

**TOWN OF PINE KNOLL SHORES**  
**BOARD OF COMMISSIONERS**  
REGULAR MONTHLY MEETING  
November 18, 2020— 6:00 p.m.

**Call to Order and Pledge of Allegiance**

Mayor John Brodman called the November 18, 2020 regular monthly Meeting of the Pine Knoll Shores Board of Commissioners to order at 6 PM and led the Pledge of Allegiance. This meeting was held entirely online via GoToWebinar due to COVID-19 concerns. Also present for the meeting were Commissioners, Alicia Durham, Clark Edwards, Bill Knecht, Larry Corsello, and Ted Goetzinger; Town Attorney Neil Whitford, Town Manager Brian Kramer; Assistant Town Manager/ Finance Officer Julie Anderson; Public Services Director Sonny Cunningham; Town Planner Kevin Reed; Fire Chief Jason Baker; Police Chief Ryan Thompson; and Town Clerk Charles Rocci.

**\*\*All board members and staff were present online via GoToWebinar.**

**\*\*Due to COVID-19 Pandemic, the board room was closed to the public but they were able to listen via webinar.**

**Approval of the Agenda**

Mayor Brodman requested that the board move to add item X.b to discuss the towns Beach Commission recommendation, and item XIII which is a closed session permissible under G.S. 143-318.11(a)(2) for the purposes of attorney-client privilege. A motion was made to approve the agenda with the included items by Commissioner Edwards, seconded by Commissioner Knecht. The motion passed unanimously.

**Disclosures and Conflicts of Interest**

There were no disclosures and/or conflicts of interest.

**Announcements**

Mayor Brodman gave announcements.

**\*Public Comment**

Due to the meeting being held via teleconference, members of the public were asked to email in their comments ahead of the meeting to Town Clerk Rocci. Those that emailed the town clerk have their emails included herein by reference and attached to these minutes.

**Consent Agenda**

Commissioner Goetzinger made a motion to approve the consent agenda (consisting of: October 14, 2020 Regular Meeting Minutes, Reappoint Board Members, Appoint Deb Frisby to the History Committee, approve the sale of the towns 1998 Ford Mosquito Truck, and Tax Discoveries and Releases) seconded by Commissioner Edwards. The motion passed unanimously.

**Presentation(s)**

Paula Hodges, the town auditor from Martin Starnes & Associates briefed the board on the latest audit report. Those slides will be attached to the meeting minutes.

### **Town Manager Report & Staff Reports**

#### **\*Phase II Stormwater Project**

Town Manager Kramer presented updates to the Phase II Stormwater Project. Construction has started. The CCCC PLAT still needs to be signed by the club. Soil samples were taken at the pump site on October 21. Neighborhood easements have been recorded by the town attorney. We are still awaiting written approval from the owner of the Coastal Mobile Home Park for access.

#### **\*CCEC Tree Trimming**

Project moved back to December 2020. Kramer and CAC Chair Steve Felch marked all trees to be removed on the week of November 8. The number of trees to be removed is 96. The tentative number of trees to be replaced is 50.

#### **\*Contract Renewal for Garbage and Recycling**

The current contract with GFL will expire in July 2021. The last two contract negotiations have only earned the town one bid each. Kramer recommends working with Dave Harvell, a municipal government consultant for the next bidding process. His role would be to review the existing contract, review the agreement with CEP, identify other providers, meet with potential providers, and write and distribute a RFP and contractual agreement. The will be proposed to the board at the December 2020 meeting.

#### **\*PSD Fall-Winter Work Plan**

The town is utilizing outsourced and in-house work for fall and winter projects. Some projects have been budgeted for, others are paid as required. CIP items which need to be addressed are the hydrant and valve replacement on the east end (WEF), well rehab and western tower telemetry housing (WEF), and repaving (GF). Outsourcing has been brought up this summer with town hall stairs (GF), and Public Beach Access "A" (BERF). In house items include completing the compound meter installment and retrofits.

#### **\*TM Quick Updates:**

- Cyber Security Analysis occurring December 3-4
- PSB Doors
- HVAC
- Lines on Oakleaf
- Resilient Community

#### ***Finance and Admin Report. Assistant Town Manager Anderson briefed:***

Assistant Town Manager/Finance Director Julie Anderson updated the board on FEMA monies from Hurricane Isaias. An exploratory call was held between Julie, Sheila, and a FEMA representative the week of November 8. Recovery scoping meeting is occurring on November 19. Category A and B claim will total \$55,000. Shelia Bupp is gathering invoice and quarantine coverage data.

Ad Valorem collections and levies have decreased from 61% to 56% between current year and 2019. Beach tax collections and levies have decreased from 57% to 53% between current year and 2019.

*Fire Department Report. Fire Chief Baker briefed:*

Chief Baker reminded residents to check smoke detector batteries. He also reminded residents to be careful and use proper precaution when cooking for Thanksgiving. Chief Baker then unveiled Project Rudi which is a new \$1.7 million 95' platform ladder truck paid for by excess FEMA funds. The truck has a 2000gpm pump, aluminum ladder, and 10 year paint and corrosion warranty. Finally, Chief Baker reported on the fire at Bogue Shores and identified the cause as a loose electrical socket. He will send a town wide email next month to remind residents why and how they can prevent electrical fires.

*Police Department Report. Police Chief Thompson briefed:*

Chief Thompson reported that the town had three suspected overdoses resulting in two deaths in October. Halloween was uneventful due to COVID-19 restrictions. Finally, the police department was awarded three portable breath testing instruments from NC GHSP with a \$1,500 value.

*Public Services Department and Water Report. PSD Director Sonny Cunningham briefed:*

Public Services Director, Sonny Cunningham reported that the bucket truck had service work completed in October. This involved replacing the boom keeper pins.

PSD employee Travis Adkins had surgery the week of November 8 and is recovering well. All work has been completed in a timely fashion. Tyler has started hauling yard waste on the Knuckle Truck and is doing a great job.

NCRWA is assisting the town with leak detection. So far three water leaks have been detected. NCRWA will return on November 23 to finish the last 5% of the water system leak detection.

Southern Corrosion Corporation will be painting the 250,000 Gallon elevated storage tank at the Trinity Center right after Thanksgiving. The 150,000 gallon elevated storage tank on Roosevelt Boulevard will be painted next year.

*Planning and Inspections. Town Planner Kevin Reed briefed:*

Town Planner Kevin Reed reported that the Coastal Resources Commission approved the reauthorization of the Static Line Exception for Pine Knoll Shores and all other Bogue Banks communities. This allows the use of FLS&N vegetation to determine oceanfront setbacks for development further than the static line. Initially granted in 2010, the exception needs to be approved by the CRC every five years. The last extension was approved in 2015. The Carteret County Shore Protection Office took care of this on the town's behalf.

The town is planning to replace Public Beach Access "A" which is located between Atlantis and the Roosevelt Beach Subdivision. NC Building Code requires the access way construction plans to be certified by a design professional. Additionally, the access way will need to be handicap accessible and will require a Minor CAMA Permit. The town needs to secure the services of a design professional to draw up plans prior to seeking bids. The design and engineering certification will also apply to the replacement of the handicap side entrance at Town Hall.

122 Arborvitae (\$5,750) a letter was sent by the town attorney requesting payment. Melissa Berryman indicates that the property owner has not responded. The next step is for the Commissioners to decide if they want to file a lawsuit seeking collection of the fine and forcing the owner to plant replacement trees.

Staff is reviewing Single-Family Landscape Permit applications for 139 Oakleaf and 224 Salter Path Rd. Staff are responding to many inquiries regarding SFLP applications for new homes.

The town issued 17 building permits with a total value of \$444,852. 13 mechanical, 1 plumbing, and 7 electrical permits were issued. Total fees generated for all permits were \$6,191 and the total value of all permits issued was \$547,401. 16 tree removal permits were issued and 89 inspections were performed.

#### *Town Clerk Report*

Town Clerk, Charlie Rocci briefed the board on the twelve applications received for the Ken Jones Public Service Award. The selection committee will meet on November 24 to select a winner and discuss award presentation.

A request for proposal has been sent to Bree Charron with Coastal Stormwater Solutions for project designs for the EEG stormwater projects at Acorn Ct. and Pine Knoll Blvd. The clerk will meet with Lexia Weaver on December 2 to discuss the Living Shoreline Project. The town is currently soliciting volunteers for the project as well as a boat to transport shells.

#### **Unfinished Business**

##### a. FEMA Excess Funds Allocation

Town Manager, Brian Kramer presented the board with three spending options for excess FEMA funding. Those three options are listed below:

PRI		COST	Alternative 1	Alternative 2	Alternative 3
1	LADDER TRUCK	1,500,000			
1	PUMPS W/ HOSES (TWO 6")	128,000			
1	RADIOS (39 TOTAL)	275,000			0 (CIP-GF)
2	GENERATORS, 3 WELLS	95,000			
2	GENERATOR, TRINITY	11,000			
2	GENERATOR, TOWN HALL	37,000			
2	WELL HOUSES-METAL ROOFS	15,000			
3	PSB SLOPED/METAL ROOF	528,500		0	
3	FUEL STATION ROOF	20,000			
3	TOWN HALL ROOF (METAL)	185,000	63,000		63,000
4	KUBOTA CLAMSHELL	5,000			
4	DUMP TRAILER	9,000	0 (CIP-GF)		
5	ENCLOSED EQUIPMENT BUILDING	150,000	0-(CIP-GF)		
5	SCADA	66,000	0 (CIP-WEF)		
		<b>3,024,500</b>	<b>2,677,500</b>	<b>2,496,000</b>	<b>2,627,500</b>

The board did not come to a final decision on an alternative. A decision on the town's spending plan needs to be made by the January Board of Commissioners Meeting. Commissioner Corsello recommended the Finance Committee schedule a meeting to discuss the logistics of a sloped versus metal roof on the public safety building with contractor Lee Dixon. Kramer will bring this item back to the board for a decision at the December Regular Monthly Board of Commissioners meeting on December 9.

##### b. CARES Act Project Update

Town Clerk, Charles Rocci updated the board on the current status of the CARES Act project to update the town's board room audio visual abilities. The town has decided to contract with Sound Advice out of Cary, North Carolina and the total project cost is an estimated \$34,315. The expected start

of installation is December 14 but may vary based on the timeline of part shipment. The town clerk will make the proper adjustments for the installation crew. No board action was necessary.

### **New Business**

#### **a. Town Committee Ordinance Call for Public Hearing**

Town Clerk, Charles Rocci presented the board with a possible ordinance change to create consistency with administrative operations of the town's many voluntary boards. This would implement uniform language among the Planning Board, CAC, SPC, and PARC. It would also implement common procedure for replacing members who are not active within their voluntary committees. Commissioner Knecht raised concerns that if the town wants to create consistency, then they should also look at term limits, nonvoting member restrictions, and part-time resident restrictions. Commissioner Edwards was also concerned that giving the board of commissioners the ability to remove members would give the commissioners unbalanced power. Town Attorney, Neil Whitford recommended voting to move forward with a public hearing and edits can be made once comments are heard. The motion to approve calling for a public hearing on December 9, 2020 on the ordinance change was made by Commissioner Edwards seconded by Commissioner Goetzinger. The motion passed unanimously.

#### **b. Beach Commission Recommendation**

Mayor John Brodman presented the Bogue Banks Beach Commission's recommendation to move forward with FEMA for beach renourishment projects in opposition to the United States Army Core of Engineers fifty-year plan. The decision was made because FEMA would allow the island to target specific "hot spots" for renourishment instead of waiting for an island-wide project. Mayor Brodman asked that the board of commissioners vote to recommend the Beach Commissions decision to move forward with FEMA's plan. Commissioner Corsello made a motion to approve the Beach Commission's recommendation. That motion was seconded by Commissioner Goetzinger and passed unanimously.

### **Mayor and Commissioner Reports**

The commissioners gave updates on the Phase II Stormwater Project and the Pine Knoll Blvd. sidewalk. They also wished everyone a happy and safe Thanksgiving

### **Closed Session**

Commissioner Corsello made a motion to move into a closed session with a second from Commissioner Goetzinger. The closed session is permissible under G.S. 143-318.11(a)(2) for the purposes of attorney-client privilege. The board moved into closed session at 8:58pm.

The board moved out of closed session at 9:20pm. Commissioner Knecht made a motion to authorize town administration to proceed To authorize the town manager to commence a civil action in Carteret County Superior Court against Vance Edwards to collect the \$5,750.00 civil penalty, and enforce other mitigation measures, levied by the town manager on June 2, 2020 and affirmed by the town manager after a hearing by a Decision dated July 14, 2020 on account of regulated trees being removed from Dr. Edwards' property at 122 Arborvitae Court without proper permits.

### **Adjournment**

The Board adjourned on a motion by Commissioner Knecht with a second by Commissioner Goetzinger that passed unanimously. The meeting adjourned at 9:25pm.

Charles W. Rocci  
Charles W. Rocci, Town Clerk