

**Town of Sunset Beach  
Council Meeting  
November 15, 2016**

**MINUTES**

**Members Present:** Mayor Robert Forrester, Mayor Pro-Tem Carol Scott, Councilman Peter Larkin, Councilman Mark Benton and Councilman Rich Cerrato

**Members absent:** Council Member Vacancy

**Attorney & Staff Present:** Susan Parker, Town Administrator; Bonnie Schwerd, Assistant Town Administrator; Kevin Dempsey, Fire Chief; Richard Childres, Assistant Fire Chief; Dustin Graham, Public Works Department Director; Joe Smith, Interim Police Chief; Richard Hathcock, GIS/Planner, and Lisa Anglin, Town Clerk

Mayor Forrester called the Meeting to order at 9:00 am and the Pledge of Allegiance was recited by those in attendance. Mayor Forrester advised that the men and women firefighters that are fighting the Western Carolina wildfires are in need of supplies. A donation request list has been placed on the Town website.

**Administer Oath of Office**

Town Clerk Lisa Anglin administered the Council Oath of Office to John Corbett. Councilman Corbett took his seat with the Council and the meeting continued.

**Draft Agenda Review and Approval**

COUNCILMAN CERRATO MADE A MOTION TO APPROVE THE AGENDA AS PRESENTED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Public Comments on Agenda Items Only**

Bob Farrell 571 Sunset Lakes Blvd. – Shared suggestions for ways to continue to allow cabanas on the strand while lessening the Beach Patrol need for enforcement.

Milton Burns, Cabana Company Owner – Encouraged Council to continue to allow cabanas.

Veronika White 7406 Hermitage Lane – Spoke in favor of banning cabanas.

Darlene Kennedy 101 North Shore Drive – Spoke in favor of banning cabanas.

Gordon Bokelman 404 3<sup>rd</sup> Street – Spoke in favor of allowing cabanas.

Jan Harris 206 North Shore Drive – Spoke in favor of banning cabanas.

Barbara Bennett 406 3<sup>rd</sup> Street – Spoke in favor of allowing cabanas.

Ann Bokelman 404 3<sup>rd</sup> Street – Spoke in favor of allowing cabanas.

Ruth Reynolds 703 North Shore Drive – Spoke in favor of banning cabanas.

## **Old Business**

### **Discussion Concerning Cabanas on the Strand and Review of Police Officer Cost Analysis, Possible Council Action to Allow or Ban Cabanas**

**COUNCILMAN CERRATO MADE A MOTION TO BAN CABANAS IMMEDIATELY. MAYOR FORRESTER CALLED FOR DISCUSSION.**

Councilman Cerrato, Councilman Benton and Mayor Pro-Tem Scott were opposed to cabanas on the strand citing the following:

- costs to the Town for disposal of broken and thrown away cabanas,
- safety issues and hazards for the turtle program,
- navigational issues during high tides,
- often are unoccupied and preventing others from using the space,
- takes up a lot of the Beach Patrol staff members time enforcing the cabana regulations.
- No other communities within a 100-mile radius allows cabanas (this statement was later proven incorrect)

Councilman Corbett and Councilman Larkin were in support of allowing cabanas on the strand citing the following:

- sun related health issues,
- absence of factual information needed to make a decision such as:
  - if a cabana is empty, for what length of time, how many are empty per day
  - length of time Beach Patrol staff expend enforcing cabana regulations
  - actual number of days navigational issues are experienced by Beach Patrol and are the cabanas the issue.
- items are removed from the strand daily so turtle program is not affected
- rules and regulations could be strengthened
- cabana placement in the most congested areas could be limited

The Council reviewed the proposal to hire temporary part-time police officers to patrol the stand enforcing all of the rules and regulations including cabanas. The officers could be assigned to the island to handle issues on and off the strand using an ATV with a patrol vehicle staged on the island. Staff was directed to revise the costs data using an 8-hour day for further discussion during the January 9, 2017 Meeting, and to research a program similar to the Brunswick County Sheriff Department Volunteer Program.

**MAYOR FORRESTER CALLED FOR A VOTE. COUNCILMAN CERRATO, COUNCILMAN BENTON AND MAYOR PRO-TEM SCOTT VOTED YES. COUNCILMAN LARKIN AND COUNCILMAN CORBETT VOTED NO. THE MOTION CARRIED BY MAJORITY VOTE.**

### **Decision of BEMC Electric Vehicle Charger Station Placement Request**

The Council discussed placement for the installation of the Electric Vehicle Charger Station as proposed by BEMC. Council directed Staff to meet with BEMC Representative to determine if installation for one year with immediate removal of the station if it becomes an issue, would be agreeable with them and to update Council during the January Meeting.

**Old Business (Cont.)**

**Discussion Concerning Dredging Survey**

Councilman Cerrato raised concerns with the dredging project and requested a survey be sent to all affected property owners.

COUNCILMAN CERRATO MADE A MOTION TO APPROVE THAT A SURVEY BE SENT TO ALL PROPERTY OWNERS THAT WILL BE AFFECTED BY THE DREDGING PROJECT. MAYOR FORRESTER CALLED FOR DISCUSSION.

Mayor Pro-Tem Scott stated that she would need to see the survey contents before voting to approve it. Councilman Corbett, Councilman Larkin and Councilman Benton all agreed that a survey may be needed at some point but the information needed to develop a survey remains unknown at this time.

Councilman Cerrato withdrew the motion and the Council agreed to add the Dredging Survey to the Disposition of Directives.

**New Business**

**Consideration of Appointment of Alternate GSATS TAC Member**

MAYOR PRO-TEM SCOTT MADE A MOTION TO APPOINT COUNCILMAN CORBETT AS THE GSATS ALTERNATE MEMBER. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Consideration of Appointment of Board of Adjustment Member**

COUNCILMAN CERRATO MADE A MOTION TO APPOINT LAWRENCE HERSHOFF TO THE BOARD OF ADJUSTMENT. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Consideration of Adoption of 2017 Meeting Calendar for Town Council, Planning Board, Board of Adjustment and Environmental Resource Committee**

MAYOR PRO-TEM SCOTT MADE A MOTION TO ADOPT THE 2017 MEETING CALENDAR FOR THE TOWN COUNCIL, PLANNING BOARD, BOARD OF ADJUSTMENT AND ENVIRONMENTAL RESOURCE COMMITTEE. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Consideration of Selection of Date for 2017 Community Meeting**

MAYOR PRO-TEM SCOTT MADE A MOTION TO HOLD THE 2017 COMMUNITY MEETING ON SATURDAY FEBRUARY 25, 2017 AT 10:00 AM WITH THE LOCATION TO BE DETERMINED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Discussion Concerning Chapter 99 Park Rules and Use Changes**

The Council discussed the types of organizations currently holding events in the Park. The Council agreed that a restroom cleaning fee should be added to the fee schedule and requested Staff to obtain a price and to include an amended fee schedule for Council consideration at the December 19, 2016 Meeting.

**New Business (Cont.)**

**Discussion of Project Directives for Environment Resource Committee (ERC)**

COUNCILMAN CERRATO MADE A MOTION TO DIRECT THE ENVIRONMENTAL RESOURCE COMMITTEE TO BEGIN TO WORK ON RECYCLING AND STORMWATER MANAGEMENT. MAYOR FORRESTER CALLED FOR DISCUSSION.

Mayor Pro-Tem Scott stated that the consultant has not finalized the Stormwater Management Plan so it premature to direct the ERC to begin working on stormwater management. Councilman Benton stated that the ERC should only be given one or two (2) research projects not three (3). The Committee is currently researching dredging. Councilman Corbett advised that the Council needs to provide the ERC with topic definitions of what specifically we are directing them to research.

Councilman Cerrato withdrew the motion.

COUNCILMAN CERRATO MADE A MOTION TO DIRECT THE ENVIRONMENTAL RESOURCE COMMITTEE TO BEGIN RESEARCHING EDUCATIONAL PROGRAMS THAT WOULD ENCOURAGE ADDITIONAL RECYCLING PROGRAMS WITHIN THE TOWN AND TO OFFER SUGGESTIONS TO THE COUNCIL. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY UNANIMOUS VOTE.

**Review upcoming Agenda Items and Identify New Agenda Items for December 5, 2016 Meeting**

The Council reviewed the Disposition of Directives and made the following amendments:

- Added – Pine Straw Regulations Discussion to the January 9, 2017 Agenda
- Moved - Park Gazebo Discussion to January 9, 2017 agenda
- Moved - Boards/Committees Members Term Limits Discussion to December 5, 2016 agenda
- Moved –Article 2 Section 2.20 Maintenance of Docks, Piers & Bulkheads to the January 9, 2017 agenda
- Moved - Proposed 12’ Access Easement for Twin Lakes Restaurant to January/February agenda
- Moved - Concert Series Committee Meeting with Council to January 17, 2017 agenda
- Moved – Chapter 51 Building Code Review to January 17, 2017 agenda
- Removed – Report of Park Dock/Pier Safety Cost from the Directives
- Removed – Revised FEMA Map Adoption from the Directives
- Removed – Financial Policy Discussion from the Directives
- Removed – Marketing Discussion from the Directives

**Public Comments**

Carmel Zetts 402 2<sup>nd</sup> Street – Voiced support for the Market events held in the Park and thinks they are good for the community.

Charles Nern 647 Oyster Bay Drive – Thanked the Staff for their cooperation during the Veteran’s Memorial Day ceremony.

**Closed Session**

MAYOR PRO-TEM SCOTT MADE A MOTION TO GO INTO CLOSED SESSION TO RECEIVE AN UPDATE ON PENDING LITIGATIONS CONCERNING JAGUAR’S LAIR AND THE WEST

END PROPERTY AND TO RECEIVE LEGAL ADVICE. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

**Closed Session (Cont.)**

MAYOR PRO-TEM SCOTT MADE A MOTION TO RETURN TO OPEN SESSION AND RECONVENE THE MEETING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

Mayor Forrester advised that during Closed Session the Council received updates and advice from the Town Attorney concerning Jaguar's Lair and the west end property.

**Adjournment**

COUNCILMAN CERRATO MADE A MOTION TO ADJOURN THE NOVEMBER 15, 2016 COUNCIL MEETING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A UNANIMOUS VOTE.

**Town of Sunset Beach**

*Robert Forrester, Mayor*

Submitted by:

*Lisa Anglin, Town Clerk*

\*The November 15, 2016 Minutes were approved by the Town Council during the December 19, 2016 Meeting.