

**Town of Sunset Beach  
Council Meeting  
September 20, 2016**

**MINUTES**

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

**Members absent:** Mayor and Council Member Vacancies

**Attorney & Staff Present:** Bonnie Schwerd, Assistant Town Administrator; Kevin Dempsey, Fire Chief; Dustin Graham, Public Works Department Director; Joe Smith, Assistant Police Chief, and Lisa Anglin, Town Clerk

Mayor Pro-Tem Scott called the Meeting to order at 9:00 am and the Pledge of Allegiance was recited by those in attendance.

**Draft Agenda Review and Approval**

The Council made the following amendment to the agenda:

- Removal of the Closed Session

COUNCILMAN CERRATO MADE A MOTION TO APPROVE THE AGENDA AS AMENDED. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR PRO-TEM SCOTT CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

**General Council Discussions**

**Wind Leases** – Councilman Larkin advised that the Bureau of Ocean Energy Management (BOEM) has announced the release of the Atlantic Wind Lease Sale 7 Proposed Sale Notice and Request for Interest for 122,405 acres offshore North Carolina. A 60-day comment period was opened on August 16, 2016. Councilman Larkin requested the Council to re-submit the Resolution Opposing the Wind Leases submitted by the previous Council with an accompanying letter. The Council agreed. Councilman Larkin will work with Staff to prepare the letter and Resolution for Council consideration during the October 3, 2016 meeting.

**FEMA CAV Meeting** – Councilman Cerrato announced that FEMA Representatives will conduct a CAV Meeting with Staff on September 21, 2016.

**Island Clean-Up Day** – Councilman Benton thanked Bonnie Schwerd, Assistant Town Administrator, for organizing the Island Clean-Up Day held on September 17, 2016. Schwerd thanked the many volunteers that participated.

**Public Comments on Agenda Items Only**

**Dean Walters 523 Fairway Drive** – Spoke in opposition to changes in the allowable construction hours citing the workers need to be able to work in the early mornings and late evenings due to the heat in the middle of the day.

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

Dave Eastburn 424 32<sup>nd</sup> Street – Thanked the candidates for their willingness to serve as Mayor; criticized the Council members that held private interviews and for not asking questions during the Forum; Advised that Council needs transparency.

Scott Quaintance 502 Shoreline Drive West – Spoke in opposition to changing the allowable construction hours citing the heat of the day issues; reminded the Council that construction workers need to be able to make a living to support their families and a reduction in hours would hinder the ability to do so.

Karen Joseph 915 Sandpiper Bay Drive – Encouraged the Council to meet with the Construction Contractors to discuss the allowable construction hours before amending the ordinance; Advised that all of the Council members should have asked questions of the candidates during the Forum and encouraged the Council to re-consider their approach.

### **Town Event Announcements**

#### **Sunset at Sunset**

Mayor Pro-Tem Scott reminded those in attendance of the Sunset at Sunset Festival scheduled for Saturday, October 1, 2016 from 10:00 am – 5:00 pm on the grounds of the Ingram Planetarium.

#### **Community Meeting**

Mayor Pro-Tem Scott reminded those in attendance of the Community Meeting scheduled for Saturday, October 8, 2016 beginning at 10:00 a.m. in the Sea Trail Jones/Byrd Clubhouse.

### **Presentations**

#### **Jinks Creek Oyster Survey Discussion with Moffatt & Nichol Representative**

Jerry McCrain, Moffitt and Nichols Representative, addressed the Council concerning a Jinks Creek oyster survey. McCrain explained that the regulatory agencies didn't request an oyster survey for Jinks Creek, but that the Council could request the survey be conducted. McCrain advised that Moffitt and Nichols has submitted two (2) proposals for a Jinks Creek oyster survey, (a) \$207,000 and (b) \$22,000. The Council voiced confusion with the proposals and with the absence of Susan Parker, Town Administrator and Consultant Robert Neil reached a consensus to place this item on the October 3, 2016 Agenda.

#### **Electric Vehicle Chargers Station**

Monte Herring, BEMC Representative, informed the Council of a proposal from BEMC to install a Type 2 (120 volt) Electric Vehicle Charger Station on the Island for patrons with electric vehicles. Mr. Herring advised that there is no cost to the Town or public initially but that a cost may be passed along to customers in the future. Mr. Herring stated that the Type 2 charger requires 4 – 6 hours to fully charge a vehicle but shorter time charges are sufficient. Mr. Herring advised that the DC fast chargers cost in excess of \$60,000 and therefore are not feasible at this time. Mr. Herring advised that BEMC has installed Charger Stations at Ocean and Holden Beach, Brunswick Forest and Calabash.

### **Old Business**

#### **Consideration of Appointment of Mayor**

Mayor Pro-Tem Scott advised that five (5) candidates have been interviewed and gave presentations during the Candidates Forum held last night.

**Old Business (Cont.)**

Consideration of Appointment of Mayor (Cont.)

COUNCILMAN CERRATO MADE A MOTION TO APPOINT ROBERT FORRESTER AS MAYOR. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR PRO-TEM SCOTT CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

Discussion Concerning Council Member Replacement Procedure

The Council agreed to accept letters of interest/resumes for three (3) weeks with a deadline of October 14, 2016. The Council briefly discussed the interview process and agreed to ask questions during the Forum but that the members can still conduct private interviews if they desire. The Clerk was requested to add the Council Member Replacement Procedure to the October 3, 2016 agenda.

Selection of Councilmember to Observe FEMA CAV Meeting

The Council reached a consensus for Councilman Benton to observe the FEMA CAV Meeting.

Consideration of Adoption of the Rules of Procedures

The Council reviewed the final draft of the Proposed Council Rules of Procedures. The Council added the Consideration of Adoption of the Council Rules of Procedures to the October 3, 2016 agenda.

Discussion Concerning Council Chambers Audio/Video Upgrades

Councilman Benton advised that Gorilla 911 will be installing a camera to record the meetings for broadcasting on youtube, the television in the conference room is being outfitted to air what is happening in the chambers, fixed table microphones are being installed to replace the current microphones and ear pieces will be available for the hearing impaired. A Staff person will be needed to operate the camera and audio/video system during the meeting and to upload the recording to you-tube afterwards.

**New Business**

Discussion Concerning Allowable Construction Hours for Contractors

The Council discussed the current allowable construction hours for contractors of 7:00 am – 8:00 pm including the impacts on citizens, visitors, rental businesses and the community. The Council reached a consensus not to change the construction hours for contractors at this time.

Consideration of Adoption of the Fire Truck Capital Project Ordinance and Approval of RFP for Fire Truck Installment Financing

Bonnie Schwerd, Assistant Town Administrator, advised that a Fire Truck Capital Project Ordinance is needed for the Fire Truck Installment Financing. Schwerd explained the RFP is for installment financing for a Fire Truck to replace the 25 year old model. The proposals, once received, will come back to Council to award the Contract.

MAYOR PRO-TEM SCOTT MADE A MOTION TO ADOPT THE FIRE TRUCK CAPITAL PROJECT ORDINANCE. COUNCILMAN CERRATO SECONDED THE MOTION. MAYOR PRO-TEM SCOTT CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

Consideration of Ordinance Amendment 30.66 Purchasing Agent

Schwerd recommended that Ordinance 30.66 Purchasing Agent be amended to read as follows:

**New Business (Cont.)**

**Consideration of Ordinance Amendment 30.66 Purchasing Agent (Cont.)**

All purchases of goods and services that are needed to conduct Town business shall be made in accordance with the Town's Purchasing Policy.

Schwerd advised that amendments to the Town's Purchasing Policy are forthcoming.

COUNCILMAN BENTON MADE A MOTION TO APPROVE THE AMENDMENT FOR ORDINANCE 30.66 PURCHASING AGENT. COUNCILMAN LARKIN SECONDED THE MOTION. MAYOR PRO-TEM SCOTT CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

**Review upcoming Agenda Items and Identify New Agenda Items for October 3, 2016 Meeting**

The Council reviewed the Disposition of Directives and added the following to the October 3, 2016 Agenda:

- Wind Leases Letter and Resolution
- Jinks Creek Oyster Survey Discussion
- Council Member Replacement

The Council removed the Chapter 51 Adoption Consideration from a date certain Agenda.

**Public Comments**

Dave Eastburn 424 32<sup>nd</sup> St. – Voiced opposition to Councilmembers hold private interviews with candidates. Encouraged the Council to adhere to the open meeting laws and to ask the right questions of the Attorney in order to receive the correct answers.

Jan Harris 206 North Shore Drive West – Informed the Council that this is National Estuarine Week and that the one mile area between the ICW and the island known as Jinks Creek is an estuarine area that needs to be protected.

Bob Farrell 571 Sunset Lakes Blvd. – Thanked the Council for the opportunity to be considered for the Mayor position and congratulated Bob Forrester; Encouraged to Council to review the applications and interview in public; agreed that private interviews allows for getting to know the person; recognized that the Town has an administrative gap with the lack of an engineer project manager to work spearhead the project and work with the regulatory agencies.

Neil Gilbert 1179 Sea Bourne Way – Advised that the ERC has had two (2) meetings and questioned why the ERC presentation was not on the website.

Jim Stokes 658 King Court – Spoke in opposition of the current construction hours and advised that Sunday construction being conducted within Town limits and requested it be stopped.

Tom Bormann North Shore Drive Extension – Advised that the dust coming off of Cobia and North Shores Drive Extension dirt roadways due to construction traffic is causing health concerns and degrading property values; has heard that some on Cobia St. are starting a petition for paving.

**Adjournment**

COUNCILMAN CERRATO MADE A MOTION TO ADJOURN THE SEPTEMBER 20, 2016 COUNCIL MEETING. COUNCILMAN BENTON SECONDED THE MOTION. MAYOR PRO-TEM SCOTT CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4 – 0 VOTE.

**Town of Sunset Beach**

*Carol Scott, Mayor Pro-Tem*

Submitted by:

*Lisa Anglin, Town Clerk*

\*The September 20, 2016 Minutes were approved by the Town Council during the December 5, 2016 Meeting.