

**Town of Sunset Beach  
Monthly Council  
Work Session, Public Hearings and Regular Meeting  
April 19, 2016**

**MINUTES**

**Members Present:** Mayor Ron Watts, Mayor Pro-Tem Carol Scott, Councilman Lou DeVita, Councilman Peter Larkin, Councilman Mark Benton and Councilman Rich Cerrato

**Members absent:** None

**Attorney & Staff Present:** Susan Parker, Town Administrator; Bonnie Schwerd, Finance Director; Dustin Graham, Public Works Director; Rawls Howard, Planning and Inspections Director; Kevin Dempsey, Fire Chief; Richard Childres, Assistant Fire Chief; Lisa Joyner, Police Chief; and Lisa Anglin, Town Clerk

Mayor Watts called the Meeting to order at 9:00 am.

**Draft Agenda Review and Approval**

Mayor Watts added a Closed Session pursuant to NCGS 143-318.11 (a) (6) to discuss a personnel matter.

COUNCILMAN CERRATO MADE A MOTION TO APPROVE THE AGENDA AS AMENDED. COUNCILMAN DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Public Hearing – Article 2 Section 2.19 Alteration of Sand Dunes or Ocean Front Vegetation**

Mayor Watts opened the Public Hearing advising that the Council will hear comments concerning the proposed UDO amendment for Article 2 General Regulations to add Section 2.19 Alteration of Sand Dunes or Ocean Front Vegetation.

Matt Nichols Palm Cove Owners and POA Attorney – Spoke in opposition to the proposed UDO amendment to add Section 2.19 as the purpose is unknown since the CAMA regulations already cover relocating any sand and sand dune alterations; advised that the continuous UDO amendments and the overall concerns with the ongoing investigation concerning ordinance omissions during the conversion is creating the perception of instability with the UDO.

Jan Harris 206 North Shore Drive – Advised that the Sand Dune definition proposed is equal to the FEMA definition and advised that if adopted the Town would be in compliance with the FEMA regulations.

**Public Comments on Agenda Items Only**

Charles Nern 647 Oyster Bay Drive – Questioned the conflicting schedule language in the leaf and limb proposal; questioned if citizens will be required to use roll carts or if bags will continue to be used.

**Public Comments on Agenda Items Only (Cont.)**

Nina Marable 502 North Shore Drive – Voiced concerns that the Stormwater Management Plan proposal only covers flood control and doesn't address environmental concerns or water quality; advised that the marshland areas are filling in with sediment and pollutants at the pipe entry locations.

Jim Stokes 658 Kings Court – Questioned why the Stormwater Management Plan proposal only includes the island, Seaside Station and Shoreline Woods.

**Old Business**

**Consideration of Awarding Contract Concerning Stormwater Management Plan and Adoption of Budget Ordinance Amendment**

Dustin Graham, Public Works Director introduced Michael Norton, Compass Pointe Engineering and Bill Roark, McGill Associates, to review their proposal for engineering services concerning the Stormwater Management Plan with the Council and to answer any questions. The scope of work includes identifying the current stormwater system including drainage easements, right of ways, catch basins, junction boxes, and the type and size of piping in place for the island, Shoreline Woods and Seaside Station. Upon completion, all data will be transferred to the in-house GIS system for use by all departments. This information will also assist the Council with the development of the 10 year Capital Improvement Plan. The areas within Town that are not identified in the scope of work are under private stormwater plans and those developers or POA/ HOA's are responsible for the maintenance of those systems. The Council questioned why the proposal doesn't include videoing the entire underground system and were advised that the process to video the entire system and the necessary equipment is very expensive. Roark noted that the underground system will be inspected utilizing alternate methods at the junction boxes and catch basins. The engineers and staff will work together to determine exactly where the system is currently and where it actually should be, if different, utilizing documentation, maps and staff knowledge. The Council questioned the timeframe expected for the completion of the project. The engineers advised four (4) to six (6) months. The Council advised that its environmental concerns are not addressed in the proposed scope of work. The Council directed the engineers to revise the proposal to include the cost of videoing the underground system, addressing the environmental concerns and a list prioritizing the specified areas with estimated repair cost and life span.

**Consideration of Adoption of Environmental Committee Mission Statement; Establishment of Environmental Committee with Number of Members and Scope of Work, and Authorization for Clerk to Advertise for Committee Members**

COUNCILMAN CERRATO MADE A MOTION TO ADOPT THE ENVIRONMENTAL RESOURCE COMMITTEE MISSION STATEMENT AS AMENDED. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

MAYOR PRO-TEM SCOTT MADE A MOTION TO ESTABLISH THE ENVIRONMENTAL RESOURCE COMMITTEE WITH THREE MEMBERS TO SERVE THREE YEAR STAGGERED TERMS AND TO AUTHORIZE THE TOWN CLERK TO ADVERTISE THE POSITIONS. COUNCILMAN CERRATO SECONDED TO MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Old Business (Cont.)**

Consideration of Ordinance Amendment of Chapter 94 Noise Regulations concerning Construction on Sunday

The Council reviewed Noise Ordinance 94.02 Specific Prohibitions (6) Construction and made the following amendment to the last sentence:

“except in the case of ~~urgent necessity in the interest~~ public safety **or for the emergency protection of property.**”

MAYOR PRO-TEM SCOTT MADE A MOTION TO APPROVE THE ORDINANCE AMENDMENT FOR 94.02 SPECIFIC PROHIBITIONS (6) CONSTRUCTION AS AMENDED. COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Consideration of Adoption of the Southeastern NC Regional Hazard Mitigation Plan

MAYOR PRO-TEM SCOTT MADE A MOTION TO ADOPT THE SOUTHEASTERN NC REGIONAL HAZARD MITIGATION PLAN AS AMENDED. COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Authorization for Clerk to Re-Advertise Board of Adjustment Alternate ETJ Member position

MAYOR PRO-TEM SCOTT MADE A MOTION TO AUTHORIZE THE TOWN CLERK TO RE-ADVERTISE THE VACANT BOARD OF ADJUSTMENT ALTERNATE ETJ MEMBER POSITION. COUNCILMAN DEVITA SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Budget Information**

Leaf and Limb Program Outsourcing Cost

The Council briefly discussed outsourcing the leaf and limb program. Council requested Staff to provide additional information, for Council consideration when determining if outsourcing this program is viable, including a list of the equipment to be retained and the associated maintenance cost, and an itemize projects list with cost that the Public Works Department staff will be able to performing if the program is outsourced.

Capital Projects/Equipment

Bonnie Schwerd, Finance Director, distributed information to the Council concerning the proposed Capital Projects/Equipment request from the Department Heads and advised that each is prepared to discuss their respective requests. The Council requested time to review the information provided and agreed to schedule a budget work session for discussion.

Budget Plan Review

Schwerd reviewed the Local Government Employee Benefits Comparison utilizing information gathered from Emerald Isle, Holden Beach, Ocean Isle Beach, Calabash, Brunswick County and North Myrtle Beach, SC.

The Council agreed to hold a Budget Work Session on Monday, May 2, 2016 from 9:00 am to 1:00 pm and on Wednesday, May 4, 2016 from 1:00 pm to 4:00 pm. Mayor Watts requested Schwerd to include a 1% to 2% merit/cola increase in the proposed budget.

### **New Business**

#### **Consideration of Adoption of UDO Ordinance Amendment for Article 2 to Add Section 2.19 Alteration of Sand Dunes or Ocean Front Vegetation**

Rawls Howard, Planning and Inspections Department Director requested Council to consider adding additional clarifying language to Section 2.19 as follows:

- It shall be unlawful to alter, disturb, or relocate any sand, sand dune, or cut or remove vegetation on any **ocean front** lot **outside of the net buildable area** except under the following circumstances, whichever is most restrictive, after proper application to the Town and the issuance of a zoning permit:

The Council briefly discussed the request. The Council agreed to adopt the ordinance as presented and to review the requested amendment in the future.

MAYOR PRO-TEM SCOTT MADE A MOTION TO ADOPT THE UDO AMENDMENT FOR ARTICLE 2 GENERAL REGULATIONS TO ADD ARTICLE 2.19 ALTERATION OF SAND DUNES OR OCEAN FRONT VEGETATION AS PROPOSED. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

#### **Review upcoming Agenda Items and Identify New Agenda Items for May 2, 2016 Meeting**

The Council reviewed the upcoming Agenda Items list and made the following amendments:

- Marketing Discussion – Moved to June 21, 2016 Meeting
- Review of Planning Board Duties Concerning Plat Review – Added to May 2, 2016 Meeting
- Twin Lakes Restaurant Access Easement Concerns Discussion – Added to May 2, 2016 Meeting.

### **Public Comments**

John Corbett 1313 Canal Drive – Verified that the proposed Stormwater Management Plan Scope of Work includes all areas that the Town is legally obligated to maintain.

Jim Stokes 658 Kings Court – Advised that the subdivisions holding private stormwater permits are not maintaining their systems properly; advised that those areas are within the Town jurisdictions and Town owned roads are within those subdivisions; questioned the waiting periods with the recycling program and the leaf/limb program.

MAYOR PRO-TEM SCOTT MADE A MOTION TO RECESS FOR 5 MINUTES. COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council reconvened.

**Closed Session**

MAYOR PRO-TEM SCOTT MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (6) TO DISCUSS A PERSONNEL MATTER. COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

The Council met in Closed Session for approximately 90 minutes.

COUNCILMAN DEVITA MADE A MOTION TO RETURN TO OPEN SESSION. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

COUNCILMAN DEVITA MADE A MOTION TO RECONVENE THE OPEN SESSION. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

Mayor Watts advised that the Council agreed to give Susan Parker a six (6) month contract and voiced appreciation for the work she is doing for the Town.

**Adjournment**

COUNCILMAN BENTON MADE A MOTION TO ADJOURN THE APRIL 19, 2016 COUNCIL MEETING. COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR WATTS CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Town of Sunset Beach**

*Ron Watts, Mayor*

Submitted by:

*Lisa Anglin, Town Clerk*

\*The April 19, 2016 minutes were approved by Council during the May 2, 2016 meeting.