 1, 1982 shall not be exempted.

D. All user fees shall be accrued to the benefit of the sewer expansion reserve fund and all user fees collected by the water fund shall be appropriated to the sewer expansion reserve fund.

AMENDED CODE WILL READ

Chapter 17, Section 127, Subsections a - d

A. The ~~user's~~ **System Development** fee for water and sewer shall be on file in the town clerk's office.

B. The ~~user's~~ **System Development** fees shall apply to all services whether inside or outside of corporate limits and shall be payable upon the issuance of a building permit.

C. All of the ~~user's~~ **System Development** fees shall apply to individual, residential, duplex, motels, or multifamily units, excepting therefrom any property owner within the corporate limits who wishes to replace or upgrade his premises shall not be subject to those fees unless or until he replaces more units than he originally had on his property and the additional units placed thereon over and above the original units shall be charged per unit under the schedule hereinabove set out. Further, any owner who has torn down or removed his dwelling prior to March 1, 1982 shall not be exempted.

D. All ~~user~~ **System Development** fees shall be accrued to the benefit of the sewer expansion reserve fund. ~~and all user fees collected by the water fund shall be appropriated to the sewer expansion reserve fund.~~

NEW BUSINESS
CAC APPOINTMENT

OK TC Aug 1/14



TOWN OF KURE BEACH
REQUEST FOR APPOINTMENT
Board/Commission/Committees

MUST BE A FULL-TIME RESIDENT TO SERVE ON BOARD OF ADJUSTMENT,
COMMUNITY CENTER COMMITTEE OR PLANNING AND ZONING COMMISSION

Request for Appointment to: WMPO CITIZENS ADVISORY COMMITTEE
Name JOHN R. CAWTHORNE
KB Property Address 281 SEAWATCH WAY, KB NC
Mailing Address same
Contact PH# 703-785-5714 Email JOHNCAWTH@HOTMAIL.COM
(You will receive the majority of correspondence via email)

Length of full-time residency in Kure Beach 2 1/2 YEARS
Employment CONSULTANT, NEUMARKET CONSULTING LLC
Job Title OWNER
Professional Activities PLANNING & ZONING COMMISSION, KURE BEACH
NATIONAL, CAPE FEAR POST, COASTAL CAROLINA POST, BOARDS, S.A.M.E.
Volunteer Activities SEAWATCH HOA BOARD, PINE VALLEY UMC OUTREACH,

Other committee work, past or present CIVIL ENGINEERING, PROFESSIONAL AND
MILITARY ENGINEER COMMITTEES AND PROJECTS (VARIOUS)

What is your understanding of the purpose of this committee?
TO COORDINATE DEVELOPMENT OF THE WMPO 2045 METROPOLITAN
TRANSPORTATION PLAN.

Why are you interested in serving on this committee?
SERVE MY COMMUNITY. USE MY PROFESSIONAL TALENT. EXPAND ON MY
KB P&Z COMMISSION ROLE & USEFULNESS

In what specific concerns or areas are you interested?
FERRY TRANSPORT. AREA ROADS

What days and/or times between 8am-8pm, Monday through Friday, are you unable to attend meetings?
ALL DAYS & TIMES.

Any misrepresentation of fact on this application will subject the applicant to legal proceedings as prescribed by law.

Signature John R. Cawthorne Date 1 JAN 2018

Thank you for your interest in serving the Town of Kure Beach
Please submit your application to:

Town Clerk, Kure Beach Town Hall, 117 Settlers Lane, Kure Beach, NC 28449

NOTE: All financial obligations to the town must be satisfied to be a Kure Beach committee member.

Town Use Only

Date Received _____ Initials _____ Financial Obligations Satisfied YES NO
Interview Date _____ (If applicable) Appointment Date _____
Term Length _____ Term Expiration _____

NEW BUSINESS
WHEELCHAIR
ACCESS REQUEST

Nancy Avery

From: John Batson
Sent: Wednesday, December 20, 2017 11:14 AM
To: Craig Bloszinsky; Steven Shumate; David Heglar; Allen Oliver; Joseph Whitley; John Ellen; Sonny Beeker; Nancy Avery
Subject: RE: Wheelchair access at 1004-1/2 Ocean Blvd

We can apply for a permit from CAMA. It is not a big deal. Also, CAMA has issued grants for new handicap ramps to us several times. It could be that its time to look at this one for the next request.

Just a point of reference, it is 340' from the corner of Hanby Ave to the crossover referenced in Mr. Shumate's email. It is 347' from the corner of Hanby Ave to the handicap ramp at Alabama Ave.

From: Craig Bloszinsky
Sent: Wednesday, December 20, 2017 10:55 AM
To: Steven Shumate <kureshumate@gmail.com>; David Heglar <d.heglar@townofkurebeach.org>; Allen Oliver <a.oliver@townofkurebeach.org>; Joseph Whitley <j.whitley@townofkurebeach.org>; John Ellen <j.ellen@townofkurebeach.org>; John Batson <j.batson@townofkurebeach.org>; Sonny Beeker <s.beeker@townofkurebeach.org>; Nancy Avery <n.avery@townofkurebeach.org>
Subject: Re: Wheelchair access at 1004-1/2 Ocean Blvd

Steve, thanks for the note, I realize we do not have handicap access in that area for the residents on the north end of town, give us some time to look into this.

John B, please advise on any CAMA rules, then we can see with Sonny if this is as easy as it appears or if legalities require a significant structure. Nancy, please put this on next council meeting agenda so Council can discuss.

Craig Bloszinsky

From: Steven Shumate <kureshumate@gmail.com>
Sent: Tuesday, December 19, 2017 1:31:47 PM
To: Craig Bloszinsky
Subject: Wheelchair access at 1004-1/2 Ocean Blvd

Craig,
I happens to see Dorothy McCaskills , of 102 Hanby Avenue, at the crossover yesterday. As usual, she was in her wheelchair at the bench area enjoying the sunshine and breeze. I told her we had briefly discussed the feasibility of replacing the steps with a ramp for easier access. She was truly excited about the idea and asked if I would put in a request for her. Therefore, I am requesting that the appropriate individuals examine the crosswalk and evaluate the feasibility of installing a handicap ramp verses the stairs.



As you can see, there are currently only about three steps that would have to be replaced.

Respectfully submitted,
Steven R Shumate
107 Ocean View Ave
Kure Beach
Phone: 304.389.4322

NEW BUSINESS
OVERPAYMENTS
UTILITIES

Nancy Avery

From: Arlen Copenhaver
Sent: Tuesday, January 2, 2018 3:35 PM
To: Heglar, David W
Cc: Craig Bloszinsky; Nancy Avery
Subject: RE: Extreme Over charge from Katie Marvel 1108 Fort Fisher Blvd N

David,

I hope you had a great Christmas and New Years.

The information relating to the garbage billings for Ms. Marvel is as follows:

Review of the billing history for the property shows that a second garbage cart was added to the account in June 2010. I cannot locate any documentation regarding the second cart. Based on Ms. Marvel stating that she never had a second cart, the overbilling is:

6/2010 to 6/2013 (37 months @ \$4)	\$148.00
7/2013 to 6/2017 (48 months @\$6)	\$288.00
7/2017 to 12/2017 (6 months @ \$12)	<u>\$ 72.00</u>
Total	<u>\$508.00</u>

Hopefully, we will not have many more of these overbilling situations.

Going forward, I think that the Town policy should be a maximum of 2 years. The statute of limitations for overbillings is 2 years based on information received from the UNC School of Government. We need to officially establish the 2 year timeframe as Town policy and then adhere to that going forward.

If we give Ms. Marvel a credit for the most recent 2 year period, the amount will be \$180.

Let me know if you have any questions or require additional information.

Arlen Copenhaver, CPA
Finance & Budget Officer
Town of Kure Beach
117 Settlers Lane
Kure Beach, NC 28449
Tel: (910) 458-8216
Fax: (910) 458-7421
a.copenhaver@tokb.org

From: Heglar, David W [mailto:HeglarDW@Corning.com]
Sent: Friday, December 22, 2017 7:21 AM

From: Katie [<mailto:mermaidmanor@gmail.com>]

Sent: Saturday, December 16, 2017 5:34 PM

To: davidheglar@townofkurebeach.org

Subject: Extreme Over charge from Katie Marvel 1108 Fort Fisher Blvd N

Hello, I have owned 1108 Fort Fisher blvd N since 1990. I have always had 1 trash can. When the new "code system" { as I was recently informed} was implemented it showed 2 cans instead of 1. When I questioned that at Town Hall, I asked how was I supposed to know you were charging me for 2 trashcans. I was told "Most people know how much they are supposed to pay".

I find that strange since the "old coded system" didn't say a number of cans....just trash and the price.

So therefore I just found out I have been paying for 2 cans since 2010.

She told me to take it up with you. No correction has been made as of yet and I paid the bill even with the over charge. Can you please help me with this?

It's an awful lot of money to have over paid when the old billing system didn't state how many cans they were charging me for.

I hope to hear from you soon.

Thank you,

Katie Marvel 910-231-2418

Nancy Avery

From: Craig Bloszinsky
Sent: Wednesday, January 3, 2018 12:35 PM
To: Heglar, David W; Arlen Copenhaver; David Heglar
Cc: Nancy Avery
Subject: Re: Extreme Over charge from Katie Marvel 1108 Fort Fisher Blvd N

I do, we can correct this error and then we need to go with statute for future considerations if the council will support.

Craig

From: Heglar, David W <HeglarDW@Corning.com>
Sent: Wednesday, January 3, 2018 6:37:18 AM
To: Arlen Copenhaver; David Heglar
Cc: Craig Bloszinsky; Nancy Avery
Subject: RE: Extreme Over charge from Katie Marvel 1108 Fort Fisher Blvd N

Arlen –

I agree that we need to close this up – and plan to discuss at the January meeting. My plan is to make this the last time – make a motion that moving forward we stick to the 2 year statute of limitations for any future cases and get that on the record so that you can refer to it for any future cases.

Craig and Nancy –

Do you agree with that path forward?

David

From: Arlen Copenhaver [mailto:a.copenhaver@townofkurebeach.org]
Sent: Tuesday, January 2, 2018 3:35 PM
To: Heglar, David W
Cc: Craig Bloszinsky; Nancy Avery
Subject: RE: Extreme Over charge from Katie Marvel 1108 Fort Fisher Blvd N

David,

I hope you had a great Christmas and New Years.

The information relating to the garbage billings for Ms. Marvel is as follows:

Review of the billing history for the property shows that a second garbage cart was added to the account in June 2010. I cannot locate any documentation regarding the second cart. Based on Ms. Marvel stating that she never had a second cart, the overbilling is:

6/2010 to 6/2013 (37 months @ \$4)	\$148.00
------------------------------------	----------

NEW BUSINESS SPEED LIMITS



AMENDMENTS TO THE TOWN OF KURE BEACH CODE OF ORDINANCES

That the Code of Ordinances of the Town of Kure Beach shall be amended as follows:

PART II CODE
Chapter 10 Motor Vehicles and Traffic
Section 82 Speed Limits
Subsection 5

(5)

CODE CURRENTLY READS:

Thirty-five (35) miles per hour on K Ave. (SR 1534) from 4th Street to town limits West.

AMENDED CODE WILL READ:

Thirty-five (35) miles per hour on K Ave. (SR ~~1534~~ 1573) from ~~4th~~ 5th Street to town limits West.

Approved by Town Council January 22, 2018.

Nancy Avery, Town Clerk

Nancy Avery

From: Leonard, Jessi L <jleonard6@ncdot.gov>
Sent: Monday, January 15, 2018 5:16 PM
To: Nancy Avery
Cc: Hammond, Robert H; Hancock, David A
Subject: RE: [External] RE: Municipal Speed Limit US 421 (Fort Fisher Blvd) and SR 1573 (K Ave) Kure Beach
Attachments: 2017-12-15_Kure Beach SR 1573 Enact Ordinance #1072288.pdf

Nancy,

Thanks for checking on this. That should cover the ordinance limits, but the SR will need to change as well. The below will be in line with the new ordinance being proposed. Feel free to call with any questions. Thanks again!

“35 mph on K Avenue (SR 1573) from 5th Street to town limits west”

Jessi Leonard, PE
Division Traffic Engineer
Division 3 Traffic
NCDOT – Division of Highways

910 341 2200 office
910 602 7079 fax
jleonard6@ncdot.gov

5504 Barbados Boulevard
Castle Hayne, NC 28429-5646



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

From: Nancy Avery [mailto:n.avery@townofkurebeach.org]
Sent: Wednesday, January 10, 2018 1:35 PM
To: Leonard, Jessi L <jleonard6@ncdot.gov>
Cc: Hammond, Robert H <bobhammond@ncdot.gov>; Hancock, David A <dahancock@ncdot.gov>
Subject: [External] RE: Municipal Speed Limit US 421 (Fort Fisher Blvd) and SR 1573 (K Ave) Kure Beach

CAUTION: External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to report.spam@nc.gov.

Hi Jessi – we only have a code amendment for your ordinance 1072288 as our ordinance currently states:

“35 mph on K Avenue (SR1534) from 4th Street to town limits west”

If we amend our code to state:

Nancy Avery

From: Mike Bowden
Sent: Wednesday, December 20, 2017 2:23 PM
To: Nancy Avery
Subject: Re: Municipal Speed Limit US 421 (Fort Fisher Blvd) and SR 1573 (K Ave) Kure Beach

As long as the Town Attorney has read the changes and is in ok with it I'm ok the changes

From: Nancy Avery
Sent: Saturday, December 16, 2017 11:32:29 AM
To: Mike Bowden; Craig Bloszinsky
Subject: Fwd: Municipal Speed Limit US 421 (Fort Fisher Blvd) and SR 1573 (K Ave) Kure Beach

Craig and Mike - take a look at this from DOT and let me know if you have any concerns

Nancy Avery
Town Clerk
117 Settlers Lane
Kure Beach, NC 28449
910-458-8216 office
910-458-7421 fax
910-707-2016 direct
910-443-0410 cell
n.avery@tokb.org
www.townofkurebeach.org

*Reviewed with Town Attorney
& Police Chief Jan. 11, 2018
Avery*

Begin forwarded message:

From: "Leonard, Jessi L" <jleonard6@ncdot.gov>
Date: December 15, 2017 at 10:45:27 AM EST
To: "n.avery@tokb.org" <n.avery@tokb.org>, Nancy Avery <n.avery@townofkurebeach.org>
Cc: "Hammond, Robert H" <bobhammond@ncdot.gov>, "Hancock, David A" <dahancock@ncdot.gov>
Subject: **Municipal Speed Limit US 421 (Fort Fisher Blvd) and SR 1573 (K Ave) Kure Beach**

Ms. Avery,

I wanted to let you know that the attached letter is being sent to you regarding the speed limit ordinances for US 421 (Fort Fisher Boulevard) and SR 1573 (K Avenue) that are within the Town of Kure Beach limits. We are not proposing to make any changes and this will just serve to make the existing signage legal. The attachments that you will receive via US mail will include the municipal certificates on bond paper for the Town's use. Please let us know if there are any questions; otherwise, we will be on the lookout for the completed certificate. Thank you!

Jessi Leonard, PE
Division Traffic Engineer
Division 3 Traffic



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

JAMES H. TROGDON, III
SECRETARY

December 15, 2017

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

Dear Ms. Avery,

This letter is in regards to speed limit ordinances on a portion of US 421 (Fort Fisher Boulevard) and SR 1573 (K Avenue) within the Kure Beach limits. In updating our traffic ordinances we find that two changes are in order. The below described modifications will not change the posted speed limit and only serves to make the existing signage legal.

The section of US 421 (Fort Fisher Boulevard) between Avenues H and N is signed as 25mph, but the existing 25mph ordinance is only written between Avenues J and L. Based on the traffic characteristics and the similar roadside development in this area, the Department agrees that the 25mph speed limit is appropriate for the six-block section. The Certification of Municipal Declaration form for ordinance #1031880 will repeal the existing ordinance that does not encompass this entire stretch and the form for ordinance #1072525 will enact the new ordinance to match the existing signage.

The road number of K Avenue was changed from SR 1534 to 1573, being an extension of Dow Road, and the speed limit ordinance needs to be changed to reflect this. The street name of the referenced US421 has also changed. The Certification of Municipal Declaration form for ordinance #1031881 will repeal the out of date ordinance and the form for ordinance #1072288 will enact the new ordinance to match the existing signage.

This requires the Town of Kure Beach and the Department to enact concurring ordinances. Enclosed are four (4) declaration certificates pertaining to these changes. Please put this matter on a Town Council meeting agenda for adoption of a traffic ordinance or resolution by the Council. We have included the original Certification of Municipal Declaration forms, on watermarked bond paper. When adopted, please complete the form, certify and seal it and return it by mail to my attention at the below address so that the Department can enact it. There can be no changes or corrections made on the certificate. ✕

You may contact me or Bob Hammond, Traffic Engineering Technician, at (910) 341-2200 if you have any questions or need additional information.

Sincerely,

Jessi Leonard, P.E.
Division Traffic Engineer

JLL/rhh

Attachments

cc: Allen Hancock, Assistant Division Traffic Engineer
Bob Hammond, Traffic Engineering Technician
File

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION OF HIGHWAYS
5504 BARBADOS BOULEVARD
CASTLE HAYNE, NC 28429

Telephone (910) 341-2200
Fax: (910) 602-7079
Customer Service: 1-877-368-4968

Website: www.ncdot.gov

Location:
TRAFFIC SERVICES
5504 BARBADOS BOULEVARD
CASTLE HAYNE, NC 28429

“35 mph on K Avenue (SR1534) from 5th Street to town limits west” that should put us in compliance.

Our code is already in compliance with 107525.

This will be on the January 16th agenda.

Nancy Avery
Town Clerk
Town of Kure Beach
117 Settlers Lane
Kure Beach, NC 28449
www.townofkurebeach.org
910-458-8216 office
910-707-2016 direct
910-443-0410 cell
n.avery@tokb.org

From: Leonard, Jessi L [<mailto:jleonard6@ncdot.gov>]
Sent: Friday, December 15, 2017 10:45 AM
To: Nancy Avery <n.avery@townofkurebeach.org>; Nancy Avery <n.avery@townofkurebeach.org>
Cc: Hammond, Robert H <bobhammond@ncdot.gov>; Hancock, David A <dahancock@ncdot.gov>
Subject: Municipal Speed Limit US 421 (Fort Fisher Blvd) and SR 1573 (K Ave) Kure Beach

Ms. Avery,

I wanted to let you know that the attached letter is being sent to you regarding the speed limit ordinances for US 421 (Fort Fisher Boulevard) and SR 1573 (K Avenue) that are within the Town of Kure Beach limits. We are not proposing to make any changes and this will just serve to make the existing signage legal. The attachments that you will receive via US mail will include the municipal certificates on bond paper for the Town's use. Please let us know if there are any questions; otherwise, we will be on the lookout for the completed certificate. Thank you!

Jessi Leonard, PE
Division Traffic Engineer
Division 3 Traffic
NCDOT – Division of Highways

910 341 2200 office
910 602 7079 fax
jleonard6@ncdot.gov

5504 Barbados Boulevard
Castle Hayne, NC 28429-5646



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

NEW BUSINESS
ETHLY DOW
SIGNAGE

WARNING

UNDERWATER

HAZARD

FROM HERE

TO 200 FT



**ABSOLUTELY
NO SWIMMING**

NEW LANGUAGE

WARNING

UNDERWATER

HAZARD

FROM HERE

TO 200 FT



**ABSOLUTELY
NO SWIMMING**

OLD LANGUAGE

CAUTION

BURIED

METAL INTAKE

HAZARD TO

SWIMMERS & SURFERS