



TOWN COUNCIL MINUTES

REGULAR MEETING

July 22, 2015

The Kure Beach Town Council held their regular meeting on Wednesday, July 22, 2015 at 6:30 p.m. The Town Attorney and a quorum of council was present.

COUNCIL MEMBERS PRESENT

Mayor Dean Lambeth
Mayor Pro Tem (MPT) Craig Bloszinsky
Commissioner Emilie Swearingen
Commissioner David Heglar
Commissioner Steve Pagley

STAFF PRESENT

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

CALL TO ORDER AND WELCOME

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

APPROVAL OF CONSENT AGENDA ITEMS

1. Accept Pat Slachetka's resignation from the Community Center Committee
2. ~~Approve \$15 membership fee for Commissioner Swearingen to join the NC Women in Municipal Government Association~~ removed from agenda
3. ~~Approve donation of \$100 to the disAbility Resource Center, requested by Mayor Lambeth~~ moved to new business as item 5
4. Approve Memo of Understanding from Diana Woolley for completion of an application for a CAMA grant to make the H Avenue beach access ADA compatible; amount not to exceed \$825 (funding from Committee budget)
5. Adopt Budget Amendment 16-01, transferring \$5,000 from the Fire Department's Capital Outlay budget to the Police Department budget, for the purchase of a new four-wheeler
6. Approve closing of K Avenue, east of FFB and Atlantic Avenue (between K & L), from midnight Saturday, September 26th until end of clean up on Sunday, September 27th for Island Day
7. Building Inspections Report – June 2015
8. Fire Department Report – June 2015
9. YTD Finance Report



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10. Meeting Minutes:

- June 16, 2015 Regular
- June 16, 2015 Closed
- July 7, 2015 Public Hearing

Commissioner Swearingen asked that Consent Agenda Item 3 be moved under New Business as Item 5, for further discussion and consideration.

Mayor Lambeth asked that Consent Agenda Item 2 be removed for Commissioner Swearingen to pay the \$15 membership fee, herself.

MOTION – Commissioner Heglar made the motion to approve the Consent Agenda Items, as amended by Mayor Lambeth and Commissioner Swearingen.

SECOND – Commissioner Pagley

VOTE – Unanimous

Said Memo of Understanding and Budget Amendment are herein incorporated as part of these minutes.

ADOPTION OF THE AGENDA

MOTION – Commissioner Heglar made the motion to amend the agenda to add “Donation of \$100 to the disability Resource Center” under New Business as Item 5 and to adopt the agenda, as amended.

SECOND – Commissioner Pagley

VOTE – Unanimous

DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL

1. Calvin Peck, Village Manager for the Village of Bald Head Island

Mr. Peck asked council to consider supporting the Village of Bald Head Island’s resolution to oppose proposed House Bill 97 to remove the southern portion of the New Inlet Dam. He asked council to read the white paper he gave them that describes the consequences of removing the dam, one of which is that it could silt-in the Cape Fear River and stop the natural flow of sand from north to south which will affect Bald Head Island. He said that Representative Catlin testified before the house during a budget subcommittee meeting on the environment and agreed with the white paper; his opinion being that the removal of the dam will destroy the port of Wilmington. Mr. Peck asked council to put this topic on their meeting agenda to discuss, as it will be too late if they wait to put it on their August meeting agenda.



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DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Planning & Zoning Commission

a. Decision regarding cost of relocating sewer line

Commissioner Heglar reported that the Sea View developer relocated a town sewer line without council's permission, at a cost of \$16,000, and the developer would like the town to reimburse him for the full amount. He said the Public Works Director explained that the sewer line was in their easement and the town would have had to move it anyway, so Director Beeker recommended the town pay only half of the cost since the town may have been able to get the work done at less cost if they had been consulted first.

Stewart Pittman, developer of the Sea View project, said he would be happy to settle for a credit towards permitting fees, rather than a reimbursement, if that would help the town.

Commissioner Heglar said they are supportive of the development project, but he asked the developer to consult with council from now on before doing anything like that. He said that council doesn't like to spend public money without having approval privileges.

Commissioner Swearingen said that there is a proposed bill in the Senate Finance Committee that would exempt builders on their inventory up to three years for residential units, but no property tax could be collected while the homes remained vacant. She said, if the bill passes, we could lose a lot of money over the next few years.

Mr. Pittman said he hopes the townhomes will not be on the books three years from now, but the town could still tax the land, just not the improvements on the land.

MOTION – Commissioner Heglar made the motion to direct the Finance Officer to work with Sea View Development to resolve the \$8,000 issue within the best interests of the town and the developer; whether through crediting permitting fees to the developer or writing a check for \$8,000.

SECOND – MPT Bloszinsky

VOTE – Unanimous

b. Approval of final plat for Sea View Development

P&Z Chairman Galbraith said that the town ordinance requires that subdivision developers complete a checklist of conditions before given final approval. He said that the commission went over the list with the developer and there was just one condition not met, but they recommended approval subject to that condition being met. He said that Inspector Batson has since then received the final condition from the developer.

Inspector Batson said that the development is ready to be approved and that the Public Works Director is satisfied with infrastructure and improvements.



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Commissioner Heglar asked Inspector Batson to work with Director Beeker on the sewer line that was abandoned to get the town's maps updated with the changes. He also pointed out a note on the developer's drawing: "trash collection by a contractor of a private company." He said that the town doesn't have a way to not charge for trash pickup in the utility bills and wants the developer to be aware of this. He asked him to think about how he wants to deal with that issue and to talk with Director Beeker and the Finance Officer about it.

MOTION – Commissioner Pagley made the motion to approve the final plat for the Sea View subdivision.

SECOND – Commissioner Swearingen
Superseded by motion to amend, which was passed

MOTION TO AMEND – Commissioner Heglar made the motion to approve the final plat for the Sea View subdivision and adopt the Consistency Statement, per N.C.G.S. 160a-383, as follows:

This recommendation is consistent with the objectives and policies of the Town of Kure Beach Land Use Plan, Part II, Section 2, Policies for Growth and Development, particularly subsection 43 (subdivision regulations concerning infrastructure) adopted by Town Council September 27, 2006 and adopted and certified by Coastal Resources Commission November 17, 2006.

This recommendation is consistent with Chapter 19 Zoning Regulations of the Town of Kure Beach Code of Ordinances.

The Town Council considers its recommendation to be reasonable and in the public interest based on the section 76 of the Land Use Plan that reads as follow:

'The Town policy is to encourage future growth according to the land use regulations in place. It is the intention of Town officials that development impacts on the environment be negligible and that the impacts of all development take into consideration those factors which will enhance the quiet, small town character and quality of life enjoyed by residents and seasonal visitors'.

The Town Council believes this subdivision to comply with section 76 governing future growth.

Adopted by Kure Beach Town Council on July 22, 2015.

SECOND – Commissioner Pagley

VOTE – Unanimous



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2. Shoreline Access, Beach Protection and Parking (SLABPP) Committee
 - a. Approve public parking sign for corral and payment of \$112.35 to Southern Sign Company

Chairman Gonsalves asked council to approve the purchase of a parking sign which will be installed in the corral parking area.

Commissioner Swearingen raised the questions of whether or not a sign for no overnight parking should also be erected or incorporated into the sign.

Police Chief Cooper said that overnight parking wasn't an issue at the corral.

MOTION – Commissioner Heglar made the motion to approve the purchase of a parking sign for the corral parking area at the cost of \$112.35, to be paid to Southern Sign Company out of the committee budget.

SECOND – Commissioner Pagley

VOTE – Unanimous

Chairman Gonsalves asked council if they would direct the Public Works Director to install a light in the corral parking area, as it is very dark at night there without one.

Director Beeker said that he can check with Duke Energy to see if it would be feasible.

MPT Bloszinsky said it would be best if council understands how much it would cost to do this before they make a decision.

CONSENSUS – Council asked Public Works Director Beeker to obtain the cost of having a light installed at the corral parking area and submit his findings to them for further discussion and consideration.

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Finance Department

- a. Adopt Resolution R15-07, approving financing terms with BB&T for the purchase of vehicles and equipment during FY2016, at a rate of 2.01 percent for four years, not to exceed \$186,000

Finance Officer Copenhaver said that most banks won't finance anything under \$500,000 and, up to this point, BBT has been financing almost any amount that we ask. Now, BB&T is only financing for anything more than \$100,000, so they suggested we combine all of our equipment and vehicle financing for this fiscal year into one loan for \$186,000. He explained the terms to council and said BB&T will keep the money in a budget fund for us and, if we haven't used it all by the end of this fiscal year, we can pay it back to them with no pre-payment penalty; plus, as it sits in the project fund, they pay us interest.



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MOTION – Commissioner Heglar made the motion to approve Resolution 15-07.

SECOND – MPT Bloszinsky

VOTE – Unanimous

Said resolution is herein incorporated as part of these minutes.

2. Building Department

a. Permit for wooden deck over public utility easement

Inspector Batson gave council a survey of an as-built structure located at 313 Settlers Lane. He said that a 7x13 foot, uncovered wooden deck is being proposed which encroaches on the town's 25-foot public utility easement. He said that Director Beeker is fine with it as long as the property owner understands that the deck needs to be removed at any time if the town needs to get under it to service anything. The builder said that the deck would be bolted to the house, not nailed, for easier removal.

MOTION – Commissioner Heglar made motion to approve the building of a wooden deck at 313 Settlers Lane which encroaches on the town's 25-foot public utility easement, with the caveat that it is bolted in place and that the homeowner understands it must be removed at any time that the town requires it.

SECOND – Commissioner Pagley

VOTE – Unanimous

The inspector showed the drawings of the proposed deck to the town attorney who asked him to amend the permit comments for the property to include that the structure can be removed at any time at the discretion of the town. Inspector Batson said he will give a copy of the amended permit to the Public Works department.

Said amended building permit is herein incorporated as part of these minutes.

3. Police Department

a. Parking spaces on Fort Fisher Boulevard

Chief Cooper said that, when DOT paved Fort Fisher Boulevard in the spring, they forgot to paint eight parking spaces that had previously been marked. He said that the SLABPP Committee has asked to have the parking spaces remarked, but he is not in favor of this because he feels it is safer without them.

Commissioner Swearingen asked why the spaces needed to be remarked if the Police Chief was against it, to which SLABPP Chairman Gonsalves responded that it is the SLABPP Committee's job to make sure the town has parking spaces.



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Commissioner Heglar asked Chief Cooper what the safety issue was, to which he responded that it seems that the road is a lot more open and seems safer to him without the spaces.

MPT Bloszinsky said, if people aren't directed where to park, they're going to park wherever they want, giving an example of one space measuring 19-feet that was not marked and saying that three vehicles will probably try to squeeze into the space; so it's better that it be remarked for only one vehicle.

MOTION – Commissioner Heglar made the motion to have the SLABPP Committee Chairperson present council, at their August regular meeting, with a drawing of the placement of the eight missing parking spaces along Fort Fisher Boulevard, to include the Police Chief's recommendations of whether or not to repaint them due to safety concerns.

SECOND – MPT Bloszinsky

VOTE – Unanimous

6. Public Works Department

a. New poles for decorative lights

Director Beeker said that Duke Energy will be installing the new poles for the decorative lights on K and Atlantic Avenues and he will have his department ready to do the concrete work once they're installed.

Commissioner Heglar asked Director Beeker to work with Town Clerk Avery to inform the businesses on the east side of K Avenue and along Atlantic Avenue that new poles will be installed for the lights to replace the current ones, which will entail concrete work.

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. Update on the downtown parking lot

Chief Cooper said that the town's temporary parking lot exit lane is working well.

Commissioner Swearingen thanked Director Beeker and Chief Cooper for setting up the parking lot so nicely and putting in another way to exit it. She also thanked the mayor for meeting with her and the chief. She asked Director Beeker if he could put more trash receptacles in the lot, to which he responded that he just ordered some and will install them when they arrive.

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Beach Issues

a. Equipment left on the beach after 7:00 p.m.

Commissioner Heglar explained that the town received a complaint at the end of June about tents being left unattended on the beach after 7:00 p.m., which is against the town's



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ordinance. He said that, since July 1st, there have been two lifeguards on duty from 5:00-8:00 p.m. who have been picking up the tents to take them back to the fire station. He said that the person who made the complaint said she could solicit volunteers to do this, which he is not in favor of. He reviewed various ideas that Assistant Fire Chief Kennedy came up with on picking up beach equipment and the costs associated. He said he isn't aware of any additional complaints since July 1st.

Commissioner Swearingen said she went out on the beach after the complaint was made to find there was a 200 square foot tent almost bolted into the ground. She said she talked to the man who was in charge of the 20 people who used it, and he said it had been there around the clock for almost a week. He said that no one, including the rental agency or the lifeguards, said one word to him the entire time about it being against town ordinance. He told her that the whole area south of the pier was covered with tents for several nights before being taken down. Commissioner Swearingen said that she understands that, when the tents are removed and taken back to the fire station, people can just come and get them without paying the fines that were set for violating this ordinance.

Further discussion ensued, with the following comments:

- The Fire Department should issue the citation when the owner comes to get his/her tent, then the owner can pay it at the police station or Town Hall and bring back the receipt to get his/her equipment.
- The town could send a citation to the rental property owner or property manager, if it can be determined which rental unit the violator is staying in.
- The lifeguards' first and most important focus is on medical and rescue training.
- The lifeguards could hand SLABPP's Beach Brochure to people putting up tents.
- The ordinance regarding beach equipment after 7:00 p.m. isn't on any of the signs along the beach.
- Leaving tents up overnight is a hazard to the sea turtles.
- Tourists don't care about our town or about educating themselves on our rules.

CONSENSUS – Council will make a decision sometime in the fall about how equipment left on the beach after hours should be handled, and Commissioner Pagley will talk to Fire Chief Heglar and Assistant Chief Kennedy to request the lifeguards be diligent in enforcing the tent ordinance.

b. Adopt-A-Beach

Commissioner Swearingen said Carolina Beach has an Adopt-A-Beach program and asked council to consider having this program in Kure Beach. She explained that volunteers could be assigned a block of beach to keep clean, or portion of the beach could be adopted by a whole neighborhood or HOA. She said there wouldn't be any signs giving credit to the group; it should just be done out of the goodness of their hearts. She



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said she would have attended the SLABPP Committee meeting this past month, but they didn't meet.

MPT Bloszinsky asked her if she would attend the next SLABPP Committee meeting to discuss it with them, to which she responded that she would attend after Commissioner Pagley said he would be fine with it.

As Chief Cooper was being called away from the meeting, Commissioner Heglar thanked him and his officers for handling the shooting incident that occurred on K Avenue over the weekend.

2. Rock walkway to Zeke's Island

- a. Feasibility of fencing off or creating a barrier across the rock wall and charging for rescue calls in this area

Commissioner Swearingen said when she was talking to the Fire Chief, he mentioned to her some of the problems he was having down at the end of the island, having to do with a lot of water rescues. She asked Attorney Canoutas if it was possible for the town to charge for rescues in that area.

Attorney Canoutas said he doesn't think it's appropriate for the town to charge for any rescue calls. He added that, if the wall was within our county, we could charge for a rescue, but it is completely in Brunswick County and outside of our jurisdiction.

Commissioner Swearingen said that it puts an end to us charging anything for all the work we do down there. She said it would be nice to have some sort of metal fence along the wall on Kure Beach's end of the rocks to keep people from walking on the wall since the signs aren't keeping them off of it. She said she talked to Bob Keistler (USACE) about it and he's going to look into who actually owns it. She said that far too many people are being injured on the wall, and we should find out who is responsible for it and try to collaborate with them.

Commissioner Heglar said he appreciates her bringing it up, but he doesn't need to have the government protect him, and the people fishing on it don't need the government to protect them either. But, he asked that the Fire Chief let council know how much it's costing to rescue people there.

Commissioner Swearingen said she would like to continue to pursue this issue because sooner or later there is going to be a lawsuit.

3. Sewer By-Pass Force Main Project



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Director Beeker said that the engineer on this project recommended running a single sewer line from the pump station to the head works of our treatment plant. He reviewed the process he will have to go through before he can begin the project.

Commissioner Pagley asked Director Beeker for the list of the materials for the job, so he can get him prices to see if there's a savings buying them direct rather than letting the contractor provide them.

Mayor Lambeth said he was meeting with someone with whom he could discuss financing for the project.

Finance Officer Copenhaver said that it wasn't included in the budget, but the Sewer Expansion Reserve Fund (SERF) has over \$336,000 that may be able to fund the project. He said that there are some fairly significant financing projects coming up with the storm water project and water line replacement that could be financed.

Director Beeker said that the storm water fund may be able to take care of the storm water project, but he expects a big hit to the SERF Fund for the water line replacement.

Commissioner Heglar said that doing this project will allow more sewage to be moved from the older parts of town into the town's lagoon, rather than pumping it to Carolina Beach, which will be a huge savings to the town in the long run.

Council asked the Finance Officer to bring a budget amendment to the next council meeting for the Sewer By-Pass Force Main Project, to be funded from the SERF.

MOTION – Commissioner Heglar made the motion to approve the Public Works Director to work on the Sewer By-Pass Force Main project.

SECOND – Commissioner Swearingen

VOTE – Unanimous

Attorney Canoutas said he reviewed the contract from Engineering Services and it states that any arbitration would fall under the American Arbitration Association rules and any disagreements would have to be heard in Raleigh. He said that needed to be amended.

Director Beeker asked Attorney Canoutas to make any necessary changes to the contract and give it back to him to forward to the engineer.

4. Town sites and political activities



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Commissioner Heglar said that there needs to be guidance for using town facilities for political activities. He reviewed the town's current policies and read N.C.G.S. 163.99, "Use of schools and other public buildings for political meetings." He then reviewed with council a recommendation to add Section 4.05, "Use of Town facilities for political purposes."

Discussion ensued about political fundraisers.

MOTION – Commissioner Heglar made the motion to adopt Article 4.05 Use of Town facilities for political purposes, for the town's policy manual, and add "Fundraisers" to the list of allowable political activities at the Community Center.

SECOND – Commissioner Pagley

VOTE – Unanimous

Said Article 4.05 of the town's policy manual is herein incorporated as part of these minutes.

5. Donation of \$100 to the disAbility Resource Center, requested by Mayor Lambeth
Commissioner Swearingen said she has known this organization since it began, helped get it started and watched it grow over the years. She said there is no registration fee for this organization's breakfast that she and the Mayor have been invited to, but everyone is asked to make a donation at the end of it. She said that, if the Mayor feels as strongly as she does about it, he should make a personal donation and not spend tax payer money for this sort of thing.

Mayor Lambeth said that this was never meant to be a \$100 donation from the town, he is going to make the donation himself and was asking council if they also wanted to make a donation.

Commissioner Swearingen pointed out that it was on the consent agenda as a town donation, to which the mayor said he didn't care how it was on the agenda, that he didn't intend it that way.

MOTION – Commissioner Heglar made the motion to cancel the request to donate \$100 from the town to the disAbility Resource Center.

SECOND – Commissioner Pagley

VOTE – Unanimous

COMMISSIONER ITEMS



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1. Commissioner Swearingen gave an update on the senate bill for sales tax redistribution, adding that the rural areas have found out they won't get a lot of money overnight and the data used in the bill projects a 3.5 percent increase in sales tax over the next few years, which isn't realistic.

Finance Officer Copenhagen said he was in financial conferences this week where it was said there are 150 different versions of the sales tax income redistribution.

Mayor Lambeth said that Governor McCrory has stated he would veto the bill

MPT Bloszinsky stated that he would veto it even though it is already in the budget.

2. Commissioner Swearingen said the house passed a 2-page bill on regulatory reform and, when the senate finished with it, it was 56 pages long. She said that the house didn't concur with the senate at all on their changes. She said a committee has been put together which Representative Catlin has asked to be on, and he is 100 percent opposed to what the senate sent back. She gave examples of some of the senate's additions to the bill.

3. Commissioner Pagley commented on the large amount of full garbage carts lining Fort Fisher Boulevard over the weekend.

Director Beeker said that the regular garbage pickup is on Mondays and Tuesdays, and they also pickup on Fridays if the garbage is overflowing. He said that, if they're out on the curb over the weekend, then that's an ordinance violation and citations should be written by the Building Inspector to those homeowners.

Commissioner Pagley said he'd call Inspector Batson in the morning to talk to him.

The Town Clerk was asked to post the ordinance regarding garbage cart placement before and after pickup on the town's website.

4. Commissioner Heglar reminded council that the manager of the Village of Bald Head Island asked them to make a decision before August on whether to adopt a resolution supporting their opposition to House Bill (HB) 97 to remove the New Inlet Dam.

The following comments were made:

- Several fisherman would like it removed, so I don't support the resolution. (Lambeth)
- Some citizens have asked that I not support the resolution. (Bloszinsky)



MEMORANDUM OF UNDERSTANDING

TO: Dean Lambeth, Mayor
Town of Kure Beach

FROM: D. Diana Woolley

DATE: 13 July 2015

RE: Consulting Services - CAMA 2015-16 Public Access Grant Final
Application for Kure Beach Public Beach and Coastal Waterfront Access
Program

This is to serve as a Memorandum of Understanding regarding services to be provided by Southern GrantWorks.

Services to include: Telephone conversations to discuss project and application process; attend required Public Hearing regarding project design; meeting with DENR; prepare Final Application form for 2015– 2016 funding cycle; review and edit Final Application; assemble all attachments; produce application and copies for submission; prepare transmittal letter; obtain all required signatures; submit to local office of CAMA no later than 5:00 PM on Friday, 16 October 2015.

Fee: Approximately 11 hours @ \$75.00/hour, not to exceed \$825.00.

Either party may cancel this contract in writing by giving fifteen (15) days' notice.

Accepted this the 13th day of July 2015.

Dean Lambeth, Mayor
Kure Beach

D. Diana Woolley, Principal
Southern GrantWorks

This instrument has been pre-audited in the manner required by the Local Government and Fiscal Control Act.

BUDGET AMENDMENT

FISCAL YEAR ENDING JUNE 30, 2016

AMENDMENT DATE: 07/06/2015

Budget Amendment No.: 16-01

DESCRIPTION/PURPOSE OF AMENDMENT

The Fire Department included \$15,000 in their FY 2016 budget for the purchase of a used pickup truck. The Police Department has a pickup truck they are planning to trade in on a new Police vehicle. The Police Department has agreed to give the pickup truck to the Fire Department. In return, a portion of the Fire Department's capital outlay budget (\$5,000) is being transferred to the Police Department for the purchase of a new four wheeler.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-530-74-04	Capital Outlay - Truck		\$5,000
10-510-73-00	Minor Equipment Purchases	\$5,000	

NOTE: (a) Budget Officer may transfer between line item expenditures without limitation and without a report being required up to \$10,000 at any one time. (b) The Budget Officer may transfer amounts within departments and of the same fund and reported as part of the financial statements. He/She shall make an official report immediately to Council on such transfers. (c) The Budget Officer may not transfer amounts between funds without prior Council action.

Requested By: Dennis Cooper, Police Chief & Harold Heglar, Fire Chief Date: 07/07/15

Approved By: Arlen Copenhaver, Finance/Budget Officer Date: 07/07/15

(Copies of actions/directives from Council Meeting to be attached, if required as per NOTE above).



Approved by Council 07/22/15 [Signature] Dean Lambeth, Mayor

[Signature] Nancy Avery, Town Clerk



TOWN OF KURE BEACH

TOWN COUNCIL CONSISTENCY STATEMENT
FOR APPROVAL OF FINAL PLAT FOR SEA VIEW DEVELOPMENT
N.C.G.S 160a-383

(To be read into the record as a motion, seconded and voted on)

 X This recommendation is consistent with the objectives and policies of the Town of Kure Beach Land Use Plan, Part II, Section 2, Policies for Growth and Development, particularly subsection 43 (subdivision regulations concerning infrastructure) adopted by Town Council September 27, 2006 and adopted and certified by Coastal Resources Commission November 17, 2006.

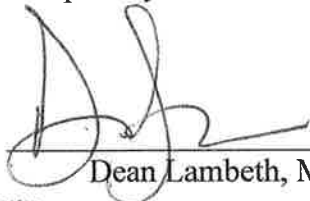
 X This recommendation is consistent with Chapter 19 Zoning Regulations of the Town of Kure Beach Code of Ordinances.

The Town Council considers its recommendation to be reasonable and in the public interest based on the section 76 of the Land Use Plan that reads as follow:


‘The Town policy is to encourage future growth according to the land use regulations in place. It is the intention of Town officials that development impacts on the environment be negligible and that the impacts of all development take into consideration those factors which will enhance the quite, small town character and quality of life enjoyed by residents and seasonal visitors’.

The Town Council believes this subdivision to comply with section 76 governing future growth.

Adopted by Town Council July 22, 2015.



Dean Lambeth, Mayor



Nancy Avery, Town Clerk





TOWN COUNCIL
TOWN OF KURE BEACH, NC

*R*ESOLUTION R15-07

**APPROVING FINANCING TERMS WITH BB&T
FOR THE PURCHASE OF VEHICLES AND EQUIPMENT**

WHEREAS, The Town of Kure Beach ("Town") has previously determined to undertake a project for vehicles and equipment (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project;

NOW, THEREFORE, BE IT RESOLVED THAT

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated July 15, 2015. The amount financed shall not exceed \$186,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.01% and the financing term shall not exceed four (4) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross



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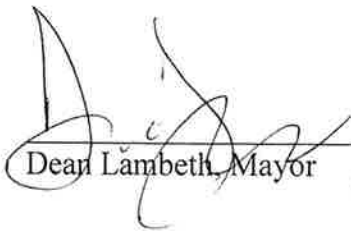
*R*ESOLUTION R15-07

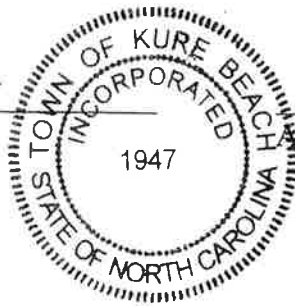
income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section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

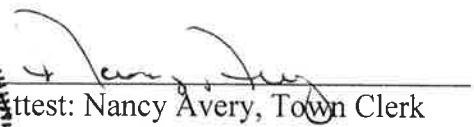
5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced from the Town's general fund, or any other Town fund related to the project for project costs, may be reimbursed from the financing proceeds.

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

Adopted by the Kure Beach Town Council this 22nd day of July, 2015.


Dean Lambeth, Mayor




Attest: Nancy Avery, Town Clerk



Kure Beach Inspections Dept.

117 Settlers Lane Kure Beach NC, 28449

Ph: (910) 458-6535 Fax: (910) 458-4269

BUILDING PERMIT

New Construction

Permit No: **5664** Occupancy: **R-3**
 Issue Date: **2/27/2015** Expire Date: **8/27/2015** Constr Code: **IRC 2012**

CAMA: Water: Sewer:
 Electrical: Mechanical: Plumbing:
 NC Dept Ins: NC Plan App: No Shts:
 NC Spec App: No Shts:


Purpose: **101** **RESIDENTIAL (HOUSEKEEPING)-Single Family Detached**
 Descript: **New SFD**
 To construct new 2776sf SFD. Must comply with all state and local codes and regulations.
 ****Addition to permit. In Council Meeting on 7/22/15, Council approved builder to construct a 7x13 uncovered freestanding deck that will encroach upon a 25' Utility easement. This permission was given, and the builder acknowledged that he understood that is the Town ever needed it to be removed, it would be done.****

Dwelling Units: **1** Bedrooms: **3** Baths: **2** Est Bldg Cost: **\$230,000.00**
 Bldg Length: **63** Width: **50** Height: **24** Stories: **1** Sprinkler: **N/A**
 Total SqFtg: **2776** Per Fir SqFt:

Permit Fee:	Type	SubType	Date	Fee
	Building	Plan Review	2/27/2015	\$200.00
	Building	User	2/27/2015	\$2,500.00
	Building	Water tap	2/27/2015	\$1,500.00
	Building	Sewer Tap	2/27/2015	\$1,500.00
	Building	Permit Fee	2/27/2015	\$1,300.00
	Building	Stormwater	2/27/2015	\$4,000.00
	Building	Homeowners Recovery	2/27/2015	\$10.00
	Total Fees:			\$11,010.00

Parcel ID: **R09200-001-014-000**
 Subdivision: **INDIVIDUAL LOT**
 Section: Block: Deed Owner: **FRYE MAX R SIDNEY A**
 Lot: Zone: **RA-2** Address: **1923 BRUSHWOOD**
 No./Street: **313 SETTLERS LN**
KURE BEACH, NC 28449
SIERRA VISTA, AZ 85650

Applicant: **FRYE MAX R SIDNEY A** Contractor: **Secof Const. Kevin Bailey**
 Address: **1923 BRUSHWOOD** Address: **1202 North Lake Park Blvd.**
SIERRA VISTA, AZ 85650 **48248** **Carolina Beach, NC 28428**
 Gen: No: , Comp: No:
 Gen Expire: Comp:


 John Batson, Building Inspector

Inspections Required: Piles, Slab, Foundation, Sheathing, Framing, Insulation, Final

An as-built will be required after pilings or foundation is finished. Elevation certificate and final as-built will be required upon issuance of CO.

This permit conveys no rights to occupy any street, alley or sidewalk or any part thereof, either temporarily or permanently. Street or alley grades as well as depth and location of public sewers may be obtained from the Town of Kure Beach Public Works. The issuance of this permit does not release the applicant from any applicable ordinances or regulations not addressed in the plan/permit review, or permit documents. The issuance of this permit does not release the conditions of any applicable subdivision restrictions. Work shall not proceed until the inspector has approved the various stages of construction. Inspections may be arranged by telephone or by written notification. All inspections must be scheduled 24 hours in advance. THIS PERMIT WILL BECOME NULL AND VOID IF CONSTRUCTION WORK IS NOT STARTED WITHIN 6 MONTHS OF DATE OF ISSUANCE.

POLICY MANUAL, ARTICLE 4

4.05 Use of Town facilities for political purposes

Use of Town facilities for the purpose of political meetings shall be on a non-partisan basis and shall comply with N.C.G.S. 163.99.

a. Town Hall Council Room

This meeting room serves as the local precinct for elections. It may be used for the purposes listed below, at no cost, in the event the Community Center facility is not available. It shall not be used for events related to individual candidate or partisan meet and greet events, rallies, fundraising, planning sessions, etc.

- Board of Elections meetings
- Individual political party precinct meetings
- Non-partisan candidate forums

b. Community Center

The Community Center facility may be utilized for the following political events, at no cost:

- Board of Elections meetings
- Individual political party precinct meetings
- Non-partisan candidate forums

The center may also be used for political events related to individual or partisan candidate campaigns, at the same private rental costs as established:

- Meet and greet events
- Rallies
- Planning sessions
- Fundraising events
- Other related events

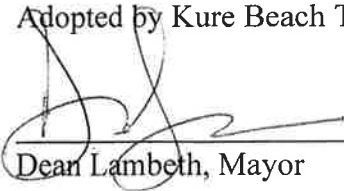
c. Ocean Front Park and Pavilion

This facility and park is located in the center of Town in an area frequented by residents and visitors for the purpose of enjoying the ocean and beach. This facility shall not be used for any political meetings of any type.

d. Joe Eakes Park

This park area was created for recreational purposes for our residents and visitors and shall not be used for any political meetings of any type.

Adopted by Kure Beach Town Council this 22nd day of July, 2015.


Dean Lambeth, Mayor




Attest: Nancy Avery, Town Clerk



TOWN COUNCIL MINUTES

REGULAR MEETING

July 22, 2015

- Just about everyone who has talked to me about it has said don't let them take the dam down. If one or both inlets open up and sediment gets in the river, we will barely be able to afford to keep it dredged. (Swearingen)
- I'm ambivalent. The inlet was open during my whole childhood, from the 60's to 1996, but I understand Bald Head's concern because it was probably eroding part of their island because of the fast-moving current. (Heglar)
- I'm in favor of supporting Bald Head Island's resolution. (Pagley)
- The inlet had fantastic fishing when it wasn't dammed up, but opening it will damage the economy of this county by damaging the canal going up to the port of Wilmington. Wilmington will be dead if we open the dam and the canal isn't kept dredged. (Attorney Canoutas)

Former Commissioner, Jim Dugan, recommended that someone from council ask the New Hanover Port, Waterway and Beach Commission what they think about it.

MPT Bloszinsky was asked to consult with NHC's Shore Protection Coordinator, Layton Bedsole, on his position on the proposed house bill and, afterwards, he will poll council to see whether or not they want to support the Village of Bald Head Island's resolution.

The Town Clerk was asked to let Mr. Peck, know that they are looking into whether or not to support their resolution.

ADJOURNMENT

MOTION – Commissioner Heglar made the motion to adjourn.

SECOND – Commissioner Pagley

VOTE – Unanimous

The meeting adjourned at 8:30 p.m.

Dean Lambeth, Mayor



Nancy Hewitt, Deputy Town Clerk

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