

**Town of Cape Carteret
Board of Commissioners MINUTES
7:00 PM June 17, 2013**

CALL TO ORDER

The Cape Carteret Board of Commissioner Meeting came to order in the Debbie E. Stanley Board of Commissioners Meeting Room at 7 PM.

MOMENT OF SILENCE: none

PLEDGE OF ALLEGIANCE lead by Commissioner Saunders

ROLL CALL

Present: Mayor Fowler

Commissioners Hunt, Patterson, Seegers and Saunders

Attorney Curtis, Carteret News Times, Jacksonville Daily News, and 24 Citizens

Absent: Commissioner King (excused)

ANY CHANGES TO THE AGENDA? Yes, add to New Business, Starlight Promotions. Add to the Consent Agenda the Resolution of Intent, Minutes of May 6, 20, & 28, and Work Minutes of May 13. Remove from Old Business, the Crystal Coast Engineering Contract & the Chalk and Gibbs lease agreement.
Commissioner Patterson motioned to approve the changes to the agenda, seconded by Commissioner Hunt. Vote approved 4-0

CONSENT AGENDA

Add Resolution of Intent

Add Special minutes of May 6, 20, & 28 2013-**Add** Work session minutes of May 13, 2013

Commissioner Seegers motioned to approve each consent agenda item, seconded by Commissioner Hunt. Vote approved 4-0

Public Hearing

The Mayor stated that the town is considering changing the Mayor's term from two years to four years. There is a state-wide trend, especially the smaller towns, changing from a two-year to a four-year for the mayor's term. If this were to pass, it would not take effect until the election of 2015 and the mayor's term for that election would be for four years.

Phyllis Nastasi-310 Yaupon Drive- She was on the board when the commissioner's terms were changed to a staggered term. At that time they felt the mayor's term of two years was sufficient. The mayor is a person who guides the board. He only has a vote if there is a tie. Perhaps the trend to change is due to a town not having a manager, but the mayor's position is really someone who promotes the town. If they really want the position they should put themselves out there and tell the public why they should be the mayor of our town.

Patricia Ruddiman-315 Star Hill Drive- She agrees that the mayor's term should be two years. Four years is a long time in a small town. If we were a larger town with many projects that need to be completed, then she could see why a four-year term would be needed.

Jim Nalitz-525 Deer Creek Drive- Today he had a chance to go over the town charter. It is the foundational document of the town. He was looking at the specifics about amending the charter and could not find it. It seems that something as fundamental as a term of office should not be changed by just an ordinance change, but that the people should get involved in. The US Constitution sets out the

terms of the offices in the executive branches. This question should be put forth and voted upon by the people. He also believes the terms should be limited to two terms of four years.

Barbara Sandlin –300 Easy Street- She is the town clerk of Cedar Point. On May 22nd Commissioner Hunt had a letter to the editor, and how ironic it was to see underneath his letter the reprinted section from 15 years ago that the town of Cape Carteret was considering the four-year terms. The Cedar Point mayor has a four-year term. Her previous mayor was mayor for 12 years. Art Schools of Emerald isle has been there 12 years. All that continuity is a good thing. Mayor Fowler will be chairman of the ILA in July. He will be there until November and possibly someone else could step in (if he is not elected) that knows nothing about it. Her mayor is into his second year and if you spoke to him he would tell you two years is not enough time to get into the grove of what's going on in the town and its business. As an example: what if the clerks were elected every two years, she believes the town would be in total chaos. It is also cost effective. It cost her town over \$4000 to put two people on the board.

Ronald Harkless-562 Neptune Drive- In the past, Commissioner Hunt and I have not been on the same page, but I agree the position for the mayor should be a two-year term. Mr. Harkless served two two-year terms as mayor and was beaten out by Mr. Fowler in the last election. He believes a two-year term is sufficient. If the mayor is on track, and doing what the citizens want, the people will easily elect him for a second, third or fourth term. The citizens have the right to vote for the mayor. The other thing he would like, which he tried to get completed when he was in office, is a short class in the town given to new commissioners and mayors. They should be given all the information of what is happening in the town. They need to be told the standard procedures. He also agrees with the term limits, esp. at the national level. There is a problem with the same people staying on year after year. We need to have new blood. This is a very interesting meeting. Normally, there are only two or three people present. The town is not getting the information needed from the residents. The residents should show an interest. Spread the word around to come to the meetings. The board makes decisions not knowing what you want and then the residents come in screaming about it after the fact. Then it is too late.

Terry Ashby-109 Dolphin Street- She just started a new job and it takes six to nine months to get your feet wet. I can't imagine doing that as a mayor coming in and with a minimal pay. This is not something for this mayor; it is for the next mayor elected in 2015. Swansboro has done it and is doing wonderful things. Beaufort is looking at extending mayoral terms. She is for the change. It is crazy to think a two-year term is going to benefit the town in anyway. Yes, if you don't like him then you can get him out, but how are you going to figure out if you really like him/her or not when they need six to nine months to figure out what they are doing and the six to nine months at the end to start campaigning for the next term. Nothing can ever get accomplished.

Jimmy Green-105 Clubhouse Drive- He thinks there are several things to consider with a two year term vs. a four-year term. You need to consider what the person has done prior before coming into office. In the case of Mr. Fowler, he was a county commissioner, and he worked in a municipality. It was not a huge transition for him. But if Mr. Green had been elected, he would have needed those six to nine months. Mr. Green served in the military for 30 years, and we consider these things when we talk about command billets. He strongly endorses a four-year term.

Mary Lou Smith- The clerk stated that Mary Lou Smith sent an email opposing the four- year term. It was forwarded to the board.

Paxon Holz-Commissioner Hunt handed to the clerk an email response that she sent him. She opposes the four-year term.

Commissioner Seegers motioned to close the public hearing, seconded by Commissioner Patterson. Vote approved 4-0

Any Board or Committee Updates?

Commissioner Patterson- Asked to respond to the letter in the newspaper from Commissioner Hunt. The letter stated that Mayor Fowler had initiated changing the term and had gotten a commissioner to do his work for him. She said she wanted it to be publically known that that is not the case. She approached Mayor Fowler with the idea, and then she brought it before the board.

Mayor:

- On the back page of the News Times he found it amusing that Beaufort debris pickup is not timely. Our biggest discussion is about the pickup. If you follow this board we don't discuss anything more than the timeliness of our debris pickup. No matter how we do it, it is never timely enough. He spoke to Frank Rush, manager of Emerald Isle, and he has a similar frustration. They pick up on a daily basis and it is more than they can keep up with. So, we are not alone on these issues.
- Cape Carteret has 1096 homes. We have had a nice little growth.
- On the mayor's term, if you have not sat in this seat it is hard to understand. The charter is a good document, just as the Constitution of the United States. Many people think that's the most perfect document the government has written, but it, too, has been amended twenty-seven times. Times change, just like when women and minorities wanted to vote. You have to amend your documents to reflect the times in which you live in, if it is appropriate. The last change was in 2001. Cape Carteret is a vastly different place than it was in 2001. This board has worked hard at modernizing this government. The police have onboard computers, audio cameras, and we are buying a new car. In our Public Works dept. we have outsourced the housekeeping, and the leaf and limb pickup. We have brought the bathrooms up to ADA standards. Long story short, we can update every department in this government, but if we don't update the governing board and how we do business, his view is that it is a moot issue. Mayor Fowler is the ninetieth mayor in 53 years. Newport has had a mayor for 30 years. We have a revolving door of mayors, which creates a non-constant, non-continuity situation. This board, not like the other boards he has sat on, is very active. As an example, we talked for years about storm-water run-off and now we are finally doing something about it. Yesterday, talking about it might have been appropriate, but now it's not. Yesterday may have been fine not to have computers in the police vehicles, today it is a must. Too many things going on in this town that need to be done on a daily basis in the absence of a town manager that somebody has to address. We have a \$160,000 project that someone has to make a decision on a daily basis (talking about the hike-bike trail). Thank goodness we have good help. Brandon has done a tremendous job but he has other responsibilities. When he is out someone has to make the decisions, and guess whom that is? He doesn't mind doing it. He welcomes it. We have to stop riding this dinosaur of how we did things yesterday, and start thinking in terms of vision of how we are going to do things tomorrow. The mayor endorses the four-year term. He thanked the residents for their comments. They were all good, all thought out and appropriate.

Commissioner Seegers: Mr. Harkless talked about education for the commissioners. Every new commissioner and mayor that comes in attends a class given by the School of Government. He has been to it twice. He and his wife moved here in 2004 and the changes they have seen are tremendous. Our current Mayor Fowler is here constantly. It is very few times that you come here and he is not here. With regards to the sidewalks, he has been here when things arose; that, if he wasn't, he does not know where we would be today. It has been a nightmare. Mr. Harkless, from the floor, stated he is talking about giving the new board members information specifically about this town. Mr. Seegers agrees with that statement. Mr. Seegers also reminded the citizens of the meeting dates.

Commissioners Saunders: She stated she was appointed and is the newest commissioner on the board. When she walked in she did not take the responsibilities lightly. She comes through the door five days a week. She is here to learn and do a job for the citizens of this town. Not because the paycheck is so great, and not because she has a boring life at home but because she has a commitment to her community. She is learning it and doing it. She takes pride in what she is learning and doing. She appreciates what this board, this mayor and the town clerk, our assistant clerk, our police officers, and the public works people have shared with her. She will continue to serve the citizens to the best of her ability.

Citizens to speak: none

OLD ITEMS

Schedule for Leaf and Limb pick-up of 2013-14: Commissioner Seegers and Mr. King worked on the leaf and limb dates. They came up with the first week of December, March, June and Sept. There was some discussion about different dates but most thought the dates referenced were fine. In the event of a named storm, with assistance from FEMA, the town would hold any additional pickups needed.

Commissioner Hunt motioned to hold the pickups on the first week of September, December, March and June, seconded by Commissioner Patterson. Vote approved 4-0

Removed: ~~Crystal Coast Engineering Contract~~

Removed: ~~Chalk and Gibbs Lease Agreement~~

NEW ITEMS

Approval of Final sub-division plat for Preps, Inc.: Brandon stated that the property is located at the corner of Taylor Notion and Hwy 24. It has met all the requirements for approval. The plats have been out for the commissioner's inspection. Commissioner Seegers asked about the Taylor Notion entrance traffic flow. DOT has already approved the entrances affecting traffic flow. ***Commissioner Hunt motioned to approve the final sub-division plat, seconded by Commissioner Patterson.***

Vote approve 4-0

ADD: Starlight Promotions: Brandon Hawks: Starlight Promotions, a fireworks retailer, has been doing business in the shopping center for the last five years, but within town for the last twelve years. Due to the new ordinance pertaining to Itinerant Merchants, the ordinance has created a conflict with Starlight Promotions. Brandon is asking the BOC for a directive. Since the lady was not aware of the new ordinance, shall we allow her to continue this year and then be prepared to follow the ordinance starting next year? The ordinance requires that her tent and storage containers be removed daily. Her tent is stationary for two weeks up until Independence Day.

Commissioner Saunders motioned to allow Starlight Promotions to be grandfathered for this year, and to be prepared to follow the ordinance next year, seconded by Commissioner Hunt.

Commissioner Hunt is not pleased that the tent has to be removed every day. We are driving away businesses.

Brandon explained that the ordinance was developed last year and was approved dealing with itinerant merchants, peddlers, and specialty markets.

Attorney Curtis said this came about when the hotdog man wanted to position himself in front of Lowes Home Improvements. It was decided that he would have to take the cart down each day.

Unfortunately, it falls under the same umbrella. ***Vote approved 4-0***

CITIZENS GENERAL COMMENTS

Phyllis Nastasi- 310 Yaupon Drive-She is not in favor of the mayor's or board salary increase. She became a commissioner because she wanted to give back to the town. She heard people talking about different issues and she believed she could get something done. The salary/stipend is \$600. She feels that amount of money is enough. The only time travel is involved is for school; otherwise the town is only one square mile. \$50 a month is enough to travel one square mile. The only time the board travels outside of town is for school, and the town pays the commissioners for mileage. The article states Commissioner Seegers saying, it is hard enough to entice people to run for a town government these days much less if it were on an entirely volunteer basis. If there is extra money it should go to the staff. The mayor seems to be doing little more. The stipend should remain the same. The mayor said stipends have been the same for a very long time. Times have changed. The commissioners do not mind working for very little but they do not want to go in debt. For example, the mayor said he has to attend a dinner in Havelock on behalf of the town. He has been to the gas station several times and they don't give it away. The board should not lose money serving the public. We should at least break even. The stipend was doubled and approved in the budget. We are still half of what the state average is.

It is true that Cedar Point commissioners are not paid, but they have a town administrator that takes care of all the things that our commissioners do. Each of our commissioners oversees a different department. We are a hands-on government. Emerald Isle's mayor makes just under \$12,000 a year. Mayor Fowler said he makes \$840 a year. Children making beads in Bangladeshi make more than your mayor does. We are going to operate this government like people that live in the real world, 2013. No one up here is doing it for the money. The money is not being taken away from the people. The residents have the best services you have ever had in this town for the least amount of money that you have ever paid for as a tax rate. We have given our employees for two years in a row a salary increase. We are taking very good care of our employees. The small amount of stipend for our board has not affected the tax payers or employees in any negative fashion.

Patricia Rudderman: It is always interesting to see what is going on this town, because like the words from Rodney King, "Can't we all just get along." I hear and see so much, what appears to be infighting and meanness. There is a whole different attitude that used to not be here. It is disturbing and sad to see the articles in the paper. It's sad to see people that were elected chose to resign. You all do not seem to jell very well. That is disturbing and it is not healthy for a small town like ours. We are a bedroom community. The revenue we receive is going to come from homeowners, not businesses. When speaking of modernizing and coming in to this new century it also means looking at having a larger budget. This is true for the entire county, this emphasis on keeping us the lowest tax rate in the state.

We have to start thinking outside the box. We don't have parks here. Swansboro has concerts in the park, different venues throughout the year. One of the best times we ever had was during the town's 50th Anniversary. We don't need to be the cheapest town.

Commissioner Seegers responded to the board not jelling. He asked how many board meetings she has been to. Her response was two. As a board, we do not always agree but the worse thing in town is hearsay. We have two people that you could depend on to show up at a meeting. One was Al Fox, may he rest in peace and the other is Paxon Holz. But most of the time this board does get along.

Commissioner Patterson: technically, we have only had one resignation. Mrs. Patterson was appointed to take the open seat vacated by Mr. Fowler when he was elected as Mayor. Over all, we get along very well. There is one person who writes articles in the paper but most of us discuss things professionally and get along. When she first came on the board she feels she was treated well and has learned from the other commissioners by asking questions. Commissioner Patterson is not opposed to more training.

The **Mayor** apologized to Mrs. Rudderman for the articles in the paper. He agrees the articles have not been flattering to Cape Carteret or some of the board members. The board as a whole is not pleased either. He did point out that tonight the board had voted unanimously on every subject.

Adam Hauser-421 Star Hill Drive- He came last month to the meeting about speeders on his street. The traffic is getting worse. The big trucks are going through the street and they can't stop as fast. There are little kids out there and the drivers aren't paying attention. I beg you to come to my house and sit and watch the traffic. He is not talking about five miles over the speed limit. It is an ongoing issue. This is not a new issue. The mayor said, because of your last visit, we dispatched an officer and he caught a man going 40 mph in a 25 mph zone. Not only was he speeding but we also found out he had two outstanding warrants. The chief spoke up and said we just gave out three citations in the last two weeks. We are out there and will continue to patrol the area. Mr. Hauser said people are texting and putting on make-up early in the morning. Mr. Hauser thanked the board.

ANNOUNCEMENTS

Town hall will be closed on Thursday, July 4th in observance of Independence Day

ADJOURNMENT

With no further business, the meeting adjourned at 8:25 PM on a motion by Commissioner Hunt, seconded by Commissioner Patterson. **Vote approved 4-0**

These are the minutes of June 17, 2013.

Respectfully submitted,

Karen M. Zornes, NCCMC
Town Clerk