

TOWN OF CAPE CARTERET

WORK SESSION MINUTES

7:00 PM July 8, 2013

Call to Order

The Cape Carteret Board of Commissioners meeting came to order at 7 p.m. in the Debbie E. Stanley Board of Commissioners Room.

Pledge of Allegiance led by Commissioner Seegers

Moment of Silence

Former Board of Commissioner Robert Stone of Star Hill

Roll Call

Present: Mayor Fowler

Commissioners King, Hunt, Patterson, Seegers and Saunders

Attorney Curtis, Carteret News Times, and 20 citizens

Any changes to the agenda? No, on a motion by Commissioner Hunt and seconded by Commissioner King the agenda was approved as is. ***Vote approved 5-0***

Planning Board Report & Building Inspector's Report: Brandon Hawks

- Fees collected for the month of June were \$3,613.25. Total fees collected for the fiscal year 2012-13 was \$47,934.
- The planning board recommends to the BOC to accept the resignation of Steven Byrum, and to approve the application of Robert Smith as an alternate. **(Consent agenda)**
- The planning board recommends approval of the Commercial Site Plan of the Handy Mart. The planning board asks the BOC to consider traffic flow recommendations based on a traffic study performed by Davenport Engineering. All documents will be in the conference room for the board's review. **(Agenda item)**

Board of Adjustment: Smoke Betts - none

Police Chief's Report: Donald Miller

The department held a DWI check point on June 22, 2013 from 11 pm to 3 am. Several agencies helped (Emerald Isle, Atlantic Beach, Morehead City and Havelock). We had 4 DWI arrests, 2 under age consumption, 5 with no license, 1 drug arrest, and several other misc. traffic violations. The Bat mobile was on site. We will hold another one in September.

Clerk's Report: Karen Zornes

2012 Tax update: \$3426.58 delinquent

Committee Reports

Fire Dept: Commissioner Seegers: For the month of June there were 17 fire calls, 59 EMS calls and 2 Fire/EMS calls for 78 response total calls. Of this total, Cape Carteret had 4 fires, and 22 EMS calls.

Interlocal Agency: In your packet you were given the proposed salary ranges that were approved at the last special budget, personnel meeting. The next ILA meeting will be this Wednesday.

Commissioner's Report

Commissioner Seegers: Public Works has been repairing some potholes, cutting grass that will continue all summer and they have replaced some banners.

Mayor's Report

ILA: The next meeting will be this Wednesday night at 7 p.m. The mayor will be the new Chairman of the ILA for the fiscal year 2013-14. In preparation of this meeting he will meet with Chief Hunter and Clerk Karen Park tomorrow at 9 am. Mr. Seegers will be present. The town will have three representatives on the ILA.

Proxy emails- he would like to know if the board would like to discuss this issue to determine if they are admissible or not. Also, are emails admissible when the person is present at the public hearing? The Mayor asked the attorney if citizens could email public comments rather than attending. The attorney said that would be within the sound discretion of this board if they want to accept those or not. The mayor responded that is exactly what he wanted to hear. The clerk said, her public hearing notice reads that they can make public comments before the meeting and she will submit it to the board. The mayor wants to know where it says we have to state that on the notice and if we have to accept emails, especially if the person is present at the public hearing. The clerk said she did not know the General Statue off the top of her head. The Mayor said he would not bring this up if it wasn't an issue. Commissioner Seegers asked if the emails would be strictly to the clerk, the ones that would be acceptable. The mayor asked the clerk, are you saying if someone sends an email and they are present at the public hearing and chose not to speak, it becomes the responsibility of the board to speak on their behalf? The clerk said, she just reads the emails at the public hearing. **(Agenda item)**

Census website: Recently the mayor was made aware of a website that has statistics all about Cape Carteret. Cape Carteret is growing. We have 1096 homes. We have about 2100 citizens according to the data base that Commissioner Saunders put together. We have 500-600 people with second homes in town. An interesting statistic is that there are about the same amount of people under 20 years of age as there are over 65 years of age. Sixty percent of the people are under the age of 55. We will be putting this information on the website in the future.

Large scale pickup in the spring we hold a Large Scale pickup. The Mayor spoke to a gentleman at Foss Recycling. What we do now is rent a box from Waste Industries, our men go around town and put the items in the boxes, and then Waste Industries picks them up and takes them to the dump where the town pays tipping fees. With Foss Recycling, they will charge us a fee for the box, they will pick up the box, weight the box and then write us a check for what is a valuable recyclable. The mayor asked the board for permission to try this next time. Commissioner Hunt said that in this age we should not have to pick up the white goods. The mayor agreed. Commissioner King asked if they would take anything. The mayor said we would have to separate the couches from the appliances. The mayor will bring back more information in the future.

NC senate passed Bill 998. It will now go to the House. This bill determines how towns will do business in the state. The State wants towns to run on Ad Valorem tax and sales tax totally. This would be a major impact on all the towns in the state. As this bill progresses, we will bring you more information.

CONSENT AGENDA ITEMS

Resolution about Landfills- The mayor, who worked in the mountains dealing with the landfills used to hate the regulations he would have to follow, but, when he looks back, he is amazed at what people will do to poison themselves or their neighbors. This resolution supports the Solid Waste Management Act of 2007. What we don't want is for North Carolina to become like New York. The bill on the floor will open up a way for what's called super landfilling. An example: In New York they put the garbage on barges and float it down to other states that will accept it. He is opposed to that kind of practice and NC

could be the next victim. The mayor supports this Resolution. The board agreed. (**Consent Agenda**)

OLD/PENDING ITEMS

The Mayor said that July is the month that begins a new fiscal year. This is the month that you revisit all the projects you have going on and what you want to do in the future. We have ten projects pending or ready to be initiated. Tonight we want to discuss where we are on each project and figure out what needs to be done to complete them.

Appoint a Storm-water Project Manager for Crystal Coast Engineering:

The recommendation is for Commissioner King to be the representative. (**Agenda item**)

Church Ponds: Sam Bland said the Coastal Federation is working on this project. They want to convert the freshwater pond into a wetland stream. They received funding for the project. The next step is getting conservation easements from the churches. There will be a main stream channel going through the ponds. It will be heavily vegetative, with natural plants. Commissioner Hunt said the upper pond is vegetating, and there is a narrow channel for the water to run through. There will never be a danger of the dam or back-water breaking. Mr. Bland said the area will be similar to a rain garden. It will capture and hold the water for a period and then percolate through the soil. The churches will be required to keep it maintained. The existing dam will remain in between the two ponds. Mr. Bland said the permitting will take three months and they hope to start in the late fall. There will be no participation needed from the Town of Cape Carteret.

Shoshin Technologies: Commissioner Saunders met with Shoshin Technologies and talked about improving the networking capabilities in town hall, which we do not have. We are working on a wireless system and she would like the office to be hardwired.

Mr. John Wasniewski of Shoshin gave a brief presentation. They assessed the office and came up with a proposal. There is no wiring in the building for computers and equipment. There could be some improvements with the infrastructure, like the switches, the router and the security devices that protect the network. They would like us to look at upgrading to Microsoft Office 365. All the proposals that they gave were designed for ease of management from a remote location. They would monitor us from Kill Devil Hills, which is a standard practice in their field. They also suggest that we have a hot spare work-station in case something went down. With the cloud services the clerk would be able to continue working. The company is based in Kill Devil Hills and they have a contract with that town. They have been around for 13 years, and serves 100 companies and several other towns. Commissioner Hunt said we should have a second bid. Commissioner Saunders said she is waiting for one from another company. The board will revisit this item once we hear from the other company.

Star Hill & Park Ct Project: Commissioner King said there are two projects being surveyed. Project 1 is Star Hill Drive and Park Court being engineered for the pipe. Project 2 is the properties of Mr. McLawhorn and Mr. Griffin that need to be engineered. Mr. King is waiting for an engineering estimate and a construction cost. Once we approve the engineering of project 1, the engineer will design the format for the town to bid the project out.

Chalk and Gibbs Building: Commissioner King handed out a bid for the outside of the old Sound Bank building. The bid is from Jeff Holt. The mayor asked the attorney what are and are not the responsibilities of the town in the remodeling of the building. The attorney said the town is the landlord and you want to present a commercially reasonable property to rent. The prior lease from Sound Bank says that, if they remove something, they will restore it. The town's responsibility is to present a commercial and reasonable rental. Had there been a cap in between the two renters, it looks like you would have replaced the carpet and the normal undertakings as you would to fix it up for rent. Bonny Boyette is the manager of Chalk & Gibbs and she said we were not aware that the carpet was

damaged. The carpet is from 2006. It is beyond cleaning, so they would like it replaced. She would like the deposit box removed. It is a liability on her part. They would like the teller window, the night drop and ATM removed. She said she would also like to know when this will be completed.

Commissioner King said we inherited that building and when Sound Bank took over the only thing they did was exchange the ATM machine. The estimate is to take the ATM out, close up all the openings and re-side it to match the siding. On the inside we will remove the reception desk and the cabinets in the safe area and paint where the work has been done. Commissioner Seegers would like us to get more bids. After some discussion of who will pay for what, the bidding process and the timing of everything the mayor said the lessees, and the attorney will have a sidebar after the meeting so the board can make up its mind. Mr. Leonard Johnson was present and said he would submit a bid by Monday.

(Agenda item)

Sidewalk update: Brandon presented his report. The Multi-Use Path has encountered several obstacles in the course of the project and the last 30 days have seen more of the same. The board discussed the three main issues. The three main issues are: 1. The fiber optic cable found in the path caused a three week delay. 2. The design of the boardwalk leading to the White Oak Elementary school. 3. The pipe bollard designed to be installed is in conflict with a six-inch underground water main. While it is typical for any construction project to encounter obstacles and conflicts, Brandon feels that the majority of these conflicts should have been identified and reported at the beginning of the project by the contractor. He will keep the board informed as the process continues.

Yaupon Pipe/Bulkhead- Mr. and Mrs. Fulcher are present. Commissioner King took Crystal Coast over to the site to see about the engineering of it. It looks like the drainage pipe will have to be removed and replaced with a new piece of plastic pipe. Not sure if the entire pipe needs to be replaced.

Welcome Sign update: Commissioner King said he spoke to the land owners and gave them an option of a lease agreement or the standard easement. NC Bottling Company chose the lease agreement. They have a copy of the draft. Commissioner Seegers said he has been looking into this and NCDOT will give us an easement agreement to allow us to put the sign up for free. Cedar Point has a beautiful sign they just put up and at no charge. The board discussed the two options and the location of where the sign should be. Commissioner Seegers will come back with more information about putting the sign on the state's right-of-way. **(Agenda item)**

Leaf and Limb Bid Process: Commissioner Seegers said we decided on the four dates for the current fiscal year. The pickup will be the first week of September, December, March and June. We will seek bids for all four dates. There was a short discussion about changing the dates to October and January instead of September and December. All agreed to leave it as it is. The board agreed we do not need to monitor the loads by counting the piles. The loads are close to the same amount each time.

Municipal Initiative update: The mayor said we will be starting the Municipal Initiative after our meeting next week. A meeting will be held in the late summer or early fall just for this subject. Then there will be two meetings a month for the next four months. By January 2014 this project will be completed.

Street Repair update: Commissioner Seegers said Public Works has been using Richard Hunt's surface survey and the guys have been sealing some of the alligator cracking and potholes. Commissioner Hunt explained how the sealing of the potholes should be done. Mr. Seegers said that's what's overwhelming. We may need some help. They are doing the major sections. On Apollo Court we may have to remove a tree before we can repair that area.

Mayor's term: Adoption of a four-year term for future mayors? **(Agenda item)**

NEW ITEMS

Contract for Disaster management Services: Clerk Karen Zornes explained the contract. This is the same contract as last year. Barry Johnson, owner of the business, does all the paperwork for FEMA and we are reimbursed for his services by FEMA if it is a declared disaster. **(Agenda item)**

Contract for Debris Monitoring and Supervision Services: Clerk Karen Zornes explained the contract. This is the same contract as last year. Barry Johnson hires the monitoring people and FEMA reimburses us for the fees. **(Agenda item)**

Citizens to Speak: none

Announcements: none

ADJOURNMENT

With no further business, the meeting adjourned at 9:05 PM on a motion by Commissioner King, seconded by Commissioner Saunders. Discussion: Commissioner Seegers asked when Bonny and the attorney were going to meet. Bonny left earlier in the evening. The attorney said it would be tomorrow in the afternoon. He will contact her. ***Vote approved 5-0***

These are the work minutes of July 8, 2013.

Respectfully submitted,

Karen M. Zornes, NCCMC
Town Clerk