



TOWN COUNCIL AGENDA

REGULAR MEETING

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

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

CALL TO ORDER – Mayor Swearingen

***OPENING AND PURPOSE OF PUBLIC HEARING – Mayor Swearingen**

The purpose of the hearing is to receive comments on the revised draft proposal to amend Chapter 19 Zoning, Article VI Signs, Section 373 Exceptions, number (7), for political signs. Changes proposed to the current code include removing specifics on placement of political signs on private property while clarifying the time period in which they can be erected, revising the distance signs can be placed in reference to the polling place (Town Hall) and specifying where signs can be placed within the Extraterritorial Jurisdiction (area outside of official town limits).

Notice of the public hearing was posted at Town Hall and on the town's website on March 29, 2016, and was published in the Island Gazette on April 6 and 13, 2016.

PUBLIC COMMENTS (sign in at podium, if you wish to make comments)

CLOSING OF PUBLIC HEARING – Mayor Swearingen

INVOCATION & PLEDGE OF ALLEGIANCE – Pastor Dan Keck, Kure Memorial Lutheran

AWARDS & RECOGNITION

Presentation of Certificate of Appreciation to Pastor Dan Keck, Kure Memorial Lutheran Church

APPROVAL OF CONSENT AGENDA ITEMS

1. *Adopt Resolution R-16-07, transferring funds from the Contingency line item to FY15-16 Streets and Sanitation budget for street light upgrades
2. *Approve Budget Amendment 16-09 authorizing transfer of \$6,400 from the FY2016 General Fund Contingency to the Streets and Sanitation budget for LED street light upgrades
3. *Approve Budget Amendment 16-10 totaling \$19,307 for Ocean Front Park maintenance expenses and the related increase in TDA revenue
4. *Approve Budget Amendment 16-11 to establish a \$2,535 budget for the U.S. Department of Justice Body Armor Grant
5. *Approve application for funding from NHC TDA totaling \$19,307.44 for expenditures incurred for maintenance and improvements to the Ocean Front Park pavilion for the upcoming 2016 tourist season
6. *Adopt the Southeastern North Carolina Regional Hazard Mitigation Plan
7. *Appoint Bill Moore as a member of the Emergency Operations Committee
8. *Appoint Sandra Finch as a member of the Emergency Operations Committee
9. Renew three-year term for Tony Garibay on the Board of Adjustment
10. *Building Inspections Report – March 2016



TOWN COUNCIL AGENDA

REGULAR MEETING

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

11. *Fire Department Report – March 2016
12. *YTD Finance Report Meeting
13. Minutes:
 - *March 24, 2016 regular meeting

ADOPTION OF THE AGENDA

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

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Board of Adjustment
2. Community Center Committee
 - a. Plantings and flag pole
3. Marketing Committee
4. Parks & Recreation Advisory Board
5. Planning & Zoning Commission
 - a. *Interview John Cawthorne for alternate position
 - b. *Proposals for new ordinances regarding container houses (two options)
6. Shoreline Access, Beach Protection and Parking Committee
7. Non-town Committee Reports

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Administration and Recreation (Avery)
 - a. *Approve the repeal of Code of Ordinance Sec. 2-18 regarding disciplinary action for employees and department heads, and amend Secs. 1, 3 and 4 of Personnel Policy Article IX regarding unsatisfactory job performance and detrimental personal conduct
 - b. *Approval of new Employee Assistance Plan benefit
 - c. *Approval of requested from the Pleasure Island Disc Golf Club to hold their Chainstorm Disc Golf Tournament at town's disc golf course on June 18th.
2. Finance Department
3. Building Department
4. Fire Department
5. Police Department
6. Public Works Department

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. *Draft proposal to amend Chapter 19 Zoning, Article VI Signs, Section 373 Exceptions, number (7), for political signs (**info under Public Hearing*)
2. Update on discussion with Police and Fire Chiefs regarding ATVs on beach strand (Dugan)



TOWN COUNCIL AGENDA

REGULAR MEETING

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

3. *Letter from Beachwalk HOA requesting use of Sandman Drive property for laydown area (Heglar)

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. *Resolution 16-06 to adopt a Memo of Understanding for the Wilmington Metropolitan Planning Organization (Swearingen)
2. *Resolution R16-08, adopting the Southeastern NC Regional Hazard Mitigation Plan
2. Guns in or on town property (Swearingen)

MAYOR UPDATES (no action required)

COMMISSIONER UPDATES (no action required)

CLOSED SESSION, if needed

ADJOURNMENT



TOWN OF KURE BEACH NOTICE OF PUBLIC HEARING

Notice is hereby given that Kure Beach Town Council will hold a Public Hearing at Town Hall as the first item of business at their meeting on Tuesday, April 19, 2016 beginning at 6:30 p.m., or soon thereafter. The purpose of the hearing is to receive comments on the revised draft proposal to amend Chapter 19 Zoning, Article VI Signs, Section 373 Exceptions, number (7), for political signs. Changes proposed to the current code include removing specifics on placement of political signs on private property while clarifying the time period in which they can be erected, revising the distance signs can be placed in reference to the polling place (Town Hall) and specifying where signs can be placed within the Extraterritorial Jurisdiction (area outside of official town limits).

A copy of the proposed, draft ordinance amendment is on file in the office of the Deputy Town Clerk for viewing and can be found under Town News on the Town's website at www.townofkurebeach.org.

All interested persons are encouraged to attend. If you are unable to attend, you may submit your comments in writing to Town Hall, c/o Town Clerk, 117 Settlers Lane, Kure Beach, NC 28449.

Nancy Hewitt, Deputy Town Clerk
Posted 3/29/16

**KURE BEACH
PLANNING & ZONING COMMISSION**

Meeting Date: March 2, 2016

Agenda Item# V. A.

Present to Town Council on:

Date: March 22, 2016

**PLANNING AND ZONING COMMISSION
CONSISTENCY STATEMENT
N.C. Gen. Stat. 160A-383**

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

_____ This recommendation is consistent with the objectives and policies of the Town of Kure Beach Land Use Plan adopted by Town Council September 27, 2006 (Adopted and Certified by Coastal Resources Commission November 17, 2006)

_____ This recommendation applies to Section _____ Part _____ of the Town of Kure Beach Land Use Plan

X Consideration of recommended text amendment to The Town of Kure Beach Code , Chapter 19 Zoning, Art. _____ Sec. 19-373 (7)

_____ This recommendation applies to the John Sawyer Architects B1 District Study (HPA 2007)

The Planning and Zoning Commission considers its recommendation to be reasonable and in the public interest based on the following:


1. Proposed text amendment consistent with codified sign regulations: _____

2. Content neutral: _____

3. Constitutionally valid. _____

Therefore, the Planning and Zoning Commission requests Town Council's consideration of the above recommendation.

Attest:



John Ellen, Chairman
Planning and Zoning Commission

**Section 19 Zoning, Article VI Signs, Section 373 Exceptions, Subsection 7 Political Signs
CURRENT CODE**

Temporary political signs may be erected on any privately owned premises. One may erect nonilluminated political signs prior to any primary or general election. Political signs shall be removed after the general or run-off election to which the sign pertains or after the termination of a candidacy, whichever occurs first. Political signs may not exceed six (6) square feet in size. Political signs will not be allowed within the right-of-way in the town limits or its extraterritorial jurisdiction, shall not be attached to trees or utility poles, shall not be roof-mounted, nor shall they be allowed on any publicly owned property. Political signs may be erected within one hundred (100) yards of the town hall or polling place twenty-four (24) hours prior to the scheduled election subject to limits imposed by the New Hanover County Board of Elections.

PROPOSED AMENDMENT SHOWING TEXT CHANGES NOTED

~~(1) Temporary political signs may be erected on any privately owned premises. One may erect nonilluminated political signs prior to any primary or general election. Political signs shall be removed after the general or run-off election to which the sign pertains or after the termination of a candidacy, whichever occurs first.~~ (2) *During the period beginning on the 30th day before the beginning date of “one-stop” early voting and ending on the 10th day after the primary, run-off, general or Election Day, political signs may be erected on any privately owned premises.* Political signs may not exceed six (6) square feet in size. (3) Political signs will not be allowed within the right-of-way in the town limits or its ~~extraterritorial jurisdiction, shall not be attached to trees or utility poles, shall not be roof-mounted, nor shall they be allowed on~~ any publicly owned property. (4) *Political signs in the extraterritorial jurisdiction shall be placed near the tree line from the edge of the road.* (5) Political signs may not be erected within ~~one hundred (100) yards~~ *fifty (50) feet* of the town hall or polling place twenty-four (24) hours prior to the scheduled election subject to limits imposed by the New Hanover County Board of Elections.

PROPOSED AMENDMENT

During the period beginning on the 30th day before the beginning date of “one-stop” early voting and ending on the 10th day after the primary, run-off, general or Election Day, political signs may be erected on any privately owned premises. Political signs may not exceed six (6) square feet in size. Political signs will not be allowed within the right-of-way in the town limits or any publicly owned property. Political signs in the extraterritorial jurisdiction shall be placed near the tree line from the edge of the road. Political signs may not be erected within fifty (50) feet of the town hall or polling place twenty-four (24) hours prior to the scheduled election subject to limits imposed by the New Hanover County Board of Elections.

The above proposed amendment makes the following changes to the existing code. These changes were approved by council during their February council meeting

- 1) Removes the first three sentences of current ordinance regarding temporary political signs on private premises, non-illuminated political signs, and non-specific time periods for political signs during primary, run-off and general elections.
- 2) Adds first sentence to specify time period that political signs can be erected on private property, before and after elections.
- 3) Revises language regarding specific placement of political signs in the extraterritorial jurisdiction (ETJ) to remove allowing them to be attached to trees, utility poles, roof-mounted.
- 4) Adds language to specify where political signs can be placed within the ETJ.
- 5) Revises the distance limit that a political sign can be erected near town hall or the polling place to no more than 50 feet.



TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R16-07

**TRANSFERRING FUNDS FROM CONTINGENCY LINE ITEM
TO FY 15-16 STREETS AND SANITATION BUDGET
FOR STREET LIGHT UPGRADES**

WHEREAS, it is a policy of the Town of Kure Beach that the Kure Beach Town Council adopt a resolution any time funds need to be transferred out of the General Fund Contingency account; and

WHEREAS, the Kure Beach Town Council has approved a FY 15-16 Budget Amendment totaling \$6,400 for the costs relating to upgrading all of the town's street lights to LED; and

NOW, THEREFORE, BE IT RESOLVED THAT the Kure Beach Town Council authorizes the Finance Officer to transfer funds in the amount of \$6,400 from the General Fund Contingency account to the Streets and Sanitation FY 15-16 Budget to cover the costs of upgrading the town's street lights.

Adopted by the Kure Beach Town Council this 21st day of April, 2016.

Emilie Swearingen, Mayor

Attest: Nancy Avery, Town Clerk

BUDGET AMENDMENT

FISCAL YEAR ENDING JUNE 30, 2016

AMENDMENT DATE: 03/24/2016

Budget Amendment No.: 16-09

DESCRIPTION/PURPOSE OF AMENDMENT

At the 3/24/16 Town Council meeting, Council directed the Finance Officer to prepare a Resolution to transfer \$6,400 from the General Fund Contingency to the Streets and Sanitation budget for expenses relating to upgrading all of the town's street lights to LED. At the 04/21/16 Town Council meeting, Council adopted Resolution 16-07 to transfer funds from the FY 2016 Contingency Fund to the Streets and Sanitation budget for the street light upgrade.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-550-13-00	Utilities	\$6,400	
10-490-00-00	General Fund Contingency		\$6,400

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: Kure Beach Town Council Date: 03/24/16

Approved By: Arlen Copenhaver, Finance/Budget Officer Date: 03/28/16

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

Approved by Council 04/21/16 _____ Emilie Swearingen, Mayor

ATTEST: _____ Nancy Avery, Town Clerk

BUDGET AMENDMENT
FISCAL YEAR ENDING JUNE 30, 2016
AMENDMENT DATE: 04/14/2016

Budget Amendment No.: 16-10

DESCRIPTION/PURPOSE OF AMENDMENT

At the 4/21/16 Town Council meeting, Council approved a request to the New Hanover County Tourism Development Authority totaling approximately \$19,307 for reimbursement of maintenance expenses (power washing, painting and electrical) at the Ocean Front Park pavilion. Since the Ocean Front Park is a tourist destination and is the location of many tourist-related programs, TDA funds may be used for this type of expenditure. This budget amendment increases the TDA revenue budget and the Public Works Ocean Front Park maintenance budget.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-550-88-03	Ocean Front Park Maintenance	\$19,307	
10-346-00-00	TDA Revenue		\$19,307

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: Sonny Beeker, Public Works Director Date: 04/14/16

Approved By: Arlen Copenhaver, Finance/Budget Officer Date: 04/14/16

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

Approved by Council 04/21/16 _____ Emilie Swearingen, Mayor

ATTEST: _____ Nancy Avery, Town Clerk

BUDGET AMENDMENT
FISCAL YEAR ENDING JUNE 30, 2016
AMENDMENT DATE: 04/14/2016

Budget Amendment No.: 16-11

DESCRIPTION/PURPOSE OF AMENDMENT

The Kure Beach Police Department received grant funds from the US Department of Justice (DOJ) for the purchase of body armor. The funds received total approximately \$2,535. This amendment establishes a budget for the DOJ grant with a corresponding increase to the Police Department uniforms budget.

ACCOUNTS AFFECTED

<u>Account No.</u>	<u>Account Name</u>	<u>Debit</u>	<u>Credit</u>
10-510-36-00	Uniforms	\$2,535	
10-335-07-00	DOJ Body Armor Grant		\$2,535

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 _____ Date: 04/14/16

Approved By: Arlen Copenhaver, Finance/Budget Officer _____ Date: 04/14/16

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

Approved by Council 04/21/16 _____ Emilie Swearingen, Mayor

ATTEST: _____ Nancy Avery, Town Clerk

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

Governing Body: Kure Beach Town Council

Contact Person: Arlen Copenhaver, Finance & Budget Officer

Address: 117 Settlers Lane Kure Beach, NC 28449

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

Date Approved by Governing Body: April 21, 2016

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

Total Cost of Project/Activity: \$19,307.44 Amount Requested: \$19,307.44

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

The Town of Kure Beach respectfully requests funding for expenditures that were incurred for maintenance and improvements to the Ocean Front Park pavilion for the upcoming 2016 tourist season.

The Kure Beach Ocean Front Park has become a favorite destination for tourists visiting Kure Beach. The Ocean Front Park pavilion is the location of many tourist-related activities, including the Boogie In The Park concert series, weekly markets, programs for children and educational programs. Additionally, tourists may reserve the facility for private events. The location of the pavilion in proximity to the ocean is part of the draw, but also leads to a variety of maintenance issues. The maintenance expenditures total \$19,307.44 and are for pressure washing, painting and electrical repairs and are supported by documentation attached to this request.

Your consideration of this funding is appreciated.

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

Submitted By: Arlen Copenhaver, Finance & Budget Officer

Date: 4/21/16

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



TOWN OF KURE BEACH
REQUEST FOR APPOINTMENT

Board/Commission/Committees

CC: D. Heglar
ORIG → Committee Book

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

Request for Appointment to: KB Emergency Operations Committee

Name William Moore

Address PO Box 253 Kure Beach NC 28449

Telephone 910-527-4441 NA Cell 914-649-9280

Email Bill Moore 622 @ Charter.net (You will receive the majority of correspondence via email)

Length of permanent residence in Kure Beach 2 yrs

Employment Retired

Job Title U.S. Principal US Retired US Army Reserve

Professional Activities Committee on Law
No other in the past 2 months

Volunteer Activities KB Citizens Advisory Committee
KB Planning & Zoning Commission

Other committee work, past or present Minister Church of P.O. 2
Church of Jesus Super Committee

What is your understanding of the purpose of this committee?

To coordinate support & other logistics for future emergencies

Why are you interested in serving on this committee?

Kits in my Army & self education

What specific concerns or areas are you interested in?

Logistics

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

NO

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

Signature [Signature]

Date 2-3-16

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

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

Town Use Only

Date Received 2/4/16

Initials WJM

Utilities Current YES NO

Interview Date _____ (If applicable)

Appointment Date _____

Term Length _____

Term Expiration _____

2003
Surrender
CT.



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

cc David Heglar
 ORIG - Book

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

Request for Appointment to: KURE BEACH EMERGENCY OPERATIONS COMMITTEE

Name SANDRA J. FINCH

Address 505 ALABAMA AVE CAROLINA BEACH, NC 28428

Telephone _____ Cell 336-239-5914

Email VONZIPPER34@YAHOO.COM (You will receive the majority of correspondence via email)

Length of permanent residence in Kure Beach 2 YEARS

Employment STANDARD PARKING

Job Title FREEMAN PARK AMBASSADOR

Professional Activities N/A

Volunteer Activities MT. KISCO VOL. AMBULANCE CORPS. IN N.Y.

Other committee work, past or present N/A

What is your understanding of the purpose of this committee?
to respond & help with emergency operations - Hurricane help.

Why are you interested in serving on this committee?
To help the community

What specific concerns or areas are you interested in?
making the Kure Beach safe.

Are there any time blocks from 8am-8pm, Monday through Friday, when you cannot attend meetings?
work schedule is 8am to 4pm

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

Signature [Signature] Date 2-17-2016

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

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

Town Use Only			
Date Received <u>2/19/16</u>	Initials <u>MSH</u>	Utilities Current <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
Interview Date _____	(If applicable)	Appointment Date _____	
Term Length _____		Term Expiration _____	

Kure Beach Inspections Dept.-Building Permits Issue Date: 3/1/2016 - 3/31/2016

PermitNo	Issue Date	Owner	Project Addr	Descript	Fee
Building addition					
160020	3/11/2016	MCCLERNAN WILLIAM A CANDYCE A	513 S THIRD AVE	finish off bottom of house to heated spac	\$200.00
Total addition 1					\$200.00
Deck					
160024	3/14/2016	STAMPER DAVID P PAMELA C	1047 S FORT FISHER BLV	New deck addition	\$150.00
Total Deck 1					\$150.00
Fire Damage					
160018	3/3/2016	E & A BEACH PROPERTIES LLC	1110 N FORT FISHER BLV	Repair Fire Damage.	\$150.00
Total Fire Damage 1					\$150.00
pool					
160023	3/14/2016	HYLER EDDIE F JR	313 Fort Fisher Blvd S	New Pool	\$300.00
Total pool 1					\$300.00
Renovations					
160026	3/17/2016	TRENERY FRANK G III WENDY E	506 KURE VILLAGE WAY	finish off bottom of house to heated spac	\$200.00
160025	3/16/2016	CELLA EUGENE J	1100 S FORT FISHER BLV	renovation	\$150.00
160027	3/23/2016	CHRIS PERRY	118 SIXTH AVE S	renovation	\$300.00
Total Renovations 3					\$650.00
Replacement					
160019	3/8/2016	MANN ALVIS E	137 ATLANTIC AVE	replace doors	\$25.00
160028	3/30/2016	RIGGINS HOA INC	1437 FORT FISHER BLV S	Pool repair	\$535.00
Total Replacement 2					\$560.00
Total Building 9					\$2,010.00

Total Permits: 9 \$2,010.00

KURE BEACH FIRE DEPARTMENT

FIRE CHIEF'S REPORT MARCH, 2016

DATE	PURPOSE
03/02/16	EMS
03/06/16	WATER RESCUE
03/07/16	DRILL
03/08/16	WIRE DOWN
03/10/16	FLARE SIGHTING
03/14/16	DRILL
03/15/16	EMS
03/18/16	EMS
03/18/16	EMS
03/19/16	EMS
03/20/16	EMS
03/21/16	SMOKE SMELL
03/21/16	DRILL
03/21/16	MUTUAL AID Cbfd
03/22/16	EMS
03/23/16	SMOKE ODOR
03/25/16	INVESTIGATE UNKNOWN
03/28/16	DRILL
03/30/16	AUTO ACCIDENT
03/30/16	EMS

All equipment checked and found to be in working order

Harold Heglar
Chief

TOWN OF KURE BEACH
REVENUE AND EXPENDITURE SUMMARY
JULY 1, 2015 TO APRIL 13, 2016

REVENUES

	2016 Initial Bud.	2016 Amend. Bud.	Actual 04/13/2016	% Collected
GENERAL FUND				
Property Taxes (Cur. & PV)	\$ 2,121,250	\$ 2,121,250	\$ 2,128,112	100.3%
Local Option Sales Tax	\$ 785,200	\$ 785,200	\$ 608,717	77.5%
Franchise & Utility Tax	\$ 201,500	\$ 201,500	\$ 183,091	90.9%
TDA Funds	\$ 203,057	\$ 203,057	\$ 200,292	98.6%
Garbage & Recycling	\$ 341,400	\$ 341,400	\$ 264,031	77.3%
ABC Revenue	\$ 10,725	\$ 10,725	\$ 11,365	106.0%
Bldg. Permit & Fire Inspect. Fees	\$ 54,400	\$ 54,400	\$ 64,785	119.1%
Communication Tower Rent	\$ 86,702	\$ 86,702	\$ 57,167	65.9%
Motor Vehicle Tags	\$ 7,000	\$ 7,000	\$ 6,285	89.8%
Com Ctr/Parks & Rec/St Festival	\$ 28,150	\$ 28,150	\$ 18,540	65.9%
Town Facility Rentals	\$ 10,500	\$ 10,500	\$ 7,685	73.2%
Beer & Wine Tax	\$ 9,500	\$ 9,500	\$ -	0.0%
OFF - Bluefish Purchases	\$ 8,800	\$ 8,800	\$ 9,460	107.5%
Sales Tax Refund	\$ 30,000	\$ 30,000	\$ 35,693	119.0%
CAMA & Impact Fees	\$ 2,800	\$ 2,800	\$ 2,430	86.8%
All Other Revenues	\$ 7,845	\$ 53,815	\$ 30,571	56.8%
Other Financing Sources	\$ 111,000	\$ 111,000	\$ 103,287	93.1%
Total Revenues	\$ 4,019,829	\$ 4,065,799	\$ 3,731,511	91.8%

EXPENDITURES

	2016 Initial Bud.	2016 Amend. Bud.	Actual 04/13/2016	% Spent
GENERAL FUND				
Governing Body	\$ 40,467	\$ 44,467	\$ 27,782	62.5%
Committees	\$ 7,500	\$ 61,794	\$ 26,532	42.9%
Finance	\$ 146,033	\$ 148,027	\$ 125,922	85.1%
Administration	\$ 385,448	\$ 420,638	\$ 296,792	70.6%
Community Center	\$ 17,750	\$ 17,750	\$ 12,826	72.3%
Emergency Mgmt. & Elections	\$ 3,200	\$ 3,200	\$ 2,189	68.4%
Tax Collections	\$ 25,000	\$ 25,000	\$ 17,233	68.9%
Legal	\$ 28,900	\$ 28,900	\$ 16,038	55.5%
Police Department	\$ 1,208,819	\$ 1,213,819	\$ 928,807	76.5%
Fire Department	\$ 484,760	\$ 479,760	\$ 351,216	73.2%
Lifeguards	\$ 190,957	\$ 194,557	\$ 121,562	62.5%
Parks & Recreation	\$ 138,748	\$ 138,748	\$ 89,152	64.3%
Bldg Inspection/Code Enforcement	\$ 126,565	\$ 126,565	\$ 79,985	63.2%
Streets & Sanitation	\$ 740,797	\$ 740,797	\$ 555,647	75.0%
Debt Service	\$ 294,205	\$ 294,205	\$ 274,735	93.4%
Transfer to Other Funds	\$ 50,000	\$ 50,000	\$ 50,000	100.0%
Contingency	\$ 130,680	\$ 77,572	\$ -	0.0%
Total Expenses	\$ 4,019,829	\$ 4,065,799	\$ 2,976,418	73.2%

WATER & SEWER FUND

Water Charges	\$ 710,710	\$ 710,710	\$ 563,859	79.3%
Sewer Charges	\$ 1,011,270	\$ 1,011,270	\$ 773,128	76.5%
Tap, Connect & Reconnect Fees	\$ 27,840	\$ 27,840	\$ 52,980	190.3%
All Other Revenues	\$ 6,035	\$ 6,035	\$ 5,946	98.5%
Other Financing Sources	\$ 130,750	\$ 130,750	\$ 51,455	39.4%
Total Revenues	\$ 1,886,605	\$ 1,886,605	\$ 1,447,368	76.7%

WATER & SEWER FUND

Governing Body	\$ 16,767	\$ 16,767	\$ 9,853	58.8%
Legal	\$ 28,900	\$ 28,900	\$ 16,038	55.5%
Finance	\$ 171,402	\$ 171,402	\$ 128,606	75.0%
Administration	\$ 251,919	\$ 251,919	\$ 204,372	81.1%
Operations & Transfer	\$ 1,417,617	\$ 1,417,617	\$ 930,126	65.6%
Total Expenses	\$ 1,886,605	\$ 1,886,605	\$ 1,288,995	68.3%

STORM WATER FUND

Total Revenues	\$ 523,330	\$ 523,330	\$ 254,697	48.7%
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STORM WATER FUND

Total Expenses	\$ 523,330	\$ 523,330	\$ 196,532	37.6%
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POWELL BILL FUND

Total Revenues	\$ 64,030	\$ 64,030	\$ 65,434	102.2%
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POWELL BILL FUND

Total Expenses	\$ 64,030	\$ 64,030	\$ 11,796	18.4%
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SEWER EXPANSION RESERVE FUND (SERF)

Total Revenues	\$ 22,635	\$ 22,635	\$ 52,630	232.5%
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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 Revenues	\$ 50,000	\$ 50,000	\$ 50,158	100.3%
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BEACH PROTECTION FUND

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

Total Revenues	\$ 50,000	\$ 60,000	\$ -	0.0%
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FEDERAL ASSET FORFEITURE FUND

Total Expenses	\$ 50,000	\$ 60,000	\$ 51,440	85.7%
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**TOWN OF KURE BEACH
CASH AND INVESTMENTS
AS OF MARCH 31, 2016**

<u>FUND</u>	<u>CASH IN BANK</u>	<u>INVESTMENTS</u>	<u>TOTAL CASH & INVESTMENTS</u>
General	\$2,549,035	\$341,511	\$2,890,546
Water/Sewer	\$1,349,268	\$584,310	\$1,933,578
Storm Water	\$753,396	\$240,089	\$993,485
SERF	\$290,386	\$91,173	\$381,559
Powell Bill	\$252,639	\$19,907	\$272,546
Beach Protection	\$61,640	\$175,158	\$236,798
Federal Asset Forfeiture	\$94,574	\$0	\$94,574
TOTAL	\$5,350,938	\$1,452,148	\$6,803,086
	<u>INSTITUTION</u>		
BB&T	\$5,350,938	\$0	
First Bank - Certificates of Deposit	\$0	\$962,201	
NCCMT Term Portfolio	\$0	\$480,624	
NCCMT Cash Portfolio	\$0	\$9,323	
TOTAL	\$5,350,938	\$1,452,148	

**TOWN OF KURE BEACH
SUMMARY OF CONTINGENCY FUND AND COMMITTEE
EXPENDITURE ACTIVITY
07/01/2015 - 04/13/2016**

CONTINGENCY FUND

Fiscal Year 2016 Budget	\$130,680.00
Less:	
Budget Amendments - Transfer funds to Administration & Finance Departments - Resolution R15-12	\$7,184.00
Budget Amendment - Transfer funds to Committees Budget- Resolution R16-03	\$11,924.00
Budget Amendments - Transfer funds to Council & Administration Budgets- Resolution R16-04	<u>\$34,000.00</u>
Remaining Budget as of 04/13/2016	<u><u>\$77,572.00</u></u>

COMMITTEE (Shoreline Access, Beach Protection & Parking) EXPENDITURES

Fiscal Year 2016 <u>Amended</u> Budget	\$61,794.00
Less Expenditures:	
Grant Writer Fees	\$825.00
Parking Signs	\$104.95
Engineer Deposit - H Ave. Beach Access	\$500.00
Parking Lot Stone/Hauling	\$653.41
Parking Signs	\$105.00
Adopt A Beach Website Fees	\$183.90
Deposit for H Ave. Beach Access Project	\$22,660.00
H Avenue Beach Access Drawings	<u>\$1,500.00</u>
Total Expenditures	\$26,532.26
Projects Approved By Council But Not Yet Expended:	
Engineer - H Ave. beach access	\$2,000.00
H Avenue beach access project	<u>\$31,634.00</u>
Total Approved, Not Expended	<u><u>\$33,634.00</u></u>
Remaining Budget as of 04/13/2016	<u><u>\$1,627.74</u></u>

**TOWN OF KURE BEACH
DEBT LISTING
APRIL 21, 2016**

<u>LOAN PURPOSE/DESCRIPTION</u>	<u>FUND</u>	<u>LENDER</u>	<u>DATE OF LOAN</u>	<u>AMOUNT FINANCED</u>	<u>INTEREST RATE</u>	<u>LOAN TERM (YRS)</u>	<u>DATE PAID OFF</u>	<u>BALANCE AT 04/21/16</u>	<u>PAYMENT FREQUENCY</u>	<u>PAYMENT AMOUNT</u>	<u>NEXT PAY DATE</u>	<u>INT. EXPENSE LIFE OF LOAN</u>
Sewer Rehabilitation Project (a)	W/S	Fed Gov	05/01/2010	\$432,660	0.00%	20	05/01/2030	\$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	\$778,846.27	Annual	\$98,238.48	12/19/2016	\$690,135.16
334 S. 4th, 402 H & 406 H Ave.	G	BB&T	03/12/2015	\$409,471	2.49%	10	03/12/2025	\$368,524.03	Annual	\$51,142.95	03/12/2017	\$56,077.07
Water Tower & Well House & Town Hall Expansion (b)	G, W/S	BB&T	04/11/2007	\$1,187,187	3.92%	15	05/07/2022	\$599,829.16	Semi-annual	\$52,716.71	05/07/2016	\$394,314.33
O'Brien 7065 Hydroletter (c)	W/S, SW	1st Bank	08/13/2015	\$81,485	1.70%	5	08/13/2020	\$81,484.95	Annual	\$17,149.28	08/13/2016	\$4,202.44
Cutter Court Drainage Project	SW	B of A	07/23/2005	\$875,000	4.40%	15	05/23/2020	\$304,159.07	Monthly	\$6,677.76	05/23/2016	\$326,995.49
FY 2016 Equipment & Vehicles (d)	G, W/S	BB&T	09/14/2015	\$186,000	2.01%	4	03/14/2019	\$186,000.00	Annual	\$48,859.87	09/14/2016	\$9,439.48
(2) 2015 Police Cars	G	BB&T	03/27/2015	\$48,359	2.19%	4	03/27/2019	\$36,659.23	Annual	\$12,758.83	03/27/2017	\$2,676.33
2015 Ford F-250 Utility Truck	W/S	BB&T	10/24/2014	\$32,216	2.19%	4	10/24/2018	\$24,421.80	Annual	\$8,499.73	10/24/2016	\$1,782.92
Downtown Improvement Project	G	BB&T	01/17/2014	\$117,000	1.93%	4.5	06/17/2018	\$71,644.71	Annual	\$24,719.00	01/17/2017	\$6,595.00
2013 Ford F-150 Police Truck	G	BB&T	01/15/2014	\$32,000	2.18%	4	01/15/2018	\$16,345.00	Annual	\$8,440.70	01/15/2017	\$1,762.80
2013 Ford Police Utility	G	BB&T	06/28/2013	\$29,836	2.17%	4	06/28/2017	\$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	\$31,531.79	Annual	\$32,102.53	09/16/2016	\$8,360.65

FUND CODES

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

TOTAL OUTSTANDING DEBT AT 04/21/2016:

General Fund \$ 1,819,334.62
Water/Sewer Fund \$ 774,136.77
Storm Water Fund \$ 344,901.55
Total \$ 2,938,372.93

NOTES

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

LOAN PAYMENTS DUE (Next 12 Months):

04/22/2016 - 06/30/2016 \$ 84,495.94
07/01/2016 - 09/30/2016 \$ 150,205.71
10/01/2016 - 12/31/2016 \$ 179,488.20
01/01/2017 - 04/21/2017 \$ 123,772.52
Total \$ 537,962.37



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

The Kure Beach Town Council held their regular meeting on Thursday, March 24, 2016 at 6:30 p.m. The town attorney was present and there was a quorum of council members.

COUNCIL MEMBERS PRESENT

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

STAFF PRESENT

Building Inspector – John Batson
Town Clerk – Nancy Avery
Deputy Town Clerk – Nancy Hewitt

CALL TO ORDER

Mayor Swearingen called the meeting to order at 6:30 p.m.

MOTION – Commissioner Dugan moved to approve the change in the council meeting date from Tuesday, March 22nd to Thursday, March 24th.

SECOND – Commissioner Heglar

VOTE – Unanimous

Reverend Thomas Williams delivered the invocation and led everyone in the Pledge of Allegiance.

AWARDS & RECOGNITION

Mayor Swearingen presented a Certificate of Appreciation to Reverend Thomas Williams and thanked him for his dependable service to the town in conducting the invocation at the council meetings.

APPROVAL OF CONSENT AGENDA ITEMS

1. Adopt Resolution R-16-04 transferring \$4,000 from the Contingency to the Council budget for Comprehensive Plan expenses and \$30,000 to the Administration budget for architectural services.
2. Approve Budget Amendment 16-06 authorizing transfer of \$4,000 from the FY2016 General Fund Contingency account to the Council budget for Comprehensive Plan expenses.
3. Approve Budget Amendment 16-07 authorizing transfer of \$30,000 from the FY2016 General Fund Contingency account to the Administration budget for architectural services.
4. Approve Budget Amendment 16-08 to increase the Lifeguard budget for the proceeds received (\$3,600) from the sale of surplus ATVs.



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

5. Approve application for funding from NHC Tourism Development Authority (TDA) totaling \$8,500 for Pleasure Island Chamber of Commerce concerts held during the summer of 2015.
6. Approve application for funding from NHC TDA totaling \$3,300 for the 2015 Kure Beach Fantasy Christmas Show.
7. Approve reimbursement request from Mayor Swearingen who attended Promoting Sustainable Tourism Businesses meeting in Beaufort, NC on 3/9/16 for total cost of \$148.
- ~~8. Approve travel for Mayor Swearingen and Mayor Pro Tem Bloszinsky to attend the 2016 NC Coastal Local Governments Annual meeting in Pine Knoll Shores, NC, 4/20-4/21/16, for the approximate total cost of \$695.~~
9. Approve Paula Withrow's move to an alternate member position on the Parks & Recreation Board
10. Appoint Gregory Wrubluski as a regular member on the Parks & Recreation Board
11. Appoint Patti Rose as a regular member on the Parks & Recreation Board
12. Appoint Dennis Panicali as an alternate member of the Shoreline Access, Beach Protection and Parking Committee
13. Building Inspections Report – February 2016
14. Fire Department Report – February 2016
15. YTD Finance Report
16. Approve meeting minutes:
 - February 16, 2016 public hearing
 - February 16, 2016 regular council meeting
 - February 22, 2016 council retreat

Mayor Swearingen asked that Item 8 on the Consent Agenda be removed and placed together with Item 2 under New Business, to be discussed at the same time.

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

SECOND – Commissioner Dugan

VOTE – Unanimous

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

ADOPTION OF THE AGENDA

Mayor Swearingen asked to amend the meeting agenda by adding “LED Streetlights” as Item 1 under Old Business and to amend the list of Mayor Updates by moving “Upcoming Events” to Item 7, adding “Meeting with Colonel Hart from MOTSU” as Item 5 and adding “Town Attorney Review of Non-zoning Ordinances” as Item 6.

Commissioner Heglar asked to amend the meeting agenda by adding “Room Occupancy Tax for Short-term Rentals” as Item 5 under New Business.



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

MOTION – Commissioner Dugan moved to adopt the meeting agenda, as amended by Mayor Swearingen and Commissioner Heglar.

SECOND – Commissioner Heglar

VOTE – Unanimous

DISCUSSION AND CONSIDERATION OF PERSONS TO ADDRESS COUNCIL

1. Don Harris, 777 Sloop Pointe Lane

Mr. Harris stated the following:

- Asked council to consider allowing him to bring his ATV on the beach to carry his fishing equipment because he is disabled and unable to get to the shoreline without an ATV to carry his fishing equipment.
- His passion in life is fishing and he'd like to be able to do it without the help of others.
- He has acquired a special use permit at the Fort Fisher State Recreation Area (FFSRA) to use his ATV on their beach, but he would also like to be able to fish in Kure Beach.
- Council could issue a limited amount of special permits for this and he would be willing to abide by any location and time constraints set by council, as well.
- He has a trailer to transport his ATV to the ADA beach access ramp, so he would not be illegally driving his ATV on the roads.

Building Inspector Batson said the only entities currently allowed to drive an ATV on the beach are ocean rescue and emergency vehicles, and the Pleasure Island Sea Turtle Project which is required to maintain the town's beach nourishment permit.

Mayor Swearingen said the police and fire chiefs have said they would not support Mr. Harris' request at this time, for any purpose, because they are concerned about the narrow width of the beach and their ability to get emergency vehicles on it.

Commissioner Dugan added that they are also afraid the beach will be overrun with ATVs for disabled/handicapped if they allow this.

Mr. Harris said he doesn't feel it's fair for the police and fire chiefs to deny his request without considering the options.

Commissioner Dugan said he will work with the police and fire chiefs to consider Mr. Harris' suggestions and bring back their recommendation to council at next month's meeting.

Mayor Swearingen asked Inspector Batson to contact the Fish and Wildlife Service to see if they have any new regulations about ATVs on the beach that could affect the sea turtle habitat because she thinks the preliminary regulations said something about not allowing them.



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

Mr. Harris suggested that Inspector Batson also check with the FFSRA because he knows they have regulations regarding turtle nests.

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Marketing Advisory Committee (MAC)

a. New Strategic Plan

Committee member, Debbie Elliott, presented their new Strategic Marketing Plan to council, as follows:

- They would like to conduct a cooperative marketing program where the three local beaches and Wilmington advertise together in one marketing campaign.
- The total cost to Kure Beach for the cooperative campaign would be \$20,000 for year 2017-2018, leaving Kure Beach with \$40,000 to do targeted marketing for the town.
- The local beaches have a unique situation being located next to a very attractive, historic city, and that needs to be emphasized in the cooperative campaign.
- The TDA will do a brand awareness study, before the campaign, to give them clear benchmarks and then use other programs to analyze the market further.
- It would be a smart approach to draw people to the area with cooperative ads and then entice them to stay in Kure Beach through targeted ads.
- All three beach marketing committees and Wilmington have agreed they'd like to do this.
- The committee will go before the TDA next week with the proposal and come back to council in June with a more defined budget and recommendation.
- Even though this is a strategy for year 2017-2018, the committee would like to get an agreement from council by June 2016 to allow the creative teams enough time to put together the study and create the campaigns.

2. Planning & Zoning (P&Z) Commission

a. Revised draft zoning ordinance amendment to Section 190-373(7) for political signs

P&Z Vice-chair, Alan Votta, explained the changes to the ordinance recommended by the commission.

The following suggestions and comments were made:

- Language regarding all three types of elections, "primary, general and run-off," needs to be put in the ordinance. Remove wording on portable political signs. Remove the language forbidding signs on public property since you can't forbid them near the polling place and in the Extraterritorial Jurisdiction (ETJ). Council can also choose the option of leaving the current ordinance as-is. (Swearingen)
- There were no problems with the current ordinance until people had problems with it during the last election. Hold off on amending the ordinance to see if there are problems with it during the presidential election. (Dugan)



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

- We have an ordinance the building inspector can't enforce because the town attorney says it's illegal. Since council knows this, it needs to be fixed. It needs to be clarified about signs on town property or people will put signs everywhere. (Heglar)
- Our current ordinance prohibits political signs in the ETJ which is illegal, according to G.S. 136-32. (Town Attorney)

MOTION – Commissioner Heglar moved to revise the proposed amendment to Section 190-373(7) for political signs, as follows: add “During the period beginning on the 30th day before the beginning date of ‘one-stop’ early voting and ending on the 10th day after the primary, run-off or Election Day, political signs may be erected on any privately owned premises.” Also, remove the sentence “Portable political signs are not permitted.”

SECOND – Commissioner Whitley

VOTE – Unanimous

MOTION – Commissioner Heglar moved to schedule a public hearing for the purpose of receiving input on the proposed amendment to Section 190-373(7) for political signs as the first item of business on the April 19th council meeting agenda to be held at Town Hall beginning at 6:30 p.m., or soon thereafter.

SECOND – MPT Bloszinsky

VOTE – Unanimous

b. Update on discussion of Shipping Container Houses

P&Z Vice-chair Votta said that P&Z is still working on the issue of container houses.

MPT Bloszinsky pointed out the email from P&Z Chairman John Ellen which gives a general status on the issue and states there are still some things P&Z is considering.

Commissioner Heglar said the last sentence of Chairman Ellen's email says that P&Z is checking with other towns to see how they are handling the issue.

P&Z member, Kenneth Richardson, said that they have already checked with a few municipalities, including Southport, Topsail and Wilmington, and most of them don't have this issue yet; but a couple of the towns said they wouldn't allow them. He said Wilmington is allowing container homes for certain situations.

Commissioner Heglar asked Vice-chair Votta to email council the two proposed ordinances regarding container houses after P&Z's April meeting to give council a chance to consider them before the council meeting.



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

The town attorney said that, when he went before P&Z on this subject and the political sign ordinance, the P&Z attorney got involved as well. He said he doesn't want council to think he worked on these by himself.

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Administration and Recreation

- a. Adoption of resolution R16-05, declaring an exemption from the Qualifications Based Selection process required by G.S. 143-64.31 for architectural services

Town Clerk Avery said she was directed by council at their February retreat to begin the process of hiring an architect to provide drawings and a construction budget for the expansion of town hall, and to build a new fire station. She made the following points:

- A Request for Qualifications (RFQ) is required by the state to hire an architect, but you can't request pricing information.
- Once a firm is selected, a price can be negotiated, but if the price isn't acceptable to council, they can choose another architect from the proposals.
- This process puts council in a position of trying to decide if the price is reasonable without being able to compare the prices from the other firms.
- There's another state statute that allows us to exempt ourselves from the RFQ process and request pricing as part of the selection process, but it can only be done if we expect the cost of the service to be less than \$50,000.
- She recommended council approve the resolution to exempt the town from the state's RFQ requirement.

The town clerk said the town went through the RFQ process for the Ocean Front Park (OFP) and council couldn't talk about pricing during the selection process. She showed council the Request for Architectural Design Services she created that would require firms to submit their proposals, along with pricing. She said the firms would be required to submit their proposals by April 20th, to be reviewed by council at their April 22nd budget workshop. She said council already approved the budget amendment to transfer \$30,000 from the Contingency Fund to the Administration budget in the consent agenda.

MOTION – Commissioner Heglar moved to adopt resolution R16-05, declaring an exemption from the Qualifications Based Selection process required by G.S. 143-64.31 for architectural services related to expansion of Town Hall and design of a new fire station.

SECOND – MPT Bloszinsky

VOTE – Unanimous

Said resolution is herein incorporated as part of these minutes.

- b. Approval of Request for Architectural Services for the expansion of Town Hall and design of a new fire station



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

The town clerk asked council to approve the Request for Architectural Services, adding that the department heads have already reviewed it and are all in favor of it.

The building inspector said the request prepared by the town clerk was very well done.

MOTION – Commissioner Heglar moved to approve the Request for Architectural Services related to expansion of Town Hall and design of a new fire station, as presented.

SECOND – MPT Bloszinsky

VOTE – Unanimous

Mayor Swearingen said Town Clerk Avery has done an excellent job of putting this together and added that a project manager from staff should be assigned to work with, and oversee, the architect to make sure everyone's wishes are included and all town ordinances are followed. She recommended the building inspector be the project manager.

Inspector Batson said it was a little early to assign a project manager, and he and the town clerk will be working together throughout the process. He said that, after the architectural firm is chosen, they can sit down together to discuss what is wanted.

Commissioner Heglar agreed that assigning a project manager should be discussed after an architectural firm is chosen. He said he doesn't want to run into the problems that occurred during the OFP construction.

MPT Bloszinsky said there are a few department heads who have a very specific idea of what they want for their department and the project manager shouldn't necessarily have the ability to override their wishes. He said the project manager should be responsible for making sure deadlines are met, the Gantt charts are followed and to be the liaison for revisions that need to be made.

Inspector Batson said that the title "project manager" is used loosely and he looks at the role as being the town's representative who is keeping an eye on the project. He said he isn't interested in having a thing to do with the project if an architect isn't the main project manager of the entire process. He said that's the only way the project should move forward.

Mayor Swearingen said she has looked into the costs of construction of the proposed project and expects it will cost about \$2 million to complete. She said that architects and engineers charge about 10-20 percent of the total cost of the project.

Town Clerk Avery said that she and Inspector Batson have agreed that the architect should be the project manager which was the case when the hallway was added to town hall; the architect was



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

the project manager who oversaw the contractor. She said Inspector Batson doesn't want to have to oversee the contractor, since the liability should be on the architect, not a town employee.

The mayor suggested having the county's project manager, who oversees their large construction projects, come and talk with them at some point.

Commissioner Dugan said council hasn't decided they are officially going to do this project and recommended they wait to get through the budget process before proceeding with consultations and deciding on a project manager.

2. Building Department

Inspector Batson said he received the CAMA permit exemption to build the H Avenue ADA beach access ramp and asked for council's approval to close the current H Avenue beach access ramp and adjoining parking lot so that crews can start work. He said the parking lot could still be open on weekends, if that is how council wants it.

MOTION – Commissioner Heglar moved to close the H Avenue beach access and parking lot, as necessary, to support the building of an ADA beach access ramp.

SECOND – Commissioner Whitley

VOTE – Unanimous

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

1. LED Streetlights

Mayor Swearingen asked council if they wanted to approve the proposal from Duke Energy to change out all of the town's street lights to LED lights, noting that it will cost \$6,400 to do this, but it is estimated to save the town \$3,400 annually.

MOTION – Commissioner Heglar moved to approve upgrading all of the town's street lights to LED at a cost of \$6,400, to be transferred from the Contingency Fund to the Public Works budget.

SECOND – Commissioner Dugan

VOTE – Unanimous

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Interview of applicant process for committees, Planning and Zoning (P&Z) Commission and the Board of Adjustment (BOA)

Mayor Swearingen said that P&Z and the BOA can't interview applicants for membership because of state law, but she wanted to know if they could informally talk to the applicants to let the applicant hear from the members and to allow the members to see how compatible they are. She said she remembers during Mayor Medlin's administration that this was allowed.



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

Town Attorney Canoutas said that, during Mayor Medlin's administration, the members wouldn't interview the applicants but would simply tell council they were fine with the application; then council was responsible for interviewing them. He said that it is especially important for the BOA to have council do the interviews, since it is a quasi-judicial board.

2. April NCBIWA 2016 Coastal Local Governments Meeting on 4/20-4/21/16 in Pine Knoll Shores, NC: \$250 Bronze Sponsorship and travel for Mayor Swearingen and Mayor Pro Tem Bloszinsky to attend the meeting at the approximate cost of \$695.

Mayor Swearingen said she thought it would be nice if council would be a sponsor of the event this year, since they have never done this before. She said she spoke to the new president, Kathleen Riely, who told her that being a member of the NCBIWA entitles the town to two, free meeting registrations per year.

MOTION – Commissioner Heglar moved to approve a \$250 Bronze Sponsorship for the annual NCBIWA Coastal Local Governments Annual meeting in Pine Knoll Shores, NC, and to approve Mayor Swearingen and MPT Bloszinsky's travel to it, excluding the registration fees, to be paid from the Council budget.

SECOND – Commissioner Dugan

VOTE – Unanimous

3. FY2017 Sewer Authority rates

Commissioner Heglar said they met with Carolina Beach about the water/sewer rates and Finance Officer Copenhaver did a good job going over everything and reviewing the rates.

Commissioner Dugan said that Kure Beach is about ten years ahead of Carolina Beach in infrastructure and the costs dropped when the town stopped sending all of its rainwater to them. He said Carolina Beach is now starting to catch up, but it will be to Kure Beach's detriment because that's what drives the fixed costs up.

MOTION – Commissioner Heglar moved to approve the FY2017 Sewer rates set by the Kure Beach/Carolina Beach Sewer Authority as follows:

- *Variable costs: \$77.66 per 1,000 gallons*
- *Fixed costs: \$13,671.31 per month*
- *Capital Recovery: \$3,746.25 per month*

SECOND – MPT Bloszinsky

VOTE – Unanimous

4. Council travel expenses

Mayor Swearingen said that she was told that travel has to be approved "in advance" by council but that it doesn't say that in the town's travel policy.



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

5. Room Occupancy Tax (ROT) for Short-term Rentals

Commissioner Heglar reviewed what he found out from the county tax representative about the ROT collection process and also reviewed a letter the tax office mailed to over 9,000 property owners in the county notifying them of their responsibility to pay the ROT and state tax if they rent their property short-term. His other comments were, as follows:

- The county doesn't have a good process for monitoring and collecting ROT from short-term rental properties; rather, they depend on the honor system with property owners.
- The only exemption to paying ROT is for people who rent their properties for less than 15 days or more than 90 days, annually.
- Council may be able to determine who is renting their property short-term by asking public works, the building inspector and the police and fire departments about their observations.
- Town staff could pull information off of websites like Air B&B to compare with the list from the tax office.
- Property management companies might be cooperative, since they probably don't appreciate violators getting away with charging a lower rental charge without ROT.
- This issue should be brought up at the Community Visioning Day event.

Commissioner Heglar recommended taking these steps to address the issue in 2016, as follows:

- In April, communicate to all homeowners through the newspaper, town website and email distribution that the town is beginning an audit process to determine unreported ROT from short-term rental properties; and identify short-term rental properties by polling realty and property management companies and town departments for their input.
- In May, mail letters to potential non-compliant property owners notifying them that we believe they are renting short-term without paying ROT and that we will report them to the tax office and the IRS for tax violation; then follow up with the tax office to see if they received any new accounts from those to whom letters were mailed and, subsequently, report non-compliant property owners to the tax office.
- In April or May, consider charging a different water/sewer/garbage rate for short-term rental properties during the budget process so that the finance officer can determine the impact it could have on the budget and, if a new utility rate is agreed upon by council, all short-term rental property owners should be notified of the proposed new rate so they can come to council before the budget is set to give their input.

Mayor Swearingen said she doesn't want to discuss this issue in depth during Community Visioning Day, as that is not what the event is supposed to be targeting. She said she has spoken to realtors who have suggested the ROT information be put in the management companies' contracts for the renters to sign.



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

Commissioner Heglar said that the town will provide all of the information to the realtors and they are welcome to put it in their contracts.

MPT Bloszinsky and Commissioner Dugan volunteered to work on the issue to take the workload off of town staff.

CONSENSUS – Council would like to pursue tracking down unreported short-term rentals in Kure Beach in order to report their findings to the county tax office to collect ROT.

Town Clerk Avery said that the town is not the taxing authority and should be careful what is said and how it is said in any letters going to property owners. She asked if there is any guarantee from Mr. Kelly at the county tax office that he will follow up on the information he receives from the town.

Commissioner Heglar said that he would not send out any letter without the town attorney approving it. He said Mr. Kelly told him that he will take seriously any reports from a town that there is someone in violation of a tax law.

Mayor Swearingen said the tax office would be in as much trouble as the property owner if the town provided information to the office and they refused to collect the ROT.

MPT Bloszinsky said he believes the county will take action if council reports their information, since the county and state will also receive revenue from it.

Commissioner Whitley said that the issue was discussed during a P&Z meeting, and the representative from the tax office who attended said he thinks Kure Beach is losing about \$500K annually and Carolina Beach is losing even more.

The town clerk asked why the representative, then, doesn't do something about it if he knows this rather than leave it up to the town to handle.

The response was that he is the only person assigned to handle this issue in New Hanover County.

Commissioner Heglar said that the town is certainly allowed to find and report violators, and Mr. Kelly said he would accept the information.

Town Attorney Canoutas said Mr. Kelly will probably give it to Wanda Copely, the county attorney.



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

Town Clerk Avery said that, years ago, the town did some discovery work on this issue and sent their information to the county but could never see the county's list to know whether they did anything with it.

MAYOR UPDATES

1. Promoting Sustainable Tourism Businesses meeting

The mayor reviewed the agenda of the meeting and said she hopes that Kure Beach will one day be recognized as a "green destination." She said the town's businesses could benefit from some of the information provided and she would like to invite Tom Rhodes from NC Green Travel to come and talk with council sometime.

2. NCLM Legislative Agenda

The mayor said NC legislators are thinking about revising the tier system used to appropriate sales tax money across the state. She said there is also a bill being pushed through the legislature where municipalities will no longer have any authority over billboards in their community; this will allow anyone to put up billboards anywhere in the state. She said she can't imagine a billboard in the middle of Kure Beach.

3. DOT Bike/Pedestrian Plan

The mayor said DOT is developing a bike and pedestrian plan for the entire region, and the greenway plan that was developed by the MPO three years ago will automatically be part of it.

4. Comprehensive Plan

The mayor said that, during the Community Visioning Day event, she will have participants divide into groups for discussion. She said she will need volunteers to walk around and oversee the discussions to keep them on track and answer their questions. She said she doesn't want the people who monitor the groups to talk about their own agendas, but it's about the residents talking and putting things together themselves.

5. Meeting with Colonel Hart from MOTSU (Sunny Point)

The mayor said she met with Colonel Hart from Sunny Point who told her that the trees will be cleared at the corner of Dow Road and Ocean Boulevard to enable drivers at the intersections to see oncoming vehicles.

6. Town Attorney Review of Non-zoning Ordinances

The mayor said she met with the town attorney and they discussed reviewing and amending non-zoning ordinances that have been on the books for 40-60 years and to removing those that don't make sense or are no longer applicable to the town. She said the attorney will be working with the department heads on this.



TOWN COUNCIL MINUTES

REGULAR MEETING

March 24, 2016

The town attorney stated he will also be working on the penalty sections of the ordinances. He said there are several situations in the ordinances where the same ordinance has both a civil and a criminal penalty. He said that a violation needs to be considered a civil violation or a criminal violation, not both, and the penalty should be assigned accordingly. He said he will submit his recommendations to council at an upcoming meeting.

The mayor said that some of the ordinances are personnel issues and should be in the personnel policy, not in the ordinance.

7. Upcoming Events

The mayor said she will be going to UNCW to watch the new chancellor be sworn in and will meet with Senator Tillis' representative afterwards. She invited members of council to go with her or share anything they want her to convey.

COMMISSIONER ITEMS

1. Commissioner Heglar said that he, Mayor Swearingen, Public Works Director Beeker and the town attorney met with the Beachwalk Homeowners Association (HOA). They discussed a project to bring their retention pond compliant with state standard, as follows:
 - A town-owned pipe needs to be redirected from the Beachwalk retention pond.
 - The project will probably start in late May or June, after the permit is approved, and it may take about five months to complete.
 - Beachwalk HOA will send a request letter to council asking to use the town's Sandman Drive property as a laydown area; this is to be put on the April council agenda for discussion and consideration.
 - There will be no dumping of spoil or hazardous material, and a fence will be erected around the laydown area where heavy equipment and supplies can be kept.
 - The laydown area will reduce the movement of heavy equipment through the town.
 - Council will notify the HOA representing Sandman Drive that this will be discussed at the April meeting so they can attend and share their concerns.

ADJOURNMENT

MOTION – Commissioner Dugan moved to adjourn the meeting.

SECOND – Commissioner Heglar

VOTE – Unanimous

The meeting adjourned at 9:25 p.m.

Emilie Swearingen, 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.



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

cc: John Ellen
 Joseph Whitley +
 Council
 ORIG - App Book

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

Request for Appointment to: Alternate, Planning and Zoning Commission
 Name John Cawthorne
 Address 281 Seawatch Way, Kure Beach NC 28449
 Telephone 703-785-5714 Cell 703-785-5714
 Email johncawth@hotmail.com (You will receive the majority of correspondence via email)
 Length of permanent residence in Kure Beach 6 mo.
 Employment Owner, Neumarket Consulting LLC
 Job Title President

Professional Activities 29-yr Air Force Civil Engineer (Colonel). Facility program and project planning. Civil Engineering consulting. Environmental planning and land use planning. City development plans.

Volunteer Activities Chair, International Committee, Society of American Military Engineers; Church (various) - Trustee, food closet, youth activities, fund raisers; Community cleanup/enviromental

Other committee work, past or present None for Kure Beach. For USAF, environmental committees. Facility review and planning committees. Planning committees.

What is your understanding of the purpose of this committee?
To work with area planning and zoning ordinaces, supporting KB Town Council review and approval.

Why are you interested in serving on this committee?
To become involved and support my community, by using my gained engineering and planning knowledge.

What specific concerns or areas are you interested in?
Area development and compatible use planning. Environmental, flight path, noise or military use aspects.

Are there any time blocks from 8am-8pm, Monday through Friday, when you cannot attend meetings?
I'm available during all days, these hours.

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

Signature  Date 3/22/2016
 Thank you for your interest in serving the Town of Kure Beach

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

Town Use Only
 Date Received 3/28/16 Initials JSC Utilities Current YES NO
 Interview Date _____ (If applicable) Appointment Date _____
 Term Length 5 yr Term Expiration 2021



KURE BEACH
PLANNING & ZONING COMMISSION

Meeting Date: April 6, 2016

Agenda Item #V. C. Container Housing

Present to Town Council on:

Date: April 19, 2016

PLANNING AND ZONING COMMISSION
CONSISTENCY STATEMENT
N.C. Gen. Stat. 160A-383

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

- This recommendation is consistent with the objectives and policies of the Town of Kure Beach Land Use Plan adopted by Town Council September 27, 2006 (Adopted and Certified by Coastal Resources Commission November 17, 2006)
- This recommendation applies to Section 8 Part I of the Town of Kure Beach Land Use Plan, subsection "Constraints to Development"
- Consideration of recommended text amendment to The Town of Kure Beach Code ,
(a) Chapter 19Zoning, Art. I. Definitions - *Building (amending)*
(b) Chapter 19Z. Art. I. Definitions -adding *Container*
(c) Sec. 19-79.5 Uses that are prohibited (amend)


This recommendation applies to the John Sawyer Architects B1 District Study (HPA 2007)

The Planning and Zoning Commission considers its recommendation to be reasonable and in the public interest based on the following:

1. To clearly and specifically identify *building and container*
2. To propose test amendments prohibiting the use of Containers as buildings in light of the emerging interest of containers
3. **To prohibit** the use of containers as residential or any other type of buildings in any zoning district.
4. Limit Town liability in compliance with NC Supreme Court decision, *Byrd v. Franklin County* by expressly identifying containers as a prohibited use.

Therefore, the Planning and Zoning Commission requests Town Council's consideration of the above recommendation.

Attest:



John Ellen, Chairman

Planning and Zoning Commission

**PROPOSED TEXT AMENDMENTS PROHIBITING
THE USE OF CONTAINERS AS BUILDINGS**

Chapter 19 Zoning

Sec. 19-1. Definitions

1. Amending the definition for “Building” as follows:

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

2. Adding a definition for “Container” as follows:

Container shall mean any standardized shipping container used for intermodal freight transport. Also known as cargo or freight container, ISO or intermodal container, and shipping, sea, or ocean container.

Sec. 19-79.5. Uses that are prohibited.

1. Adding the following to the list of prohibited uses:

The use of containers as buildings

Commentary:

1. These amendments should preclude the use of containers as a building for any purpose in any zoning district.
2. An ordinance adopting these particular amendments should include appropriate findings providing a rational basis for Council’s action.

CURRENT ORDINANCES (showing changes) PERTAINING TO OPTION TO PROHIBIT

Sec. 19-1. Definitions

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

Sec. 19-79.5. - Uses that are prohibited.

[The following uses are prohibited:]

- Adult book and video stores: SIC codes 5731, 5192, 5947, 5932, 5942 and 5961.
- Internet gaming devices: SIC codes 7993 and 7999.
- Adult oriented dancing: SIC code 7911.
- **The use of containers as buildings**

KEY TO FONTS USED FOR CHANGES

~~Strikethrough~~ – info deleted

BOLD – info added

ELDRIDGE LAW FIRM, P.C.

ATTORNEY AND COUNSELOR AT LAW

201 NORTH FRONT STREET, SUITE 906
WILMINGTON, NC 28401

REPLY TO:
JAMES E. ELDRIDGE
POST OFFICE BOX 1380
WILMINGTON, NC 28402

TELEPHONE: (910) 815-0107
MOBILE: (910) 232-6005
FACSIMILE: (910) 815-0188

MEMORANDUM

TO: KURE BEACH PZC; JOHN BATSON
FROM: JAMES E. ELDRIDGE, PZC ATTORNEY
DATE: APRIL 6, 2016
RE: REGULATING UNLISTED USES

INTRODUCTION

Sec. 19-78 of the Town's zoning regulations provides in pertinent part that: no building or land shall be used and no building shall be erected or altered which is intended or designed to be used in whole or part for any use other than those listed as permitted for that district.

As PZC's members know, that "catchall" prohibition has been invalidated by the North Carolina Supreme Court's decision in *Byrd v. Franklin County*, 2015 WL 6799552 (Nov. 6, 2015) (hereinafter cited as *Byrd*) which "rejected the notion that a zoning ordinance may prohibit uses not explicitly allowed." Given the impossibility of expressly identifying every prohibited use, PZC's attorney was instructed to research alternative methods for effectively regulating unlisted uses. I have completed that review and my findings are discussed below.

DISCUSSION

The *Byrd* decision is actually the most recent appellate decision on this issue and follows a line of cases dating back to 2010 which addressed a variety of attempts to regulate unlisted uses. Having reviewed those cases and other materials, PZC's attorney recommends the following measures to more effectively regulate prohibited and unlisted uses.

1. The Town's zoning regulations should clearly specify non-permitted uses whenever possible. This measure has already been implemented under Sec. 19-79.5 which prohibits the following uses: adult book and video stores; internet gaming devices; and adult-oriented dancing. This list can be expanded as necessary as new land uses in unanticipated districts arise. For example, this list could be amended to expressly prohibit the use of

containers as buildings [residential or otherwise] in any zoning district should Council adopt such a regulation.

2. The Town should periodically update its zoning regulations to address specific emerging or controversial land uses. Such new uses can be expressly prohibited in Sec. 19-79.5 or regulated as permitted or special uses in particular zoning districts. It appears that the Town does periodically update its zoning provisions in this respect based on the express inclusion of internet gaming as a prohibited use in Sec. 19-79.5 and by the current consideration of how to regulate the emerging use of containers as buildings.

3. Finally, the Town should consider amending the zoning regulations to require that unlisted uses be treated the same as the most nearly similar use in lieu of a blanket provision prohibiting all unlisted uses. Such an amendment is recommended in light of the *Byrd* decision under which the State Supreme Court apparently “does not favor interpretations or ordinance provisions that presume an otherwise lawful use of land is prohibited.” David Owens, *Coates’ Canons Blog: Dealing with Land Uses Not Specifically Addressed in a Zoning Ordinance: The Saga Continues*, School of Government at the University of North Carolina, November 17, 2015 at 2. As Owens points out, such a provision requires close attention to clearly setting forth uses which policy dictates should be prohibited as discussed above. Such a provision also requires that the zoning regulations “give some definition and guidance to staff as to how to evaluate the similarity of uses to avoid...an impermissible degree of discretion in [staff].” *Id.* at 3.

CONCLUSION

Given the impossibility of listing all possible land uses, the Town’s zoning regulations should clearly specify, whenever possible, prohibited uses and update those provisions when presented with emerging or controversial uses. The Town should also consider, given that “the law favors uninhibited free use of private property over government restrictions,” *Byrd v. Franklin County*, ___ N.C. App. ___, 765 S.E.2d 805, (2014) (dissenting opinion), amending the zoning regulations to require that unlisted uses be reviewed as the most nearly similar use and provide staff with the guidelines and standards deemed necessary for making such determinations.



KURE BEACH
PLANNING & ZONING COMMISSION

Meeting Date: April 6, 2016

Agenda Item #V. C. Container Housing

Present to Town Council on:

Date: April 19, 2016

PLANNING AND ZONING COMMISSION
CONSISTENCY STATEMENT
N.C. Gen. Stat. 160A-383

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

X

This recommendation is consistent with the objectives and policies of the Town of Kure Beach Land Use Plan adopted by Town Council September 27, 2006 (Adopted and Certified by Coastal Resources Commission November 17, 2006

X

This recommendation applies to Section 8 Part I of the Town of Kure Beach Land Use Plan, *Subsection "Constraints to Development"*

X

Consideration of recommended text amendment to The Town of Kure Beach Code ,
(a) Chapter 19Zoning, Art. I. Definitions - *Building (amending)*
(b) Chapter 19Z Art. I. Definitions -adding *Container*
(c) Sec. 19-79.5 Uses that are prohibited (amend)
(d) Delete Sec. 19-78


 This recommendation applies to the John Sawyer Architects B1 District Study (HPA 2007)

The Planning and Zoning Commission considers its recommendation to be reasonable and in the public interest based on the following:

1. To clearly and specifically identify *building and container*
2. To propose test amendments prohibiting the use of Containers as buildings in light of the emerging interest of containers
3. **To regulate** the use of containers for residential purposes in RA-2T district only
4. Limit Town liability in compliance with NC Supreme Court decision, *Byrd v. Franklin County*

Therefore, the Planning and Zoning Commission requests Town Council's consideration of the above recommendation.

Attest:



John Ellen, Chairman
Planning and Zoning Commission

PROPOSED TEXT AMENDMENTS REGULATING THE USE OF CONTAINERS AS DWELLINGS

Chapter 19 Zoning

Sec. 19-1. Definitions

1. Amending the definition for “Building” as follows:

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

2. Adding a definition for “Container” as follows:

Container shall mean any standardized shipping container used for intermodal freight transport. Also known as cargo or freight container, ISO or intermodal container, and shipping, sea, or ocean container.

3. Adding a definition for “Dwelling, Container” as follows:

Dwelling, container shall mean a container designed for and used for residential purposes.

Sec. 19-177. Permitted Uses (in the RA-2T district)

1. Insert a new sub-section (3) as follows:

(3) Container dwellings

2. Renumber existing (3)-(7) as (4)-(8).

Sec. 19-79.5. Uses that are prohibited.

1. Adding the following to the list of prohibited uses:

Containers as buildings for any use other than as container dwellings

Commentary: The proposed amendments permit the use of containers as dwellings in the RA-2T district but should preclude the use of containers as any other building in any other zoning district.

CURRENT ORDINANCES (showing changes) PERTAINING TO OPTION TO PERMIT IN RA-2T DISTRICT

Sec. 19-1. Definitions

Building shall mean a structure enclosed and isolated by exterior walls constructed or used for residence, business, industry, or other public or private purposes, or accessory thereto, and including tents, lunch wagons, dining cars and ~~trailers~~ **container dwellings provided that, however, the term building shall not mean nor be construed so as to include a container used for any other purpose other than as a container dwelling.** ~~All provisions of building area will apply to term building.~~ The term building shall be construed as if followed by the words or part thereof.

Sec. 19-177. - Permitted uses.

The following are the permitted uses in the RA-2T district:

- (1) One- and two-family dwellings;
- (2) Manufactured/mobile homes;
- (3) Container dwellings**
- (4) Offices of resident members of recognized professions, dentists, engineers, lawyers, architects, where such professions are carried on in their respective residences (80-11, 21, 31, 41, 42, 43, 49; 8711, 12, 21; 8111);
- (5) Customary home occupations, such as dressmaking, music teaching, preserving, home cooking and laundering, but not including beauty parlors, provided that such occupation shall be engaged in only by residents on the premises and not more than the equivalent of the area of one (1) floor shall be used for such occupation, that no products nor any advertising of any nature shall from the street and that no accessory building; used for such home occupation;
- (6) Churches and other places of worship, include houses and Sunday schools (8661);
- (7) Colleges, schools, public libraries, public museums, libraries, and other public buildings (8221, 8211, 8231, 8412); (S)
- (8) Accessory buildings to permitted uses, provided that no accessory building shall be rented or occupied. Provided, further, that accessory buildings shall be constructed at time or following construction of the main building.

Sec. 19-79.5. - Uses that are prohibited.

[The following uses are prohibited:]

- Adult book and video stores: SIC codes 5731, 5192, 5947, 5932, 5942 and 5961.
- Internet gaming devices: SIC codes 7993 and 7999.
- Adult oriented dancing: SIC code 7911.
- **Containers as buildings for any use other than as container dwellings**

KEY TO FONTS USED FOR CHANGES

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BOLD – info added/changed

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containers as buildings [residential or otherwise] in any zoning district should Council adopt such a regulation.

2. The Town should periodically update its zoning regulations to address specific emerging or controversial land uses. Such new uses can be expressly prohibited in Sec. 19-79.5 or regulated as permitted or special uses in particular zoning districts. It appears that the Town does periodically update its zoning provisions in this respect based on the express inclusion of internet gaming as a prohibited use in Sec. 19-79.5 and by the current consideration of how to regulate the emerging use of containers as buildings.


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CONCLUSION

Given the impossibility of listing all possible land uses, the Town’s zoning regulations should clearly specify, whenever possible, prohibited uses and update those provisions when presented with emerging or controversial uses. The Town should also consider, given that “the law favors uninhibited free use of private property over government restrictions,” *Byrd v. Franklin County*, ___ N.C. App. ___, 765 S.E.2d 805, (2014) (dissenting opinion), amending the zoning regulations to require that unlisted uses be reviewed as the most nearly similar use and provide staff with the guidelines and standards deemed necessary for making such determinations.



MEMO

TO: Town Council
FROM: Nancy Avery, Town Clerk 
RE: Item 1 under Department Head business - Administration
DATE: 4/14/16

Background

After discussion at the budget session held April 13th, council agreed to repeal section 2-18 of the code addressing authority of department heads to suspend, demote or dismiss. Council also agreed to amend sections 1 and 4 of the Personnel Policy on the same subject matter so both sections are consistent in language.

In preparing the amendments, I realized I missed a similar reference in section 3 of the same article IX. Amendments to this section include replacing all references to 'supervisor' to 'department head' for consistency purposes and to replace language on authority of department heads to match language being amended in sections 1 and 4.

Action requested by staff

Council motion and vote to:

- 1) Repeal Section 2-18 (Disciplinary action for employees and department heads) of the Code or Ordinances
- 2) Amend sections 1, 3 and 4 in Article IX of the Personnel Policy on unsatisfactory job performance and detrimental personal conduct as presented

Repealing this section of the code does not require a public hearing.

Funding required

None

Comments for consideration

None

PROPOSED AMENDMENTS TO PERSONNEL POLICY

Delete lined through items, add items in red

(page 1 of 2)

ARTICLE IX. UNSATISFACTORY JOB PERFORMANCE AND DETRIMENTAL PERSONAL CONDUCT

Section 1. Disciplinary Action for Unsatisfactory Job Performance

A regular employee may be placed on disciplinary suspension, demoted, or dismissed for unsatisfactory job performance, if after following the procedure outlined below, the employee's job performance is still deemed to be unsatisfactory. All disciplinary suspension, demotion, or dismissal shall be ~~conducted by the primary supervisor with the consent of the Town Commissioners prior to giving final notice to the employee.~~ **at the sole discretion of the department head who shall make council aware of the circumstances.**

Department Heads Supervisors subject to Disciplinary Action shall be conducted by the Town Council. ~~or after a Personnel Board has made recommendations to council concerning their findings which shall be not binding upon the Town Commissioners.~~

Section 3. Communication and Warning Procedures Preceding Disciplinary Action for Unsatisfactory Job Performance

Mayor and commissioners – I did not catch changes needed to section 3 until I reviewed the policy again. Changes in this section replace ‘supervisor’ with ‘department head’ and add the language from the code about action being at the sole discretion of the department head. This section was not included at the discussion during the budget session.

When an employee's job performance is unsatisfactory, or when incidents or inappropriate actions warrant, the ~~supervisor~~ **Department Head** should meet with the employee as soon as possible in one or more counseling sessions to discuss specific performance problems. A brief summary of these counseling sessions should be noted in the employee's file ~~by the supervisor.~~ An employee whose job performance is unsatisfactory over a period of time should normally receive at least two warnings from the ~~supervisor~~ **Department Head** before disciplinary action resulting in dismissal is taken. In each case, the ~~supervisor~~ **Department Head** should record the dates of discussions with the employee, the performance deficiencies discussed, the corrective actions recommended, and the time limits set. If the employee's performance continues to be unsatisfactory, then the ~~supervisor~~ **Department Head** should use the following steps:

- 1) A final written warning from the ~~supervisor~~ **Department Head** serving notice upon the employee that corrected performance must take place immediately in order to avoid suspension, demotion, or dismissal.
- 2) If performance does not improve, the ~~supervisor~~ **Department Head** may make a decision and suspend the employee for up to three days. The ~~supervisor~~ **Department Head** ~~may~~ **has sole discretion also to** demote or dismiss the employee ~~with the consent of the~~ **and make** council **aware of the circumstances.** Disciplinary suspensions should not normally exceed three work

days for nonexempt employees. In order to retain their exempt status, disciplinary suspensions for exempt employees should normally be for one week.

Section 4. Disciplinary Action for Detrimental Personal Conduct

An employee or supervisor **Department Head** may be placed on disciplinary suspension, demoted, or dismissed without prior warning for causes relating to personal conduct detrimental to Town service in order to 1) avoid undue disruption of work; 2) to protect the safety of persons or property; or 3) for other causes determined by the Town consistent with the definition of Detrimental Personal Conduct. ~~Department heads may suspend employees for up to three days without prior approval. Employees may be demoted or dismissed with the approval of the Town Commissioners.~~ **All disciplinary suspension, demotion, or dismissal shall be at the sole discretion of the department head who shall make council aware of the circumstances.**

Disciplinary suspensions should not normally exceed three work days for nonexempt employees. In order to retain their exempt status, disciplinary suspensions for exempt employees should normally be for one week.



MEMO

TO: Town Council
FROM: Nancy Avery, Town Clerk *NA*
RE: Item 2 under Department Head business - Administration
DATE: 4/14/16

Background

After discussion at the budget session held April 13th, council agreed to add an Employee Assistance Program benefit for all employees at an annual cost of \$2,450. Benefit to be effective July 1, 2016.

Action requested by staff

Council motion and vote to:

Approve the proposal from McLaughlin Young Group, as presented, to provide an Employee Assistance Program benefit for all employees to be effective July 1, 2016 at an annual cost of \$2,450.

Funding required

Included in proposed FY16-17 Administration budget

Comments for consideration

None



Supporting Healthy and Productive Employees

A Proposal for an Employee Assistance Program (Preliminary)

Presented to:

Town of Kure Beach

Presented by:

McLaughlin Young Group

Gregg Hunter
Director of Client Services

704-285-7499
ghunter@mygroup.com

March 17, 2016

Executive Summary

McLaughlin Young Group is pleased to present this Proposal for Employee Assistance Program services. We are a unique EAP partner because:



Long-term Partner: The first two client organizations to sign contracts with McLaughlin Young, both on the same day April 1, 1987, have retained us as their EAP partner for 29 years. We have an impressive number of clients who have remained our partner for more than 20 years. If you are looking for, not just a provider, but a sustainable partner, these long-standing relationships are indicative of how we define partnership.

Enhanced Management Products and Services: The quality and sophistication of our products and services for HR / Managers further differentiate us from other EAPs.

- We have streamlined our formal management referral process by assigning each client organization a primary contact for these cases. We have exceptional follow-up and case management, including a satisfaction survey for each manager who makes the referrals.
- Our team includes professionals who have been specifically trained to provide management consultations, manage formal management referrals, and coordinate fitness for duty cases.
- Our critical incident response is customized to meet an organization's unique needs and includes coaching HR / Management on how to lead during a crisis.

International EAP Provider: We provide EAP services in more than 200 countries and over 140 languages.

Breadth of Services: We further differentiate ourselves as an EAP partner by our ability to provide solutions at all levels of an organization – from the frontline employee to the CEO. McLaughlin Young's capabilities include:

Supporting Healthy and Productive Employees

- Employee Assistance Program
- Work-Life Balance
- Health and Wellness

Developing Trusted and Effective Leaders

- Leadership Assessment
- Leadership Development
- Team Building

Improving Organizational Performance

- Organizational Assessment
- Employee Engagement
- Change Management

Overview: McLaughlin Young is a human capital consulting firm that helps people become more productive so their companies are more profitable. We do this by identifying and resolving issues that affect performance because we believe there is a strong connection between employee engagement and the company's bottom line.

Corporate Background: McLaughlin Young was founded as an EAP provider in Charlotte, NC in 1987. The company has remained privately owned and operated by Founder R. John Young, Ph.D. and is a member of the McLaughlin Young Group. McLaughlin Young has remained an independent EAP provider; we are not associated with a healthcare facility or embedded in a health insurance plan. We have been recognized as a Best Place to Work by *The Charlotte Business Journal*.

Experience: McLaughlin Young has been an EAP provider since 1987.

References: McLaughlin Young is an International EAP provider representing a variety of organizations ranging from small businesses to nonprofit organizations to Fortune 500 companies. Our employee counts range from small businesses with seven employees to organizations with more than 75,000 employees. We would be more than happy to provide you with references upon request.

Our first two clients from April 1, 1987, Piedmont Natural Gas and Cummins Atlantic, LLC, have provided the following testimonials to our long-term partnership:

"Beginning in 1987, Piedmont Natural Gas was the first client of McLaughlin Young's EAP service. Piedmont likes long-term partnerships with our vendors, but only when the partnerships are successful. We are still using McLaughlin Young's EAP service and have always found that they are responsive in emergency situations, have practical guidance in ways to approach the situation and have a network that is able to respond wherever needed."

~Donna R. Ball, HR Business Consultant-Benefits, Piedmont Natural Gas

"For the past 25 years, McLaughlin Young Group has been providing great value to our people when they have needed it most. Helping them focus on solutions for the challenges they face both at work and in their personal lives is a huge benefit for them and us."

~Steven H. Jordan, V.P. & COO, Cummins Atlantic LLC

Staffing and Qualifications: McLaughlin Young requires the highest level of experience within the EAP industry requiring our providers to have at least a Master's degree and five years of clinical experience. McLaughlin Young's provider network includes 30,000 clinicians in more than 200 countries.

This is a preliminary offer which may be accepted up to 90 days from the date submitted. The pricing in this proposal is guaranteed for two years.

Supporting Healthy and Productive Employees

Our EAP is designed to assist in the identification and resolution of productivity problems associated with employees impaired by personal concerns. Examples include relationship problems, work-related concerns, depression, drug and alcohol abuse, and grief and loss. These and many other issues affect job performance, work-life balance, and employee health.

McLaughlin Young is dedicated to Supporting Healthy and Productive Employees. We recommend the following benefits and services in order to support your organization.

EMPLOYEE ASSISTANCE PROGRAM

EAP Consultation

Help is available 24 hours a day, 7 days a week, and 365 days a year through McLaughlin Young's toll-free 1-800 number. All callers immediately hear a live voice when they call. At no time are our phones answered by automation (i.e. voicemail). Our clients experience the same level of service after hours and on weekends. We are equipped to handle calls in more than 140 languages.

McLaughlin Young provides confidential and professional EAP services for employees and family members who may be experiencing personal, medical, or work related concerns. Problems addressed by the EAP include but are not limited to: emotional, family, marital, alcohol, drug, financial, legal and other personal issues. EAP services include providing information, assessment, short-term problem resolution, and crisis intervention.

Face-to-Face Counseling Sessions

When employees and family members access services through our 1-800 number, they are offered a face-to-face counseling session in order for an experienced, licensed counselor to conduct a thorough needs assessment. Clients are assigned a case manager who will remain their contact throughout the process and ensure their needs are met.



Going Above and Beyond

- Unlimited number of issues per year: Clients may access services for an unlimited number of issues per year as long as they are not interrelated.
- After-termination services: Clients are eligible up to 30 days after-termination and 90 days after a lay off or downsizing.
- Bereavement services: Family members of a deceased employee are eligible for up to 90 days after the employee's death.
- Retirement services: Clients are eligible up to 90 days after their last work day.

EAP Provider Requirements



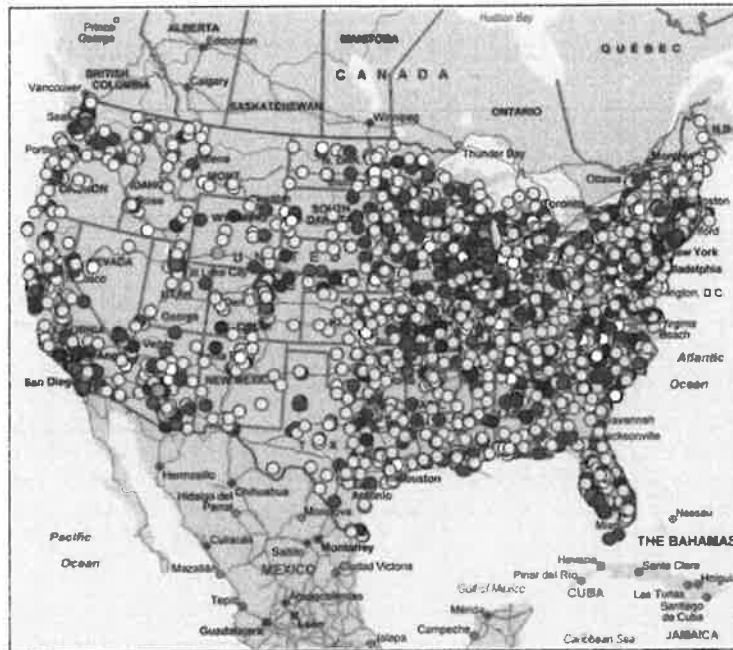
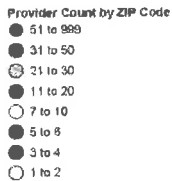
McLaughlin Young EAP providers must have the following requirements/credentials:

- Doctorate or master's degree in the counseling field
- Minimum of five years post-graduate clinical experience
- State licensure (LPC, LCSW, LMFT, LCAS)
- Forty hours of professional training and development, including at least three hours of ethics training, every two years
- Substance Abuse Professional (SAP) required when dealing with substance abuse issues
- Documented professional liability insurance
- Knowledge of available community resources for referrals

Provider Network

Since 1987, we have been developing our provider network, which currently includes almost 30,000 clinicians and consultants in more than 200 countries.

National Provider Network by Zip Code



We are committed to timely response to all calls or requests for assistance.

- **Response Standards:**
 - Life threatening emergencies directed to the most appropriate level of care within 1 hour of call.
 - Non-life threatening emergencies offered face-to-face appointment within 6 hours of call.
 - Urgent issues offered appointment within 48 hours of call.
 - Routine issues offered appointment within 5 business days (majority within 3).
- **Access Standards:**
 - Normal access for face-to-face is within 25 miles or 30 minutes.
 - Rural access for face-to face is within 40 miles or less.
 - Telephone access is immediate and available 24/7.

Our provider network database permits us to search by language, insurance panels, and specialties, such as practice, treatment, age, and demographic. When locating a provider for a client, we take into consideration the nature of the problem, location of the client, appropriateness of male or female counselor, primary language spoken by the client, and appointment availability.

HR / MANAGEMENT SUPPORT

Management Consultations

When seeking advice on managing problematic employees, constructively confronting employees, or referring troubled employees, HR, managers, and supervisors have unlimited access to our trained workplace professionals. Our counselors assist in developing action plans and coaching the supervisors toward successful interventions, thus relieving them of anxiety and reluctance to confront a problematic employee.

Policy Development

We provide management consultation to help HR and management develop policies and procedures regarding issues ranging from workplace violence and downsizing to drug and alcohol intervention. As a strong EAP partner, we want to help you deal with potential problems in a preventative manner.

Formal Management Referrals

McLaughlin Young provides organizations with unlimited formal management referrals. Our systematic feedback to HR, management, and supervisors includes notification of compliance with appointments, treatment status, and recommendations to management. This model is followed on every formal management referral on a weekly basis or as otherwise agreed upon. Consultation is provided for any return to work case for coordination of mutually positive transition.

To ensure that the client organization needs are met, we conduct a follow-up survey one month after the closing date of each formal management referral case. The referring manager simply completes an online survey providing feedback on the referral process, improvements in the client's work performance, and areas for improvement.

Substance Abuse Screening

McLaughlin Young is experienced at screening for substance abuse during the initial assessment. If there is prior suspicion of substance abuse, HR or management benefit from making a formal management referral which ensures they are made aware of compliance as well as treatment status and recommendations.

In the event of a positive drug screen, we also offer, for an additional (discounted) fee, services by Substance Abuse Professionals who meet the DOT credentialing criteria requirements for SAPs in the Return to Duty process for DOT-covered employees.

Coordination of Fitness for Duty

Employers never look forward to dealing with difficult situations in the workplace, but knowing the EAP is a resource to provide support and guidance can ease their discomfort. McLaughlin Young provides a variety of resources that can help companies respond to safety concerns. One of the most crucial roles of the EAP is in helping employers sort the behavioral issues that an employee is exhibiting. We can also help the employer identify what kind of response is needed.

Critical Incident Response

Our professional staff is trained by industry leaders in critical incident response to the advanced level that includes major disasters. We bring an immediate response to an organization that has suffered from a critical incident. Our response includes immediate telephonic support, organizational briefing, and follow-up assessment.



Supporting a Resilient Company

McLaughlin Young recognizes that both organizations and individuals move through trauma at different paces. We use the resiliency model to support your organization through a critical incident such as:

- Employee death
- Workplace violence
- Workplace injury
- Natural disaster
- Job loss
- Downsizing

WORK-LIFE SERVICES

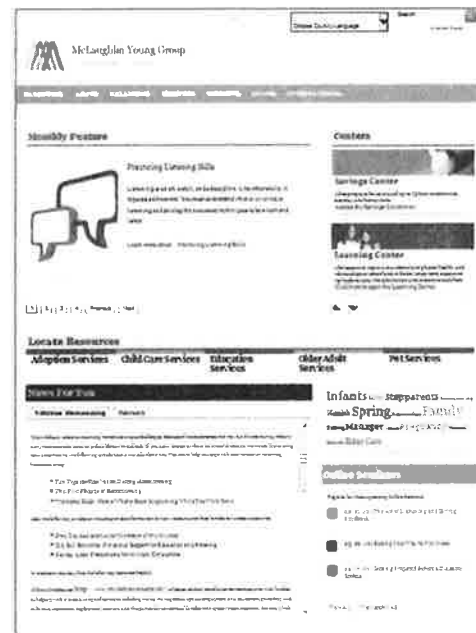
Balancing the competing demands of work and family life can be a very difficult and frustrating task. Work-life services provide extra support to manage life's frequent challenges. They are designed to support issues related to child care, elder care, education, daily living, legal, financial, and wellness.

Work-life services are available 24 hours per day, 7 days per week via a toll-free number and a website. It is important to note that our own call center is open and staffed 24/7 and that all calls are answered by degreed and highly trained care consultants; we do not employ customer service representatives. All calls are guaranteed to be answered live within 30 seconds.

Web-Based Services

McLaughlin Young's state-of-the-art website features an extremely comprehensive level of resource articles, assessments, and audio and video files covering emotional well-being, health and wellness, and workplace issues as well as child care, elder care, adoption, and education. The search feature allows for instant retrieval of relevant articles, tip sheets, tools, and resources specific to a particular work-life topic.

Throughout the website, a range of content types are provided—articles, resource links, calculators, self-assessments, audio and video files, online courses, and online seminars—to appeal to different types of learners and web customers. We license content from premier sources such as Nolo (a respected provider of legal information for consumers and small businesses) and Peterson's (a well-established source of personalized solutions for education and career achievement).



Below is a comprehensive listing of the features of the website:

- English and Spanish sites available
- Entirely customizable layout and content options
- 7 content divisions: Parenting, Aging, Balancing, Thriving, Living, Working, and International
- 61 content modules – the feature article is updated monthly on each Module Page and the Homepage
- Searchable databases and resource links for child care providers, elder care and related services, adoption resources, attorneys, certified financial planners, pet sitting, private and public high schools and colleges, and volunteer opportunities
- 40 financial calculators

- Over 100 streaming audio files and 100 video files covering a range of health and emotional health topics
- Live, monthly, online seminars each month with archiving of past seminars
- More than 11,000 regularly updated articles
- News for You updated at least monthly, now featuring the option to add customized tabs
- Rotating features on module pages
- Monthly interactive polls
- Optional access to TaxACT
- Search and Advanced Search features
- A new Homepage featuring new articles and resources each month
- Skill Builders: Online training programs offering printable certificates of completion
- Savings Center: a discount shopping program offering employees up to 25% discounts on name-brand goods and services
- Relocation Center: an interactive program that allows users to preview communities across the United States, providing vital statistics and a comparison feature
- 106 ready-to-use legal forms provided by Nolo
- Access to Mayo Clinic licensed medical and health information
- Many options available to include company-specific benefits information
- The site is kept current and up-to-date by a team of dedicated staff

Child Care Services

Finding care options for children can be a time consuming and confusing process. McLaughlin Young offers child care services, including a **child care locator**, to ensure that employees can easily locate options and understand what is available to them.

Child care resources related to:

- | | |
|---------------------------|------------------------------|
| • Child care centers | • Lactation support |
| • Family day care centers | • Summer camps |
| • Back-up care | • Adoption |
| • Sick child care | • Public and private schools |
| • Nannies | • Tutors |

Growing Families




McLaughlin Young provides access to free, confidential resources, information, and referrals for those thinking about or in the process of growing their family. Families and parents can learn more about:

- Adoption
- Pregnancy and infertility
- Prenatal care
- Nursing your infant
- Family leave and returning to work
- Child care, back-up care, and sick child care
- Resources for all educational and developmental stages

Adoption Services

McLaughlin Young's web-based services include an **adoption locator** database. It provides a list of services, professionals, community support groups and important resources, as well as information on international adoptions. These listings include provider names and contact information.

In addition to the adoption locator database, our adoption services include articles, online seminars, resources, and legal documents. The services address a number of topics including, but not limited to, adopting children with special needs, adoption process, international adoption, open and closed adoption, domestic adoption, and legal and financial issues associated with adoption.



Parenting Resources

McLaughlin Young provides access to 400 articles, 10 audio files, 10 online seminars, and five online training modules for parents, step-parents, expectant parents, and grandparents. Topics include:


- Addressing children's self-esteem
- Communicating with your children
- Parenting multiples
- Staying organized
- Step-parenting
- Talking with teens and young adults

Education Resources

McLaughlin Young provides employees with the resources they need to make informed education decisions. These can range from locating a new school due to relocation to assisting a college-bound high school student. Our education resources include an **education locator** which searches from pre-school to adult learning.

Education resources related to:

- Pre-schools
- Public and private schools K-12
- Tutors
- Colleges and universities
- Technical schools
- Continuing education
- Adult education classes



Working Caregivers

Providing dependent care is unlike any other work or life responsibility—you're always on-duty, and there's no such thing as a deadline extension. McLaughlin Young provides assistance and support resources for these and other dependent care topics:

- Child care, elder care, and care for special needs
- Caregiver stress and work-life balance
- Support groups and community resources
- Child, adolescent, and geriatric health concerns
- Child safety and senior safety
- Unexpected events and caregiving emergencies

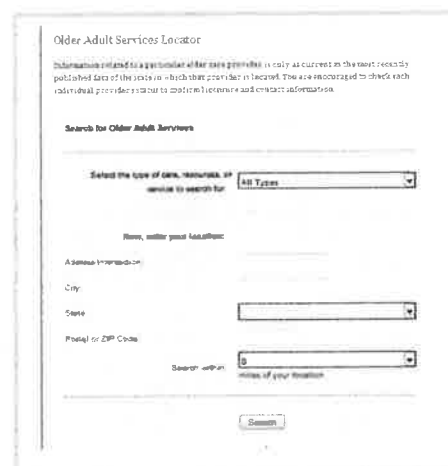
Older Adult Services

Serving as a caregiver for an older family member or friend is not a simple job. McLaughlin Young supports employees with this enormous responsibility. Our services address issues such as housing options, caregiver support, and grief and loss.

Older adults can search topics such as aging well, older adult health, and planning for the future. In planning for the future, seniors can get their affairs in order, such as creating living wills and planning for long term care. McLaughlin Young provides legal and financial resources to support seniors and care givers with these important preparations.

Older adult resources related to:

- Assisted living facilities
- Nursing homes
- Adult daycare programs
- Care giver support
- Retirement communities
- Elder hostels
- Meals-On-Wheel programs
- Home safety
- Elder driving
- Geriatric case managers
- Hospice



Pet Services

McLaughlin Young provides information, resources, and tools related to pets, including adoption and selection, being an advocate, caring for pets, encouraging good behavior, nutrition, pet transportation, and safety. Our pet services include:


- **Pet locator:** Find adoptable pets, locate shelters and rescue groups, or post to a classified ad bulletin board about lost and found pets, pets wanted, and more.

- **Pet sitter locator:** Simply search by zip code to find a pet sitter or narrow your search by selecting specific services required, such as overnight pet boarding, grooming, and daily dog walks.

Relocation Center

Our relocation center provides users with inside information on a community, including the schools, hospitals, and places of worship. It also provides statistics on housing costs, types of housing, age, income, and more. The relocation center is a helpful tool for those considering or in the process of relocating.

Life's Transitions



No matter how much things change, one thing stays the same—life moves on. Regardless of what might be around the corner, McLaughlin Young provides information and assistance, on these and other topics, to smooth the road ahead.

- Moving and relocation
- Unexpected life events
- Career development or transition
- Workplace restructuring
- Returning to school
- Retirement
- Adjusting to an empty nest

Daily Living Resources

Web-based resources and articles related to the following topics are easily accessible through our web site:

- Consumer issues
- Emergency services
- Home maintenance and repair
- Pet care
- Travel and recreation
- Dining and entertainment
- Relocation
- Community volunteering

LEGAL AND FINANCIAL SERVICES

Some of the key differentiators/unique capabilities of our legal and financial services include:

- 24/7 live access to work-life consultants
- Our telephonic legal service provides immediate access to our own network of attorneys who cannot self-refer.
- Referrals made to in-person attorneys are confirmed before being shared with the member.
- There is no limit to the length of the financial consultation.
- Integration with our work-life service provides the most comprehensive level of support for employees.
- We provide employees who utilize the legal service with a comprehensive “Next Steps” letter that provides detailed information about what to expect and how to proceed.
- Fastest turnaround time in the industry: less than 12 business hours or six business hours for emergencies.

Legal Services

McLaughlin Young contracts with a nationwide network of attorneys to provide consultation to employees and family members regarding their legal concerns. Using our unique case management system, the caller initiates contact with a legal consultant who conducts the intake, confirms appropriateness and availability of the lawyer, and follows up to ensure client’s satisfaction and resolution

Our in-house legal consultants hold a bachelor’s degree in a related field, plus two to three years of related experience as a law clerk, paralegal, or legal assistant.

Callers can obtain consultation for any legal issue, with the exception of those involving disputes or actions between an employee/dependent and their employer or the EAP or for business issues. Following are the top 10 reasons that employees use the legal service.

- Divorce/custody issues
- Criminal
- Estate planning/wills/trusts
- Real estate
- Landlord/tenant
- Bankruptcy
- Personal injury/malpractice
- Small claims
- Adoption
- Will preparation

Our legal services include two types of services to meet employees’ needs. Offering both advice and local referral services ensures that all employees’ legal needs are addressed in an appropriate manner.

- **Advice:** More than 50% of employees requiring legal assistance do not want or need to retain a lawyer. Their concerns can be resolved through a free telephonic advice service.
- **Local Referral:** For employees who have an immediate need for in-person legal consultation, we refer the employee to a conveniently located lawyer with the appropriate expertise. These local lawyers provide a free half-hour consultation, and, in most instances, agree to discount their hourly fees by 25% if additional assistance is required.

Financial Services

McLaughlin Young's qualified financial counselors and educators are available without an appointment Monday through Friday with pre-scheduled counseling sessions available on Saturday, during the day or evening. [Note: Counselors do not sell or endorse specific products and make referrals only to nonprofit services.]

If desired by the caller, an appointment convenient to his or her schedule may be made with McLaughlin Young for a detailed consultation (usually lasting about one hour) regarding the caller's most pressing financial issues. We will send the caller any worksheets and educational materials related to the topic of their scheduled conversation and a reminder of the appointment date. On the day and time of the appointment, it is the caller's responsibility to initiate the call.

After the appointment is finished, McLaughlin Young will e-mail and/or mail a summary of goals and steps to the caller, along with any additional, applicable, educational materials, as well as a quality survey.

The most common financial issues addressed include:

- Bankruptcy
- Budgeting (to cope with reduction in household earnings; to reduce debt; to save; household budgeting)
- Buying a home for the first time
- Major life event planning
- College fund planning
- Credit card debt (lowering rates; consolidating debt)
- Retirement planning
- Foreclosure prevention

ID Theft Recovery

Our legal and financial services include Integrated ID Recovery, which provides employees with a toll-free, telephonic, 30-minute consultation with a certified consumer credit counselor. The professional will objectively assess the caller's situation, create an action plan, and provide the knowledge and tools to implement that plan most effectively. The consumer credit counselor helps the caller assess his or her risk level and identify steps to resolve potential identity theft. The service also provides appropriate educational materials.



Savings Center

The savings center helps you save time and money with great discounts redeemable online, through catalogs, and select in-store merchants.

- Wide array of discounts from leading name-brand retailers
- Savings of up to 25 percent

TRAINING AND DEVELOPMENT: WEB-BASED TRAINING

The following webinars and online training modules are available 24/7 on our web site.

Webinars: Monthly webinars are offered live during the month and then archived on our web site. The webinar will address a different topic each month. The webinar calendar for 2016 is:

	Monthly Theme	Webinar Title	Webinar Description
JAN	WHY WEIGHT? Look beyond your scale	A Healthier You	Making resolutions? This year resolve to create a personal plan to improve your overall health in the areas of nutrition, physical fitness, and mental health.
FEB	BEYOND DATE NIGHT: Creating ways to connect	Keeping Your Love Alive	Learn the 10 relationship essentials, how to cope with challenges and conflict, and how to balance communication styles while keeping your relationship fresh.
MAR	LIGHTS OUT! Getting your zzz's	Let's Sleep On It	There's nothing like a good night's sleep. Learn about the types of sleep, steps to help you have better quality sleep, as well as myths about sleep.
APR	HOME SWEET HOME: To buy or not to buy	Home Buying 101	Is home ownership right for you? This online seminar will explore the advantages and disadvantages of home ownership.
MAY	DEALING WITH DEPRESSION: Is it more than just the blues?	Beating the Blues	We all feel sad sometimes. Get techniques for beating the blues, and learn to recognize the difference between sadness and depression.
JUN	RETIREMENT READY: There's more to it than money	Retirement: It's Not Just About the Money	You're retiring, now what? Learn how to better prepare yourself for the retirement years to come.
JUL	GROUP EFFORT: Family solutions for addiction	Next Steps: Dealing With Addiction in a Loved One	You've identified that your loved one has an addiction—what's next? Learn all about interventions, treatment options, and where to find help.
AUG	COLLABORATIVE CAREGIVING: Working together for aging adults	Changing Relationships: You and Your Aging Parent/Relative	Learn how to access care options and communicate productively with aging adults who can no longer live independently.
SEP	LISTEN UP! Getting through to your child	Effective Communication With Children	Kids won't listen? Learn techniques that help you to communicate more effectively and to avoid communication styles that hamper conversation and increase conflict.
OCT	KNOWING YOUR NUMBERS: Screening adds up to better health	Better Health Through Screening	Find out which health screenings are most important for you and what those numbers mean.
NOV	MAKING AND BREAKING TRADITIONS: Doing the holiday your way	Holidaze: How to Enjoy the Holidays and Minimize Holiday Stress	Is stress getting in the way of your holiday enjoyment? Explore ways to minimize the tension and increase the fun for all involved.
DEC	FOREVER YOUNG: Mind, body, and spirit	Lighten Up With Laughter	Everybody needs a good laugh. Learn about the many benefits of laughter and develop an action plan for improving humor in your life.

Training Modules: Online modules with certificate of completion are available. Employees can take at their own free will or organizations can require certain training programs be completed. The employee can show proof through the certificate of completion. Topics include:

- Appreciating Personality Differences
- Cultural Diversity in the Workplace
- Nobody Likes a Bully: Bullying in the Workplace
- Recognizing a Troubled Employee
- Sexual Harassment in the Workplace
- Effective Communication
- Drug-Free Workplace
- Compliance Accountability
- Business Etiquette and Professionalism
- Emotional Intelligence for Success
- Estate Planning: Five Essential Documents
- Self-Care: Remaining Resilient
- Caring For Aging Relatives
- Eating Your Way to Wellness
- Maximizing Your Day: Effective Time Management
- Say What You Mean the Right Way: Healthy Forms of Communication
- The Art of Conflict Resolution

TRAINING AND DEVELOPMENT: ON-SITE

McLaughlin Young also offers on-site training, including one-hour sessions to full-day seminars, at an additional fee. These include:

Supporting Healthy and Productive Employees

- Care for the Caregiver
- Conflict Resolution
- Coping with Change
- Customer Service Excellence
- Dealing with Difficult People
- Decreasing Financial Stress
- Diversity in the Workplace
- Department of Transportation (DOT) Training for Employees
- Effective Communication
- Emotional Intelligence
- Horizontal Violence
- Preventing Harassment in the Workplace
- Stress Management
- Substance Abuse in the Workplace
- Time Management
- Work-Life Balance

Developing Trusted and Effective Leaders

- Being a Leader
- Change Management
- Conducting Performance Reviews
- Conflict and Negativity in the Workplace
- Creating an Emotionally Intelligent Workplace
- Diversity in the Workplace
- DOT Training for Managers / Supervisors
- Generational Diversity
- Handling Ambiguity
- Leading Your Team through a Crisis in the Workplace
- Managing Anger in the Workplace
- Preventing Harassment in the Workplace as a Manager
- Recent Trends Affecting Employee Performance
- Substance Abuse in the Workplace and Reasonable Suspicion Training
- Workplace Violence

Improving Organizational Performance

- Building Relationships Based on Trust
- Change Leadership: Creating a Third Circle Culture
- Employee Engagement
- Ethics
- Strategic Planning
- Team Building
- Third Circle Leadership

HEALTH AND WELLNESS

McLaughlin Young's website offers a complete health and wellness library with articles on all aspects of health and well-being. Health assessments and personal health profiles are available, each providing a personal report with personalized recommendations for healthy lifestyle enhancements, including preventive care, stress management, cancer prevention, and fitness.

The website also provides:

- Over 100 streaming audio files and 100 video files covering a range of health and emotional health topics
- Live and archived seminars related to different aspects of health, with titles such as: *Eating Your Way to Wellness*, *Eight Steps to a Healthy Heart*, *Let's Sleep on It*, *Staying Fit at Work*, and more
- Access to health and wellness information and resources from Mayo Clinic and WebMD
- A link to Medline Plus which offers content from the US National Library of Medicine and the National Institute of Medicine

WORK-LIFE SERVICES (UPGRADE TO CONSULTATION)

The Work-Life Service described above can be upgraded to include the Consultation, Resource and Referral Service. The main differentiator is that a work-life specialist will take further steps and provide customized, confirmed, matched referrals. For example, if an employee has an immediate need for a nursing home for an elderly parent, the work-life specialist will obtain this information within 6 to 12 business hours.

Consultation, Resource and Referral Service

At the core of our work-life consultation, resource, and referral service is the understanding that employee concerns do not always fall into clear service categories. Our work-life consultants can search for a variety of options that best fit each caller's needs. Key program features include:

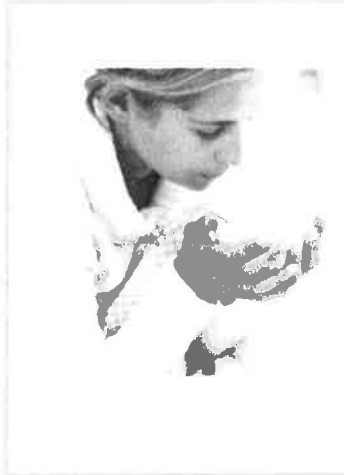
- 24/7 live, immediate access to expert work-life consultants via toll-free phone, e-mail, or LiveCONNECTSM (instant messaging)
- Rapid turnaround time – Employees and household family members will receive their customized, confirmed, matched referrals within 12 business hours for regular cases or within six business hours for urgent cases
- Educational materials to support each customized consultation, including tip sheets, checklists, handbooks, and brochures (select resources are available in Spanish)

The resource and referral services offered go well beyond simply locating available providers in an employee's area. The assisted search process begins with a thorough consultation and assessment by a work-life specialist. This assessment is used to ascertain a clear understanding of all aspects of an employee's specific request. Because our consultants are specialists, not work-life generalists, the assessment often helps employees identify questions that they had not yet considered. Our specialists take the time to truly understand the specifics of each case and assist the caller throughout the process. During the initial consultation, the work-life specialist will offer suggestions and ideas for consideration when and where appropriate. He or she will also answer the employee's questions. Our consultants commonly provide guidance about topics such as the difference between various care options (e.g., day care centers vs. family day care homes or assisted living facilities vs. nursing homes), the most cost-effective options, and how to evaluate providers.

Web-Based Services

In addition to the 24/7 immediate live telephone access, employees and their family members have two different options available to access the resource and referral services through a custom designed website:

- **LiveCONNECTSM:** An instant messaging tool that is prominently displayed on the website and facilitates an online chat between employees and child care, elder care, or daily living consultants.
- **Assisted Search:** An online request that employees e-mail to receive child and elder care consultation and referral services. Upon completion, the form is e-mailed to the appropriate work-life team and then assigned just as if it were a case that had been accepted via a telephone conversation.



Health and Wellness Consultation (Included with Upgrade to Work-Life Consultation)

We offer telephonic consultations and matched referrals for:

- Fitness centers
- Aerobics classes
- Fitness instructors
- Fitness equipment
- Nutritionists
- Personal health coaches
- Smoking cessation support
- Weight-loss programs
- Complimentary medicine

Web Site

EAP clients have access to numerous tools and resources through our web site, which you can access through www.mygroup.com.

Web site demonstration: If you would like to access our work-life web site and managers section, which are password protected, please contact us. We would be more than happy to provide you with a demonstration and/or login information.



Employees:

- How EAP Works
- Reasons to Use
- How to Access
- Employee Orientation Video
- Employee Newsletters
- Electronic Client Feedback Survey

Managers (password protected):

- How EAP Works
- Reasons to Use
- How to Access
- Formal Referrals
- Crisis Response
- Reporting and Promotion
- HR/Management Training Video
- Employee and Supervisor Newsletters

Our web-based Work-Life Services include:

- 5,000+ content records
- 350 interpersonal and workplace topics
- Interactive wellness assessments
- Streaming audio and video
- Self assessments and personal plans
- Savings center
- Relocation center
- Resource library
- Financial calculators
- Legal forms and more . . .



The web site includes five self-search locators for adoption, child care, education, older adult, and pet services.

You can **customize** the Work-Life web site. It may be co-branded with your logo, and the section News for You can include company-specific information and highlight other benefits.

Utilization

PROMOTION OF SERVICES

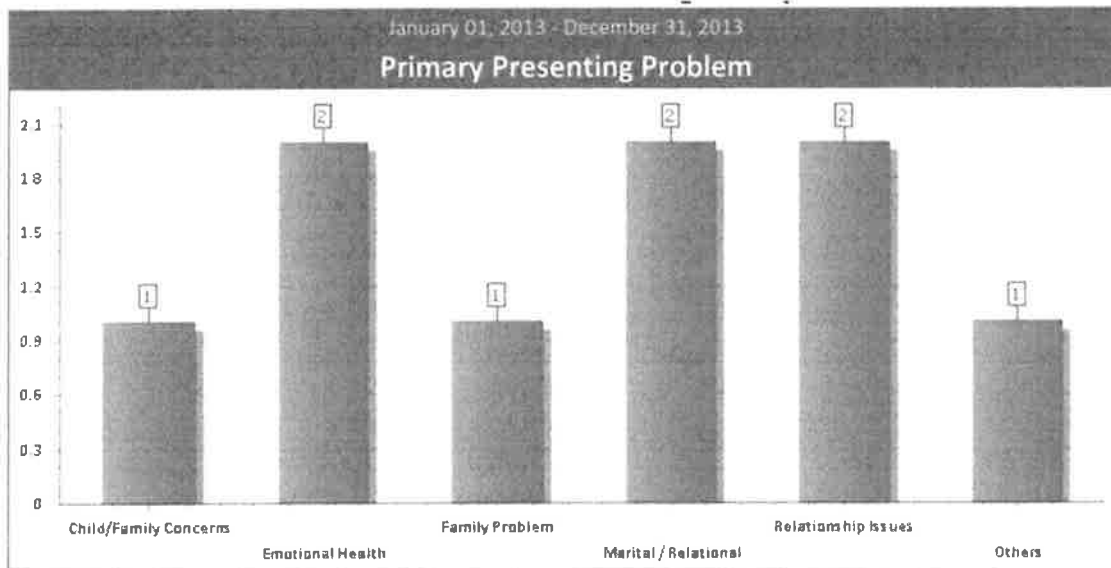
- Brochures
- Posters
- Wallet cards
- HR/Management Training Manuals
- Monthly *Frontline Supervisor Newsletter*
- Monthly *Frontline Employee Newsletter*
- Monthly Flyer for Work-Life Topic of the Month
- Handouts (i.e. Holiday Tips, Back-to-School, Election Year Talk)
- Employee Letters
- Employee Orientation Video
- Supervisor Training Video

REPORTING

- Utilization report: McLaughlin Young's EAP Software is updated regularly to ensure that we provide our clients with the most comprehensive utilization reports. These are distributed quarterly or upon request. The below reports are examples of commonly reported utilization data.

January 01, 2013 - December 31, 2013 on New and Open Cases

UTILIZATION RATE SUMMARY							
Type	Count	%	Serviced	%	Activities	%	Hours
EAP Cases	8	72.7%	9	21.4%	34	70.8%	16.55
Organizational Service/CISD	2	18.2%	32	76.2%	4	08.3%	3.67
Account Management	N/A	N/A	N/A	N/A	5	10.4%	1.12
Supervisor Referral	1	09.1%	1	02.4%	5	10.4%	0.42
Total	11	100%	42	100%	48	100%	21.75



Quality Assurance

FEATURES

- **Confidentiality:** As an EAP provider, confidentiality is of the utmost importance to McLaughlin Young. A HIPAA compliance officer is on staff who monitors and addresses any concerns regarding confidentiality and conducts updates and training for the EAP staff periodically to ensure continuing compliance.
- **Account management:** Client organizations are assigned a primary contact who is supported by an account management team. The account manager is responsible for ensuring a seamless implementation process for new client organizations.
- **Case management:** Each client who accesses services is assigned a case manager who monitors the case and conducts appropriate follow-up.
- **Surveys:** Client satisfaction surveys, client organization satisfaction surveys, and training evaluations are all distributed to measure client satisfaction.



What Our Clients Are Saying

“McLaughlin Young Group offers an array of professional services that can assist our employees manage a myriad of issues that touch our personal and work lives.”

*~Sharon Howard, Human Resource Consultant at the
North Carolina Office of State Personnel,
North Carolina State Government*

2015 CLIENT FEEDBACK

The 2015 client organization satisfaction surveys, which are completed online by HR or management, yielded the following results for McLaughlin Young:

- The EAP provides value to our company and employees. 100%
- Our managers and supervisors are satisfied with the EAP services. 97%
- The EAP responds in a timely manner to our needs. 97%
- Our EAP account manager responds promptly to our needs. 100%
- I would recommend McLaughlin Young to other companies. 100%

Product Enhancements

SUPPORTING HEALTHY AND PRODUCTIVE EMPLOYEES

- **Concierge Services:** Time-saving assistance with life's daily challenges including telephonic assistance, errand running, and convenience services.
- **Health Risk Assessments:** Online tool evaluating the health status of individual employees and the workplace population as a whole.
- **Wellness Coaching:** Telephonic and web-based access to health coaches who provide health and wellness counseling, coaching, and referrals.
- **Nurseline:** 24-hour access to a toll-free telephonic service staffed by Registered Nurses who can provide medical advice and information.
- **Nursing Mother Assist:** Provides new mothers with consultation and support for successful breastfeeding at home and upon return to work.



International EAP

McLaughlin Young offers international EAP services in 200 countries for both nationals and expatriates.

- Face-to-face and telephonic counseling
- 24/7 emergency services
- Critical incident response
- Work-life services
- Management consultations

- **Care Coach:** Facilitation of a family meeting to discuss the care needs of elders or adult dependents.
- **Geriatric Care Management:** Access to a geriatric specialist who will assist families with an assessment of an elder's capacity to live independently, care facility review, case management, and supportive resources.
- **Back-Up Care Program:** When combined with a corporate subsidy program, provides back-up care for employees in situations when their normal child, dependent adult, or elder care arrangements break down.

DEVELOPING TRUSTED AND EFFECTIVE LEADERS

Leadership Assessment

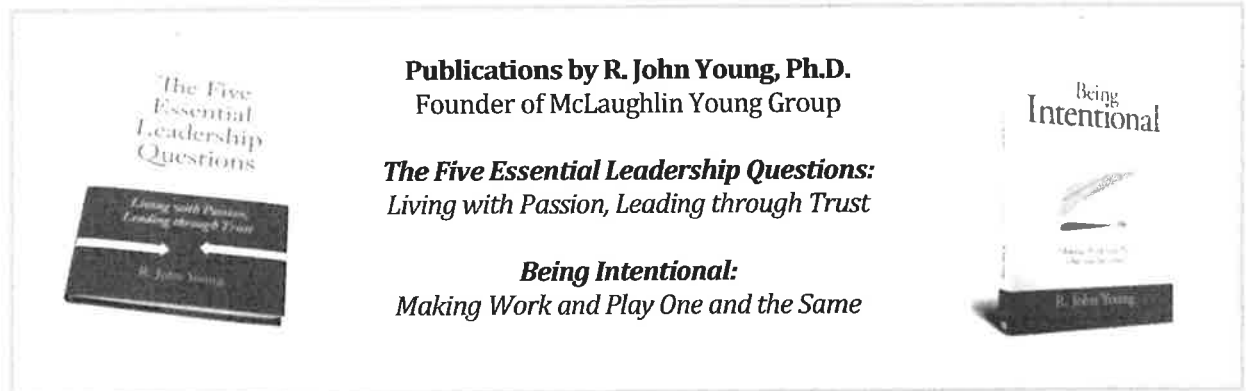
- Psychometric assessment
- 360-degree assessment

Leadership Development

- Executive leadership seminar
- Management development
- Executive coaching

Team Building

- Team assessments
- Team building retreat



IMPROVING ORGANIZATIONAL PERFORMANCE

Organizational Assessment

- Interviews and consultations
- Surveys
- Facility audits

Employee Engagement

- Employee feedback
- Senior leadership team review
- Communication planning
- Exit interviews

Change Management

- Strategic HR planning
- Talent management
- Succession planning

Option 1: Supporting Healthy and Productive Employees Pricing

	Up to 3 Sessions Model	Up to 6 Sessions Model
Number of Employees	75	75
Annual Rate	\$1,600	\$2,200

In summary, the following services are included in the pricing above:

EAP Consultation and Counseling

- Face-to-face and telephonic counseling
- Unlimited number of issues per client per year

HR / Management Support

- Management consultations
- Policy development
- Formal management referrals
- Substance abuse screening
- Coordination of fitness for duty
- Critical incident response (up to three hours of onsite services per year)

Work-Life Services

- Web-based resources and locators for adoption, child care, parenting, education, elder/adult care, pet care, prenatal/postnatal care, special needs, and summer care

Web-Based Services

- 11,000+ articles and resources
- Relocation Center and Savings Center
- English and Spanish content

Legal Services, Financial Services & ID Theft Recovery

- Legal advice, referrals and discounted attorney fees
- Telephonic appointments with qualified financial counselors and educators
- Consultation with certified consumer credit counselor

Training and Development

- Monthly webinars on work-life topics
- Online training modules

Health and Wellness

- Web-based resources and online health risk assessments

Promotion of Services

- Brochures, posters, wallet cards, newsletters, etc. (no additional costs)
- Quarterly utilization reports or upon request
- Account management

Please note that discounted rates apply for McLaughlin Young services, such as onsite training programs, mid-level management and executive coaching, psychometric assessments, team building workshops, etc.

Option 2: Supporting Healthy and Productive Employees Pricing with Work-Life Services Upgrade to Consultation

	Up to 3 Sessions Model	Up to 6 Sessions Model
Number of Employees	75	75
Annual Rate	\$1,850	\$2,450

In summary, the following services are included in the pricing above:

EAP Consultation and Counseling

- Face-to-face and telephonic counseling
- Unlimited number of issues per client per year

HR / Management Support

- Management consultations
- Policy development
- Formal management referrals
- Substance abuse screening
- Coordination of fitness for duty
- Critical incident response (up to three hours of onsite services per year)

Work-Life Services

- Web-based resources and locators for adoption, child care, parenting, education, elder/adult care, pet care, prenatal/postnatal care, special needs, and summer care
- Referral to matched vacancies within 24 hours for adoption, child care, parenting, education, elder/adult care, pet care, prenatal/postnatal care, special needs, summer care
- LiveCONNECTSM: access to a consultant 24/7 via instant messaging technology

Web-Based Services

- 11,000+ articles and resources
- Relocation Center and Savings Center
- English and Spanish content

Legal Services, Financial Services & ID Theft Recovery

- Legal advice, referrals and discounted attorney fees
- Telephonic appointments with qualified financial counselors and educators
- Consultation with certified consumer credit counselor

Training and Development

- Monthly webinars on work-life topics
- Online training modules

Health and Wellness

- Web-based resources and online health risk assessments
- Telephonic consultations and matched referrals for fitness centers, aerobic classes, fitness instructors, fitness equipment, nutritionists, personal health coaches, smoking cessation support, weight loss programs, and complementary medicine.

Promotion of Services

- Brochures, posters, wallet cards, newsletters, etc. (no additional costs)
- Quarterly utilization reports or upon request
- Account management

Please note that discounted rates apply for McLaughlin Young services, such as onsite training programs, mid-level management and executive coaching, psychometric assessments, team building workshops, etc.



MEMO

TO: Town Council
FROM: Nikki Keely, Recreation Manager
RE: Disc Golf Tournament
DATE: 4/14/16

The Pleasure Island Disc Golf Club is in the planning process for their 4th annual Chainstorm Disc Golf Tournament, part of which will take place at the Kure Beach course on Saturday, June 18, 2016. In an effort to help the tournament grow, they would like to introduce a few new elements to the event this year. They would like to set up a bounce house for the children, as well as other yard games. They would like to have a food truck and ice cream truck on site. They would also like to host one of the local radio stations for a live broadcast from the event.

Public Works has assisted with this event in the past by setting up a large tent and a few tables and chairs. Aside from the staff time required for setup, this event has not cost the Town anything. I do not foresee any additional expenses created by allowing for the requested additions, except for having a staff member on site throughout the event.

The Disc Golf Club has a strong history of giving back to the Community and Town. They host a workday once a month to keep the course looking and functioning well, a member of their Board serves on our Parks & Recreation Advisory Board, and they participate in the other Town events when asked. The Town brings in sponsorship revenue from the course. We are also working with a member of the Club to develop a public Disc Golf class, which will produce revenue for the Town.

The Disc Golf Club and this event have the support of the Parks & Recreation Advisory Board. I also support the decision to co-sponsor this event. We would not bring in any revenue from the event by doing so, but we get a quality program that we can proudly market under the Town umbrella. I have attached a copy of the letter of intent from the Pleasure Island Disc Golf Club, as well as the proposed layout of the event. Pending Council approval for the expansions, I will work with Public Works to ensure that the layout is satisfactory.

To move forward, Council action is required on the following items:

- Adopt this event as a co-sponsored Town event thereby waiving any Special Event fees that would be associated with a similar event introduced by an outside, for-profit group.
- Allow for the participation of a food truck and ice cream truck/cart during the event hours on Saturday, June 18th at Joe Eakes Park.
- Permit the involvement of a bounce house and radio station van contingent on their placement being pre-approved by Public Works.

nk

Attachment
Pleasure Island Disc Golf Club Tournament Proposal and Layout

Pleasure Island Disc Golf Club Tournament Proposal

We are currently planning our 4th annual Chainstorm Disc Golf Tournament. Our past tournaments have routinely been successful, fun, and engaging to the community. It is our hope to make this year's Chainstorm event the biggest yet to date. We hope to make this a "King of the Island" tournament. Differences this year includes the following:

This will be a two-day tournament that will involve multiple locations on Pleasure Island. This first day will be held at Joe Eakes Park and will include two rounds of disc golf. The second day will be held at Trinity Disc Golf Course at Good Hops Brewery in Carolina Beach, and also include two rounds of disc golf. The event begins at 8:30am, and usually ends around 2:30. What we are presenting today only applies to the events taking place in Kure Beach.

In addition to the tournament, we would also like to have some activities for the non-players to participate in, therefore making it truly a family event. We would like to have a bouncy house for the little ones. Party Hoppers has always been very generous in the past, and is willing to provide a bouncy castle for this event at a discounted rate for us. This is something we have been able to do in the past. We have also contacted one of the local radio stations, and they are on board to do a live broadcast from the park that day. This would generate a lot publicity for Kure Beach as well as our club, and the event itself. As part of the radio station's package they would advertise beforehand for the event, so that more people are aware of all the fun activities that we have planned. This would bring more visitors to Kure Beach generating more income for the town. We will also have yard games for non-player such as corn hole, can jam, and croquet.

In the past, the club has always offered homemade plates of food as part of the player package. By doing it this way we have not needed a food permit. This year we would love to invite a food truck to come to the event, which will give participants and attendees more options concerning their meals for the day. This would take some of the burden off of the members of the club that provide the food, and also make the event more fun and attractive to the general public. We have already spoken to Two Bros Food truck and they have held the date for this event for us. And since it will be a hot June day, we would like to have some cold refreshments to offer. Boombalatti's in Mayfair has already offered to donate 2 three gallon buckets of frozen yogurt. This would serve roughly 100 people.

Pleasure Island Disc Golf Club has always been successful in raising all kinds of donations from several local businesses to make raffle baskets. We generally make a basket for women, men, and children so everyone has a chance to bid or win items that interests them. These baskets include things such as a spa day at I Am Salon and Day Spa, a half day fishing charter with Charlie's Charters, toys from Learning Express, and much more. All of this at no cost to the town!

Pleasure Island Disc Golf Club thoroughly enjoys sponsoring these events. It gives us great pleasure to be a part of such a wonderful community, and to support local businesses while in turn doing something that we are so passionate about. We truly believe these events to be a positive good for our small beach community. They promote physical wellness and a stewardship of the island's natural beauty. They also provide a safe, fun, and lively activity for everyone in the community to enjoy. We appreciate your consideration, and hope that you all see the value of the Chainstorm king of the Island.

8th Street

Radio Van

Bouncy
Castle

(yard games)


Practice
Basket

DISC GOLF COURSE

Raffle
Table

Sign-In Tent

BR

BR

Baseball Field

Parking Lot

Ice
Cream

Food
Truck

Nancy Hewitt

From: Heglar, David W <HeglarDW@Corning.com>
Sent: Thursday, April 14, 2016 1:34 PM
To: Nancy Avery; Nancy Hewitt
Subject: FW: courtesy heads-up to inform you Beachwalk

fyi

From: David Heglar [mailto:davidheglar@townofkurebeach.org]
Sent: Friday, March 25, 2016 6:17 PM
To: Heglar, David W
Subject: FW: courtesy heads-up to inform you Beachwalk

From: Bill Bryan[SMTP:BILLBRYAN1946@GMAIL.COM]
Sent: Friday, March 25, 2016 5:16:28 PM
To: msd@mdavenportlaw.com
Cc: David Heglar; Emilie Swearingen; 'andy canoutas'; HOA-Dan Church;
HOA-Jim Craig
Subject: courtesy heads-up to inform you Beachwalk

Auto forwarded by a Rule
Attorney Davenport,

This is a courtesy heads-up to inform you Beachwalk will have its Stormwater System (SWS) repaired by our selected contractor.

The contractor will need an area to stage his equipment during the SWS repair.

We will request at the April 19 Kure Beach Council Meeting the use of the Sandman Lot for the staging of our contractor's equipment.

No soil or hazardous material will be staged or stored.

We anticipate the SWS repair will begin about June 1 and take three to four months for completion.

Best Regards,



Bill Bryan, President
Beachwalk HOA
126 Settlers Lane
Kure Beach, NC 28449
(910) 228-9837



TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R16-06

**RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING
FOR THE WILMINGTON URBAN AREA
METROPOLITAN PLANNING ORGANIZATION**

WHEREAS, the Wilmington Urban Area Metropolitan Planning Organization provides transportation planning services for the City of Wilmington, Town of Carolina Beach, Town of Kure Beach, Town of Wrightsville Beach, Town of Belville, Town of Leland, Town of Navassa, New Hanover County, Brunswick County, Pender County, Cape Fear Public Transportation Authority and the North Carolina Board of Transportation; and

WHEREAS, the Memorandum of Understanding outlines a Cooperative, Comprehensive and Continuing transportation planning partnership among the membership; and

WHEREAS, the current Memorandum of Understanding between the Wilmington Urban Area Metropolitan Planning Organization and local member jurisdictions is dated August 6, 2007; and

WHEREAS, the Wilmington Urban Area Metropolitan Planning Organization has identified a need to update the Memorandum of Understanding to better serve the organization;

NOW, THEREFORE, BE IT RESOLVED that Kure Beach Town Council is authorized to execute an updated Memorandum of Understanding with the Wilmington Urban Area Metropolitan Planning Organization.

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

Emilie Swearingen, Mayor

Attest: Nancy Hewitt, Deputy Town Clerk

Attached for your consideration is a resolution approving an updated Memorandum of Understanding (MOU) for the Wilmington Urban Area Metropolitan Planning Organization.

The Wilmington Urban Area Metropolitan Planning Organization has updated the MOU with several modifications to better serve the Organization. These modifications include:

- Changed the name of the Transportation Advisory Committee to the Board. This would remove the suggested Advisory role and formally acknowledge the TAC as the governing Board
- Added information on the Transportation Management Area designation
- Updated the Board's duties
- Modified the language to reflected the new federal legislation of the FAST Act
- Added language regarding the performance based transportation planning process
- Updated the TCC voting membership
- Added information on the Metropolitan Transportation Improvement Program Development
- Added information on Project Prioritization
- Added information on Board Subcommittees
- Added information on Transit Planning and Programming
- Consolidated the subscribing agencies' responsibilities
- Created a Section on the Board's Governing Rules
- Created a Section in which other municipalities within the Metropolitan Planning Area Boundary may be invited to participate in the MPO

On March 30, 2016 the Wilmington Urban Area MPO's Transportation Advisory Committee adopted the updated Memorandum of Understanding. This MOU will be effective upon approval from all of the MPO's members.



TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R16-08

**ADOPTING THE SOUTHEASTERN NC
REGIONAL HAZARD MITIGATION PLAN**

WHEREAS, the citizens and property within New Hanover County are subject to the effects of natural hazards and man-made hazard events that pose threats to lives and cause damage to property, and with the knowledge and experience that certain areas of the county are particularly vulnerable to flooding, high winds, droughts/heat waves, and severe winter weather; and

WHEREAS, the County and participating municipal jurisdictions desire to seek ways to mitigate the impact of identified hazard risks; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Parts 3, 5, and 8 of Article 19 of Chapter 160A; and Article 8 of Chapter 160A of the North Carolina General Statutes, delegated to local governmental units the responsibility to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Legislature of the State of North Carolina has in Part 6 of Article 1A of Chapter 166A of the North Carolina General Statutes, stated in Item 19.41(b)(2): “For a state of emergency declared pursuant to G.S. 166A-19.20(a) after the deadline established by the Federal Emergency Management Agency pursuant to the Disaster Mitigation Act of 2002, P.L. 106-390, the eligible entity shall have a hazard mitigation plan approved pursuant to the Stafford Act;” and

WHEREAS, Section 322 of the Federal Disaster Mitigation Act of 2000 states that local governments must develop an All-Hazards Mitigation Plan in order to be eligible to receive future Hazard Mitigation Grant Program Funds and other disaster-related assistance funding and that said Plan must be updated and adopted within a five year cycle; and

WHEREAS, the County and its participating municipal jurisdictions have performed a comprehensive review and evaluation of each section of the previously approved Hazard Mitigation Plan and have updated the said plan as required under regulations at 44 CFR Part 201 and according to guidance issued by the Federal Emergency Management Agency and the North Carolina Division of Emergency Management.

WHEREAS, it is the intent of the County Board of Commissioners to fulfill this obligation in order that the county will be eligible for federal and state assistance in the event that a state of disaster is declared for a hazard event affecting the County; and



TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R16-08

WHEREAS, the Town of Kure Beach actively participated in the planning process of the Southeastern NC Regional Hazard Mitigation Plan and has fulfilled all their part of the multi-jurisdictional planning elements required by FEMA;

NOW, THEREFORE, BE IT RESOLVED THAT the Kure Beach Town Council hereby:

1. Adopts the Southeastern NC Regional Hazard Mitigation Plan; and
2. Separately adopts the sections of the plan that are specific to the Town of Kure Beach; and
3. Vests the Kure Beach Emergency Operations Coordinator with the responsibility, authority, and the means to:
 - (a) Inform all concerned parties of this action.
 - (b) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map, and identify floodplain or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
4. Appoints the Kure Beach Emergency Operations Coordinator to assure that, in cooperation with New Hanover County, the Hazard Mitigation Plan is reviewed annually and every five years as specified in the Plan to assure that the Plan is in compliance with all State and Federal regulations and that any needed revisions or amendments to the Plan are developed and presented to the Kure Beach Town Council for consideration.
5. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the 2016 Southeastern NC Regional Hazard Mitigation Plan.

Adopted by the Kure Beach Town Council this 21st day of April, 2016.

Emilie Swearingen, Mayor

Attest: Nancy Hewitt, Deputy Town Clerk