



TOWN COUNCIL AGENDA

REGULAR MEETING

August 18, 2015 @ 6:30 PM

***Asterisks indicate information included in agenda packet**

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE (Lambeth)

APPROVAL OF CONSENT AGENDA ITEMS

1. *Adopt Resolution R15-10 to declare an official intent to reimburse
2. *Building Inspections Report – July 2015
3. *Fire Department Report – July 2015
4. *YTD Finance Report
5. Meeting Minutes:
 - *July 22, 2015, regular
 - *July 24, 2015, special

ADOPTION OF THE AGENDA

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

DISCUSSION AND CONSIDERATION OF PRESENTATIONS TO COUNCIL

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

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

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Administration and Recreation
 - a. *Decorative lights on Atlantic Ave. between L and N Avenues (Avery)
2. Finance Department
3. Building Department
 - a. *FEMA Community Rating System Class 8 Rating (Batson/Lambeth)
3. Fire Department
4. Police Department
5. Public Works Department
 - a. Cost to install light in corral parking area (Becker)



TOWN COUNCIL AGENDA

REGULAR MEETING

August 18, 2015 @ 6:30 PM

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. *Adoption of resolution R15-08, approving final CAMA application for a grant of \$42,370 for a handicapped beach access at H Avenue. *If approved, the Town agrees to a cash match of \$11,924 from the Contingency Fund and in-kind services from Public Works in the amount of \$2,200*
2. Sewer By-Pass Force Main Project Grant (Lambeth)

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

COMMISSIONER ITEMS (no action required)

CLOSED SESSION, if needed

ADJOURNMENT



TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R15-10

DECLARATION OF OFFICIAL INTENT TO REIMBURSE

This declaration (the "Declaration") is made pursuant to the requirements of the United States Treasury Regulations Section 1.150-2 and is intended to constitute a Declaration of Official Intent to Reimburse under such Treasury Regulations Section.

The undersigned is authorized to declare the official intent of Town of Kure Beach, North Carolina (the "Issuer") with respect to the matters contained herein.

1. **Expenditures to be Incurred.** The Issuer anticipates incurring expenditures (the "Expenditures") for the purchase of vehicles and equipment (the "Project").

2. **Plan of Finance.** The Issuer intends to finance the costs of the Project with the proceeds of debt to be issued by the Issuer (the "Borrowing"), the interest on which is to be excluded from gross income for Federal income tax purposes.

3. **Maximum Principal Amount of Debt to be Issued.** The maximum principal amount of the Borrowing to be incurred by the Issuer to finance the Project is \$186,000.

4. **Declaration of Official Intent to Reimburse.** The Issuer hereby declares its official intent to reimburse itself with the proceeds of the Borrowing for any of the Expenditures incurred by it prior to the issuance of the Borrowing.

Adopted this 18th day of August 2015.

By: _____ Attest: _____
Dean Lambeth, Mayor Nancy Avery, Town Clerk

Kure Beach Inspections Dept.-All Permits Issue Date: 7/1/2015 - 7/31/2015

PermitNo	Issue Date	Owner / Descript	ParcelID	Project Addr	Est Cost	Fee	Status	Final
Building								
5694	7/1/2015	RHODES, ISHMAEL WAYNE renovation	R09213-007-008-00	210 FOURTH AVE N KURE BEACH, NC 28449	\$10,000	\$150.00	Active	
5695	7/7/2015	HYLER, EDDIE CYNTHIA New SFD	R09217-009-012-00	214 S FORT FISHER BLV KURE BEACH, NC 28449	\$475,000	\$12,235.00	Active	
5697	7/9/2015	CORDWELL, RYAN D New SFD	R09405-001-008-00	533 S FIFTH AVE KURE BEACH, NC 28449	\$180,000	\$10,760.00	Active	
5698	7/9/2015	ROHATS, ASHLEY J DANIEL A renovation	R09217-002-003-00	514 J AVE KURE BEACH, NC 28449	\$3,000	\$100.00	Active	
5699	7/9/2015	FIORENTINO, THOMAS LEAH New stairway	R09200-001-121-00	608 FORT FISHER BLV N KURE BEACH, NC 28449	\$2,500	\$50.00	Active	
5696	7/13/2015	CARROL, JANET W KEITH L New SFD	R09217-016-023-00	302 S FOURTH AVE KURE BEACH, NC 28449	\$400,000	\$7,860.00	Active	
5700	7/14/2015	ATRIUM HOMES INC, UNIT A Townhome	R09213-007-017-00	225 N THIRD KURE BEACH, NC 28449	\$200,000	\$10,860.00	Active	
5701	7/14/2015	ATRIUM HOMES INC, UNIT B Townhome	R09213-007-017-00	225 N THIRD KURE BEACH, NC 28449	\$200,000	\$6,860.00	Active	
5702	7/21/2015	MCCANNA, ROBERT M HEATHER Rot Repair	R09205-014-007-00	1005 TROUT LN KURE BEACH, NC 28449	\$0	\$150.00	Active	
5703	7/29/2015	Pleasure Island Partners LLC, New SFD Townhome #309	R09200-001-282-00	307 KURE VILLAGE WAY KURE BEACH, NC 28449	\$260,000	\$4,360.00	Active	
5704	7/29/2015	Pleasure Island Partners LLC, New SFD Townhome #313	R09200-001-282-00	307 KURE VILLAGE WAY KURE BEACH, NC 28449	\$260,000	\$4,360.00	Active	
5705	7/29/2015	Pleasure Island Partners LLC, New SFD Townhome #308	R09200-001-282-00	307 KURE VILLAGE WAY KURE BEACH, NC 28449	\$260,000	\$4,360.00	Active	
5706	7/29/2015	Pleasure Island Partners LLC, New SFD Townhome #312	R09200-001-282-00	307 KURE VILLAGE WAY KURE BEACH, NC 28449	\$260,000	\$4,360.00	Active	
5707	7/31/2015	BUTTS, DAVID B ELECIA B New SFD	R09405-003-010-00	531 THIRD AVE S KURE BEACH, NC 28449	\$325,000	\$1,985.00	Active	
Fence								
150004	7/1/2015	KILLORAN, JOHN D New fence	R09205-013-022-00	117 HANBY AVE KURE BEACH, NC 28449	\$0	\$25.00	Active	
150007	7/20/2015	BRACKETT, ROSANNA L DANIEL P New 4' fence	R09405-013-015-00	209 MARQUESA WAY KURE BEACH, NC 28449	\$0	\$25.00	Active	
					Total Building 14	\$68,450.00		

PermitNo	Issue Date	Owner / Descript	ParcelID	Project Addr	Est Cost	Fee	Status	Final
Fence								
150006	7/21/2015	HARGIS PROPERTIES LLC, New 4' fence	R09405-013-003-00	205 DAVIS RD KURE BEACH, NC 28449	\$0	\$25.00	Active	
150008	7/31/2015	WHITAKER, PAUL AND SUSAN New 3' fence	R09205-001-005-00	802 MISSISSIPPI AVE KURE BEACH, NC 28449	\$0	\$25.00	Active	
Landscaping								
150005	7/20/2015	HOBSON, STEPHEN C CATHERINE Driveway	R09405-013-026-00	208 MARQUESA WAY KURE BEACH, NC 28449	\$0	\$25.00	Active	
Total Fence 4					\$0	\$100.00		
Total Landscape 1					\$0	\$25.00		
Total Permits: 19					\$2,835,500	\$68,575.00		

KURE BEACH FIRE DEPARTMENT

FIRE CHIEF'S REPORT JULY, 2015

DATE	PURPOSE
07/01/15	EMS
07/01/15	EMS
07/01/15	MUTUAL AID CBFD
07/04/15	AUTO ACCIDENT
07/04/15	EMS
07/05/15	ASSIST PUBLIC
07/05/15	MUTUAL AID CBFD
07/06/15	FALSE ALARM
07/06/15	EMS
07/06/15	FIREFIGHTER I&II CLASS
07/11/15	EMS
07/11/15	EMS
07/11/15	MUTUAL AIS CBFD
07/11/15	STRUCTURE FIRE
07/12/15	EMS
07/12/15	EMS
07/13/15	ASSIST CITIZEN
07/13/15	WATER RESCUE
07/14/15	DRYER FIRE
07/14/15	BRUSH FIRE
07/15/15	EMS
07/15/15	FALSE ALARM
07/17/15	EMS
07/18/15	EMS
07/18/15	EMS
07/19/15	EMS
07/19/15	WIRE DOWN
07/19/15	OUTSIDE FIRE
07/20/15	WATER RESCUE

KURE BEACH FIRE DEPARTMENT

DATE	PURPOSE
07/20/15	EMS
07/22/15	AUTO ACCIDENT
07/22/15	EMS
07/23/15	EMS
07/24/15	WATER RESCUE
07/25/15	WATER RESCUE
07/26/15	FALSE ALARM
07/26/15	WIRE DOWN
07/27/15	EMS
07/27/15	FALSE ALARM
07/29/15	MUTUAL AID Cbfd
07/29/15	POWER WIRE
07/31/15	TRANSFORMER

All equipment checked and found to be in working order

Harold Heglar
Chief

**REVENUE AND EXPENDITURE SUMMARY
JULY 1, 2015 TO AUGUST 11, 2015**

REVENUES

	2016 Initial Bud.	2016 Amend. Bud.	Actual 08/11/2015	% Collected
GENERAL FUND				
Property Taxes (Cur. & PY)	\$ 2,121,250	\$ 2,121,250	\$ 8,199	0.4%
Local Option Sales Tax	\$ 785,200	\$ 785,200	\$ 65,535	8.3%
Franchise & Utility Tax	\$ 201,500	\$ 201,500	\$ -	0.0%
TDA Funds	\$ 203,057	\$ 203,057	\$ -	0.0%
Garbage & Recycling	\$ 341,400	\$ 341,400	\$ 31,224	9.1%
ABC Revenue	\$ 10,725	\$ 10,725	\$ 3,116	29.1%
Bldg. Permit & Fire Inspecet. Fees	\$ 54,400	\$ 54,400	\$ 19,820	36.4%
Communication Tower Rent	\$ 86,702	\$ 86,702	\$ 9,899	11.4%
Motor Vehicle Tags	\$ 7,000	\$ 7,000	\$ 270	3.9%
Com Ctr/Parks & Rec/St Festival	\$ 28,150	\$ 28,150	\$ 1,656	5.9%
Town Facility Rentals	\$ 10,500	\$ 10,500	\$ 1,745	16.6%
Beer & Wine Tax	\$ 9,500	\$ 9,500	\$ -	0.0%
OFF - Bluefish Purchases	\$ 8,800	\$ 8,800	\$ 1,540	17.5%
Sales Tax Refund	\$ 30,000	\$ 30,000	\$ -	0.0%
CAMA & Impact Fees	\$ 2,800	\$ 2,800	\$ -	0.0%
All Other Revenues	\$ 7,845	\$ 7,845	\$ 2,195	28.0%
Other Financing Sources	\$ 111,000	\$ 111,000	\$ -	0.0%
Total Revenues	\$ 4,019,829	\$ 4,019,829	\$ 145,199	3.6%

EXPENDITURES

	2016 Initial Bud.	2016 Amend. Bud.	Actual 08/11/2015	% Spent
GENERAL FUND				
Governing Body	\$ 40,467	\$ 40,467	\$ 12,430	30.7%
Committees	\$ 7,500	\$ 7,500	\$ 825	11.0%
Finance	\$ 146,033	\$ 146,033	\$ 22,461	15.4%
Administration	\$ 385,448	\$ 385,448	\$ 80,036	20.8%
Community Center	\$ 17,750	\$ 17,750	\$ 1,225	6.9%
Emergency Mgmt. & Elections	\$ 3,200	\$ 3,200	\$ -	0.0%
Tax Collections	\$ 25,000	\$ 25,000	\$ -	0.0%
Legal	\$ 28,900	\$ 28,900	\$ 3,100	10.7%
Police Department	\$ 1,208,819	\$ 1,213,819	\$ 139,671	11.5%
Fire Department	\$ 484,760	\$ 479,760	\$ 48,416	10.1%
Lifeguards	\$ 190,957	\$ 190,957	\$ 54,859	28.7%
Parks & Recreation	\$ 138,748	\$ 138,748	\$ 19,203	13.8%
Bldg Inspection/Code Enforcement	\$ 126,565	\$ 126,565	\$ 12,680	10.0%
Streets & Sanitation	\$ 740,797	\$ 740,797	\$ 64,781	8.7%
Debt Service	\$ 294,205	\$ 294,205	\$ 32,957	11.2%
Transfer to Other Funds	\$ 50,000	\$ 50,000	\$ -	0.0%
Contingency	\$ 130,680	\$ 130,680	\$ -	0.0%
Total Expenses	\$ 4,019,829	\$ 4,019,829	\$ 492,644	12.3%

WATER & SEWER FUND

Water Charges	\$ 710,710	\$ 710,710	\$ 76,841	10.8%
Sewer Charges	\$ 1,011,270	\$ 1,011,270	\$ 100,856	10.0%
Tap, Connect & Reconnect Fees	\$ 27,840	\$ 27,840	\$ 23,100	83.0%
All Other Revenues	\$ 6,035	\$ 6,035	\$ 545	9.0%
Other Financing Sources	\$ 130,750	\$ 130,750	\$ -	0.0%
Total Revenues	\$ 1,886,605	\$ 1,886,605	\$ 201,342	10.7%

STORM WATER FUND

Total Revenues	\$ 523,330	\$ 523,330	\$ 34,369	6.6%
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POWELL BILL FUND

Total Revenues	\$ 64,030	\$ 64,030	\$ 3	0.0%
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SEWER EXPANSION RESERVE FUND (SERF)

Total Revenues	\$ 22,635	\$ 22,635	\$ 25,012	110.5%
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BEACH PROTECTION FUND

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

Total Revenues	\$ 50,000	\$ 50,000	\$ -	0.0%
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STORM WATER FUND

Total Expenses	\$ 523,330	\$ 523,330	\$ 25,383	4.9%
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POWELL BILL FUND

Total Expenses	\$ 64,030	\$ 64,030	\$ 3,762	5.9%
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SEWER EXPANSION RESERVE FUND (SERF)

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

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

Total Expenses	\$ 50,000	\$ 50,000	\$ -	0.0%
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**TOWN OF KURE BEACH
CASH AND INVESTMENTS
AS OF JULY 31, 2015**

<u>FUND</u>	<u>CASH IN BANK</u>	<u>INVESTMENTS</u>	<u>TOTAL CASH & INVESTMENTS</u>
General	\$1,732,624	\$341,045	\$2,073,669
Water/Sewer	\$1,160,205	\$583,554	\$1,743,759
Storm Water	\$709,308	\$239,778	\$949,086
SERF	\$260,386	\$91,055	\$351,441
Federal Asset Forfeiture	\$146,013	\$0	\$146,013
Powell Bill	\$197,845	\$19,881	\$217,726
Beach Protection	\$186,640	\$0	\$186,640
TOTAL	<u>\$4,393,021</u>	<u>\$1,275,313</u>	<u>\$5,668,334</u>
BB&T	\$4,393,021	\$0	
First Bank - Certificates of Deposit	\$0	\$960,822	
Bank of America - Certificate of Deposit	\$0	\$258,426	
NCCMT Term Portfolio	\$0	\$50,249	
NCCMT Cash Portfolio	\$0	\$5,816	
TOTAL	<u>\$4,393,021</u>	<u>\$1,275,313</u>	

TOWN OF KURE BEACH
SUMMARY OF CONTINGENCY FUND AND COMMITTEE
EXPENDITURE ACTIVITY
07/01/2015 - 08/11/2015

CONTINGENCY FUND

Fiscal Year 2016 Budget	\$130,680.00
Less:	
No activity	<u>\$0.00</u>
Remaining Budget as of 8/11/2015	<u><u>\$130,680.00</u></u>

COMMITTEE (Shoreline Access, Beach Protection & Parking) EXPENDITURES

Fiscal Year 2016 Budget	\$7,500.00
Less Expenditures:	
Grant Writer Fees	<u>\$825.00</u>
Total Expenditures	\$825.00
Projects Approved By Council But Not Yet Expended:	
Parking sign for corral	<u>\$112.35</u>
Total Approved, Not Expended	<u>\$112.35</u>
Remaining Budget as of 8/11/2015	<u><u>\$6,562.65</u></u>

**TOWN OF KURE BEACH
DEBT LISTING
AUGUST 18, 2015**

<u>LOAN PURPOSE/DESCRIPTION</u>	<u>FUND</u>	<u>LENDER</u>	<u>DATE OF LOAN</u>	<u>AMOUNT FINANCED</u>	<u>INTEREST RATE</u>	<u>LOAN TERM (YRS)</u>	<u>DATE PAID OFF</u>	<u>BALANCE AT 08/18/15</u>	<u>PAYMENT FREQUENCY</u>	<u>PAYMENT AMOUNT</u>	<u>NEXT PAY DATE</u>	<u>INT. EXPENSE LIFE OF LOAN</u>
Sewer Rehabilitation Project (a)	W/S	Fed Gov	05/01/2010	\$432,660	0.00%	20	05/01/2030	\$158,335.75	Annual	\$10,555.72	05/01/2016	\$0.00
Ocean Front Park (development)	G	BB&T	07/12/2011	\$347,000	4.39%	17	07/12/2028	\$265,352.96	Annual	\$32,060.75	07/12/2016	\$137,099.64
Ocean Front Park (acquisition)	G	BB&T	12/19/2007	\$3,600,000	4.28%	20	12/19/2027	\$843,750.13	Annual	\$101,016.37	12/19/2015	\$690,135.16
334 S. 4th, 402 H & 406 H Ave.	G	BB&T	03/12/2015	\$409,471	2.49%	10	03/12/2025	\$409,471.15	Annual	\$51,142.95	03/12/2016	\$56,077.07
Water Tower & Well House & Town Hall Expansion (b)	G, W/S	BB&T	04/11/2007	\$1,187,187	3.92%	15	05/07/2022	\$640,001.83	Semi-annual	\$52,716.71	11/07/2015	\$394,314.33
O'Brien 7065 Hydroletter (c)	W/S, SW	1st Bank	08/13/2015	\$81,485	1.70%	5	08/13/2020	\$81,484.95	Annual	\$17,137.48	08/13/2016	\$4,202.44
Cutter Court Drainage Project	SW	B of A	07/23/2005	\$875,000	4.40%	15	06/23/2020	\$347,774.01	Monthly	\$6,677.76	09/23/2015	\$326,995.49
(2) 2015 Police Cars	G	BB&T	03/27/2015	\$48,359	2.19%	4	03/27/2019	\$48,359.00	Annual	\$12,758.83	03/27/2016	\$2,676.33
2015 Ford F-250 Utility Truck	W/S	BB&T	10/24/2014	\$32,216	2.19%	4	10/24/2018	\$32,216.00	Annual	\$8,499.73	10/24/2015	\$1,782.92
Downtown Improvement Project	G	BB&T	01/17/2014	\$117,000	1.93%	4.5	06/17/2018	\$94,539.10	Annual	\$24,719.00	01/17/2016	\$6,595.00
2013 Ford F-150 Police Truck	G	BB&T	01/15/2014	\$32,000	2.18%	4	01/15/2018	\$24,256.90	Annual	\$8,440.70	01/15/2016	\$1,762.80
2013 Ford Police Utility	G	BB&T	06/28/2013	\$29,836	2.17%	4	06/28/2017	\$15,238.21	Annual	\$7,867.99	06/28/2016	\$1,635.96
2011 International Garbage Truck	G	BB&T	09/16/2011	\$152,152	1.81%	5	09/16/2016	\$62,503.02	Annual	\$32,102.53	09/16/2015	\$8,360.65

FUND CODES

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

TOTAL OUTSTANDING DEBT AT 08/18/2015:

General Fund	\$ 1,904,270.87
Water/Sewer Fund	\$ 730,495.65
Storm Water Fund	\$ 388,516.49
Total	\$ 3,023,283.01

NOTES

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

LOAN PAYMENTS DUE (Next 12 Months):

08/19/2015 - 09/30/2015	\$ 38,780.29
10/01/2015 - 12/31/2015	\$ 182,266.09
01/01/2016 - 03/31/2016	\$ 117,094.76
04/01/2016 - 08/18/2016	\$ 153,727.45
Total	\$ 491,868.59



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



TOWN COUNCIL MINUTES

REGULAR MEETING

July 22, 2015

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.



TOWN COUNCIL MINUTES

REGULAR MEETING

July 22, 2015

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
Superceded 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 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 Kure Beach Town Council on July 22, 2015.

SECOND – Commissioner Pagley

VOTE – Unanimous



TOWN COUNCIL MINUTES

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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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REGULAR MEETING

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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



TOWN COUNCIL MINUTES

REGULAR MEETING

July 22, 2015

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 Copenhaver 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)



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- 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

ATTEST: 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.



NEW HANOVER COUNTY, NC
BEACH TOWNS MEETING MINUTES

 **DRAFT**

SPECIAL MEETING

July 24, 2015

ATTENDEES FROM THE TOWN OF KURE BEACH (KB)

Mayor Dean Lambeth	Town Clerk Nancy Avery
Commissioner Emilie Swearingen	Deputy T.C. Nancy Hewitt
Commissioner David Heglar	Town Attorney A. A. Canoutas

ATTENDEES FROM THE TOWN OF CAROLINA BEACH (CB)

Mayor Dan Wilcox	Commissioner Gary Doetsch
Mayor Pro Tem LeAnn Pierce	Town Manager Michael Cramer
Commissioner Steve Shuttleworth	Town Attorney Noel Fox
Commissioner Sarah Friede	

ATTENDEES FROM THE TOWN OF WRIGHTSVILLE BEACH (WB)

Mayor Bill Blair	Alderman Hank Miller
Mayor Pro Tem Darryl Mills	Town Clerk Sylvia Holleman
Alderman Elizabeth King	Town Attorney John Wessell
Alderman Lisa Weeks	

ATTENDEES FROM NEW HANOVER COUNTY (NHC)

Vice Chairman Beth Dawson	County Engineer Jim Iannucci
Commissioner Skip Watkins	Shore Protection Layton Bedsole
County Manager Chris Coudriet	County Clerk Teresa Elmore
Assistant County Manager Tim Burgess	County Attorney Kemp Burpeau

OTHER ATTENDEES

NC Senator Michael Lee
 NC Representative Rick Catlin
 Chance Lambeth, Deputy Assistant Director for U.S. Congressman David Rouzer
 Chris May, Executive Director, Council of Governments
 Shane Johnson, Governmental Affairs Director, Regional Assoc. of Realtors (WRAR)
 Dr. James Leutze, Chairman, NC Beach, Inlet and Waterway Association (NCBIWA)

Kure Beach Town Council hosted a special meeting at the Kure Beach Community Center on Friday, July 24, 2015, for the purpose of discussing items of common interest to the three New Hanover County (NHC) beach towns. Public notice of the meeting was posted on June 17, 2015.

Chris May from the Council of Governments conducted the opening prayer.



NEW HANOVER COUNTY
BEACH TOWNS MEETING MINUTES
Kure Beach Community Center

SPECIAL MEETING

 **DRAFT**

July 24, 2015

CALL TO ORDER

KB Mayor Lambeth called the meeting to order at 8:30 a.m. and introduced guests from the county, the state and other organizations. He introduced Dr. James Leutze, Chancellor Emeritus for UNC-Wilmington and Chairman of the NCBIWA. Dr. Leutze said the association is being reorganized to be more efficient and is currently searching for a new Executive Director.

TOPICS OF DISCUSSION

1) Beach Nourishment Funding and Room Occupancy Tax

KB Town Clerk Avery reported on the first meeting of a subcommittee formed by Shore Protection Coordinator, Layton Bedsole, to discuss beach nourishment funding options for NHC beach towns. She said that there was a healthy discussion regarding the impact of the 17.5 percent contribution for beach nourishment from beach towns, and different scenarios were discussed on how the towns could come up with funding. She said the subcommittee will meet again in August.

CB Town Manager Cramer said that the first meeting was introductory, including a general discussion about various funding sources. He said that those present all agreed that sand on the beach is a universal issue. He said the meetings may eventually become more contentious as details emerge, but he appreciates the idea of getting everyone together to discuss it.

NHC Shore Protection Coordinator Bedsole explained the 2011 “Interlocal Agreement For Contingency Plan Beach Nourishment” between NHC and its beach towns that requires the towns to be liable for up to 17.5 percent of beach nourishment costs, with the Room Occupancy Tax (ROT) taking up the remaining 82.5 percent if federal and state dollars disappear. He said there was consternation from the beach towns about the 17.5 percent being solely on their shoulders, and those towns asked that the percentage be revisited. He said that he hopes the subcommittee will be able to come up with working, long-term and short-term solutions for renourishment funding, and then those alternatives will be presented to the NHC commissioners.

Representative Catlin said that the 2011 agreement was intended to be a temporary, emergency agreement that would end after four years, and the beach towns are under no obligation to continue with it.

KB Mayor Lambeth said that the beach towns need to make it abundantly clear to the chairman of the county council that the county doesn’t contribute any money to beach nourishment. He said the beach towns need to go back to the legislature and revisit how the ROT is divided.



NEW HANOVER COUNTY
BEACH TOWNS MEETING MINUTES

Kure Beach Community Center

 **DRAFT**

SPECIAL MEETING

July 24, 2015

NHC Commissioner Watkins passed out a flyer that outlines how the ROT is divided. He said that sand is just as much of an infrastructure as roads, utilities or anything else. He said he supports using the county's general fund for beach nourishment if there is ever a disaster.

Representative Catlin said he has filed a bill that makes an economic impact study of the Jones Act and said that the act is making it so people can't ship fuel from port to port. He said that there are only 194 ships and 49 tankers in America that meet the Jones Act, so our fuel terminals at the ports are shutting down. He also explained that there are only four companies that can dredge within the United States, making it difficult to obtain a competitive rate, and he hopes his bill is approved in order to put some competitiveness into the dredging situation. He urged everyone to call their senators to support the bill.

CB Commissioner Shuttleworth said that, as much as the beach towns have been urging the county to help fund beach nourishment, the beach towns would also like to get a commitment from the state. He said that there is currently no state-enabling legislation that says, if there are no federal dollars, the state will take care of it.

Representative Catlin said that, when there's federal money for beach nourishment, there is always state money to match it, but as soon as the federal money goes away, the state money seems to disappear.

Senator Lee said he had a meeting with representatives from NHC where shallow draft inlet dredging was addressed. He said they are working on a maintenance schedule for dredging all of the NC inlets and, now that the mechanism is in place, they are looking at doing the same thing for beach nourishment. He said they will be prioritizing the needs of the beach towns and working through the list to make sure everyone is dealt with fairly.

A member of the Wrightsville Beach Chamber of Commerce stated that NHC was the only county that had a substantial amount of money saved for beach nourishment, whereas the other counties have virtually nothing saved. She said they are concerned that, in an agreement among the 20 coastal counties in NC, NHC's efforts for self-protection won't be acknowledged correctly.

CB Commissioner Friede said that the NC beaches are state property, but the towns that have grown up around them have assumed the cost of maintaining them, policing them, keeping them clean and protecting the lives of the residents and the vast amount of tourists each year. She said that the state should share in the cost to maintain the beaches.



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 **DRAFT**

SPECIAL MEETING

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Senator Lee repeated that the state is looking at providing beach nourishment maintenance for up and down the coast. He said that they've been looking at charging user fees on boats as one of the funding mechanisms, which has upset recreational boaters and fishermen.

KB Commissioner Heglar used "the ant and the grasshopper" scenario in comparing the NHC beach towns to "ants," consistently storing away funds for beach nourishment over the last 25 years. He said that the other NC beach towns could have done the same thing but, instead, they chose to use their funds for whatever they wanted. He said that, when the state looks at the funds each beach town has, Senator Lee will need our help justifying why we should get just as much funding as every other town along the coast, even though we have some funds set aside.

Comments were made that all of the counties should be concerned about the state's beaches and should pull together to fund beach nourishment, especially because people from all over the state, and beyond, own homes in our beach towns and because the state's tourism dollars depend heavily on healthy beaches.

NHC Manager Coudriet said there is \$300,000 in county dollars for inlet dredging this year, but the objective is to not tap into the new allocation of the second three percent of ROT, in order to preserve it for long-term maintenance.

KB Mayor Lambeth said it's very disheartening when he goes to Raleigh and D.C. and the first question he is asked is, "What is the county doing?" He said we need to get some action from the county.

2) Sales Tax Impacts

Representative Catlin said that Governor McCrory is probably going to veto Senate Bill 369 which, if it passes, would impact the sales tax income for counties and municipalities throughout NC, distributing it to poor, rural counties and municipalities.

Senator Lee said that, even if the governor vetoes the bill, it has already been rolled into the state's budget. He encouraged everyone to reach out to the rural counties and their senators to help in this fight.

KB Commissioner Swearingen said she heard that the rural counties have found out they aren't going to get the huge windfall they thought they were going to get and she also heard that some of the data isn't correct.



NEW HANOVER COUNTY
BEACH TOWNS MEETING MINUTES
Kure Beach Community Center

SPECIAL MEETING

DRAFT

July 24, 2015

Senator Lee explained the consequences of the bill and stated that the data that was used was based mostly on projections, which cannot be relied upon. He said he doesn't disagree with the concept that NC's rural counties are struggling dramatically, but the sales tax strategy outlined in the bill is not the way to go.

CB Commissioner Friede asked if the sales tax rebates to non-profits had been eliminated from the bill.

Senator Lee explained that the numbers in the data have an assumption of sales tax being charged on services like veterinarian services, and it also depends on phasing out the sales tax exemption for non-profit hospitals. He proceeded to explain the calculations for the base expansion of sales tax and its impacts.

NHC Commissioner Watkins asked if the rural counties are going to be given a guideline on how they are to spend the money, if they receive it.

Senator Lee said that there is no policy on how the money should be handled in this bill and that it is simply a distribution of the funds, but there should be a policy on where the funds should be spent; he used education and infrastructure as an example. He said he doesn't agree with the state telling their counties and municipalities how to spend their money but, since this is on a state-wide level, the mechanism should be in place to direct how the money should be spent in order to achieve the best results. He said that some of the rural counties have been asked what they would do with 60 percent more money, and they don't seem to know.

KB Commissioner Heglur asked Senator Lee what argument should affected counties and municipalities make to the rural counties and legislators to possibly make them not want to receive a huge windfall of money.

Senator Lee said that the argument should be that it's not just about the money, but there needs to be a solid plan and policy in place that is fair for all counties throughout NC.

Additional discussion ensued on the proposed senate bill and its consequences, and the following points were made:

- Thousands of sales tax dollars will be lost to affected towns and millions to the affected counties.
- The tourism industry may suffer if we don't have the money to pay for our own infrastructures and services.



NEW HANOVER COUNTY
BEACH TOWNS MEETING MINUTES
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 **DRAFT**

- The bill's data assumes a 3.5 percent growth to sales tax in NHC when it is actually about 15 percent. We can't afford to lose 15 percent of our sales tax, year after year.
- We are being penalized in our sales tax revenues because of the actions of other jurisdictions.
- People ask where the county tax dollars go because 97 percent of the services provided aren't readily visible, but they are used for things like the court system.
- There used to be a magistrate for the south side of the county, but now we don't have one, even though we've been asking for one; we pay our county tax.

As no one indicated their desire to speak further, Mayor Lambeth thanked some of the staff members with the Town of Kure Beach for putting the breakfast meeting together.

There being no further business to discuss, the meeting was adjourned at 9:20 a.m.

Dean Lambeth, Mayor

ATTEST: Nancy Hewitt, Deputy Town Clerk



MEMO

TO: Town Council
FROM: Nancy Avery, Town Clerk *Nancy Avery*
RE: Agenda item 1a Department Head items
DATE: 8/7/15

Background

I have been approached by two residents living in the 200 block of Atlantic Avenue about replacing the existing streetlights with the decorative street lights that are in the 100 block of Atlantic Avenue.

I responded that Council had not discussed extending the decorative lights in other areas of town, but that I would bring their request to Council's attention.

Action requested by staff – No action has been taken on this item by staff. I am requesting a preliminary yes or no from Council on whether this would be an on-going long term goal in this area and also in the rest of the 4 block business district before pursuing feasibility and cost with Duke Energy.

Funding required – not budgeted

Comments for consideration



DECORATIVE LIGHTS 100 BLOCK ATLANTIC AVE



STREET LIGHT 200 ATLANTIC AVE



STREET LIGHT M AND ATLANTIC AVE



STREET LIGHT 300 ATLANTIC AVE



STREET LIGHT N AND ATLANTIC AVE

JUN 24 2015



FEMA

The Honorable Dean Lambeth
Mayor, Town of Kure Beach
117 Settlers Lane
Kure Beach, NC 28449

Dear Mayor Lambeth:

I want to congratulate your community on its application to the National Flood Insurance Program (NFIP) Community Rating System (CRS). The Department of Homeland Security, Federal Emergency Management Agency (FEMA), has verified that the voluntary floodplain management actions undertaken by your community exceed the minimum standards of the NFIP and meet the criteria for a CRS Class 8 rating.

The floodplain management activities implemented by your community qualify it for a 10 percent discount in the premium cost of flood insurance for NFIP policies issued or renewed in Special Flood Hazard Areas on or after May 1, 2015. This savings is a tangible result of the flood mitigation activities your community implements to protect lives and reduce property damage. I am enclosing the field verification report showing the results of your application review for your records.

Please note that Preferred Risk Policies, applicable in Zones B, C, and X on your community's NFIP Flood Insurance Rate Map, are not eligible for the CRS discount. Standard rated flood insurance policies in Zones B, C, X, D, AR, and A99 are limited to a CRS discount of 10 percent in CRS Class 1–6 communities and 5 percent in CRS Class 7–9 communities. The rates for these zones already reflect significant premium reductions.

If your community remains in compliance with NFIP floodplain management regulations, the CRS rating will automatically be renewed annually and a notification letter will not be sent to your community. This renewal will occur as long as your community continues to implement the CRS activities you certify each October. If no additional modifications or new CRS activities are added, the next verification visit for your community will be in accordance with its established 5-year cycle. FEMA will periodically send the *NFIP/CRS Update* newsletter and other notices to your CRS Coordinator.

I commend you on your community's actions and your determination to lead your community to be more disaster resistant. This commitment enhances public safety, protects property, preserves the natural functions of floodplains, and reduces flood insurance premiums.

If you have any questions or need additional information, please contact the FEMA Region IV Office, CRS Coordinator, Janice Mitchell, by telephone at (770) 220 – 5441.

Sincerely,

A handwritten signature in black ink, appearing to read "Roy E. Wright".

Roy E. Wright
Deputy Associate Administrator
for Insurance and Mitigation

Enclosure

cc: John Batson, Building Inspector



COMMUNITY
RATING
SYSTEM

VERIFICATION
REPORT

Town of Kure Beach, NC

Verified Class 8

NFIP Number: 370170

New Application

Date of Verification Visit: June 12, 2014

This Verification Report is provided to explain the recommendations of Insurance Services Office, Inc. (ISO) to DHS/FEMA concerning credits under the Community Rating System (CRS) for the above named community.

A total of 1114 credit points are verified which results in a recommendation that the community improve from a CRS Class 10 to a CRS Class 8. The following is a summary of our findings with the total CRS credit points for each activity listed in parenthesis:

Activity 310 – Elevation Certificates: The Kure Beach Inspections Department maintains elevation certificates for new and substantially improved buildings. Copies of elevation certificates are made available upon request. (38 points)

Activity 330 – Outreach Projects: Credit is provided for a targeted outreach project that includes a letter to properties in the repetitive loss area. This project is disseminated annually. (18 points)

Activity 340 – Hazard Disclosure: Credit is provided for state and community regulations requiring disclosure of flood hazards. (10 points)

Activity 410 – Floodplain Mapping: Credit is provided for conducting and adopting flood studies for areas not included on the FIRMs and that exceed minimum mapping standards. Credit is also provided for cooperating technical partnership agreements with FEMA. (120 points)

Activity 420 – Open Space Preservation: Credit is provided for preserving approximately 14 percent of the Special Flood Hazard Area (SFHA) as open space. (255 points)

Activity 430 – Higher Regulatory Standards: Credit is provided for enforcing regulations that require freeboard for new and substantial improvement construction and local drainage protection. Credit is also provided for the enforcement of building codes, state mandated regulatory standards, and regulations administration. (368 points)

Activity 440 – Flood Data Maintenance: Credit is provided for maintaining and using GIS in the day to day management of the floodplain. (107 points)

Activity 450 – Stormwater Management: The community enforces regulations for soil and erosion control and water quality. (32 points)

Section 502 – Repetitive Loss Category: Based on the updates made to the NFIP Report of Repetitive Losses as of December 31, 2011, the Town of Kure Beach, NC has 68 repetitive loss properties and is a Category C community for CRS purposes. All requirements for a Category C community have been met. (No credit points are applicable to this section)

Activity 510 – Floodplain Management Planning: Credit is provided for the adoption and implementation of the New Hanover County Multi-Jurisdictional Hazard Mitigation Plan, adopted October 19, 2010. A progress report must be submitted on an annual basis. An update to the credited plan will be due by October 1, 2015. (166 points)

Activity 710 – County Growth Adjustment: All credit in the 400 series is multiplied by the growth rate of the county to account for growth pressures. The growth rate for New Hanover County, North Carolina is 1.07.

Attached is the Community Calculations Worksheet that lists the verified credit points for the Community Rating System.

CEO Name / Address:

Honorable Dean Lambeth
Mayor of Kure Beach
117 Settlers Lane
Kure Beach, North Carolina 28449

CRS Coordinator Name / Address:

John Batson
Building Inspector
117 Settlers Lane
Kure Beach, North Carolina 28449
(910) 458-8216

Date Report Prepared: December 5, 2014,

Community : Town of Kure Beach, NC

NFIP Number : 370170

720 COMMUNITY CREDIT CALCULATIONS (New Application):

CALCULATION SECTION:

Verified Activity Calculations:		Credit
c310	<u>38</u>	<u>38</u>
c320	<u>0</u>	<u>0</u>
c330	<u>18</u>	<u>18</u>
c340	<u>10</u>	<u>10</u>
c350	<u>0</u>	<u>0</u>
c360	<u>0</u>	<u>0</u>
C370	<u>0</u>	<u>0</u>
c410	<u>112</u> x CGA <u>1.07</u> =	<u>120</u>
c420	<u>238</u> x CGA <u>1.07</u> =	<u>255</u>
c430	<u>344</u> x CGA <u>1.07</u> =	<u>368</u>
c440	<u>100</u> x CGA <u>1.07</u> =	<u>107</u>
c450	<u>30</u> x CGA <u>1.07</u> =	<u>32</u>
c510	<u>166</u>	<u>166</u>
c520	<u>0</u>	<u>0</u>
c530	<u>0</u>	<u>0</u>
c540	<u>0</u>	<u>0</u>
c610	<u>0</u>	<u>0</u>
c620	<u>0</u>	<u>0</u>
c630	<u>0</u>	<u>0</u>

Community Classification Calculation:

cT = total of above cT = 1114
Community Classification (from Table 110-1): Class = 8

CEO Name/Address:

Honorable Dean Lambeth
Mayor of Kure Beach
117 Settlers Lane
Kure Beach, North Carolina 28449

CRS Coordinator Name/Address:

John Batson
Building Inspector
117 Settlers Lane
Kure Beach, North Carolina, 28449
(910)458-8216

Date Report Prepared: December 5, 2014



TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R15-08

**A RESOLUTION IN SUPPORT OF CAMA PUBLIC BEACH AND
COASTAL WATER ACCESS FULL APPLICATION 2015-2016 CYCLE
FOR TOWN OF KURE BEACH HANDICAPPED ACCESS – AVENUE “H” PROJECT**

WHEREAS, during its monthly Council session on August 18, 2015, the Kure Beach Town Council held a public meeting receiving comments on the proposed Handicapped Access – Avenue “H” project; and

WHEREAS, the Town desires to improve public handicapped access to its beaches for residents and visitors; and

WHEREAS, in accordance with its CAMA-funded Water Access Plan, the Town desires to improve handicapped access to its beaches by replacing the existing steps to and from the beach at Avenue “H” and providing solar lighting at the existing review stand; and

WHEREAS, the Town has submitted a pre-application and has been invited to submit a full application to the North Carolina Division of Coastal Management requesting grant funds in the amount of \$42,370; and

WHEREAS, the Town will match the grant funds with a contribution of cash totaling \$11,924, and in-kind services totaling \$2,200;

NOW, THEREFORE, BE IT RESOLVED THAT the Kure Beach Town Council, after receiving public comments on the proposed improvements, supports the CAMA Public Beach and Coastal Water Access Grant request and agrees to match the grant with \$11,924 in cash.

Adopted by the Kure Beach Town Council this 18th day of August, 2015.

Dean Lambeth, Mayor

Attest: Nancy Avery, Town Clerk