



TOWN OF SUNSET BEACH
Regular Meeting and Public Hearing
October 3, 2005
7:00 pm

Members Present

C. G. Cheek, Mayor
Ed Gore
Carl Bazemore
Len Steiner
Ron Klein

Linda Fluegel, Town Administrator
Kim Allen, Town Clerk
Mike Isenberg, Town Attorney

1. Mayor Cheek called the meeting to order and led the pledge of allegiance.
2. **New Item Briefing:** Linda Fluegel read the Resolution of StormWater Quality Management and Discharge Control Policy for the Town to adopt, and the request for Brunswick County to prepare an Interlocal Agreement between the Town and themselves.
Motion by Steiner to adopt Resolution of Storm Water Quality Management/Discharge Control Policy and Interlocal Agreement Request, Seconded by Bazemore. Motion carried unanimously.
3. **Minutes of Special Called Meeting and Public Hearing Sept. 12th, 2005.**
Motion by Bazemore to approve minutes as presented, Klein asked for correction on a typo under New Business.
Motion amended by Bazemore to adopt minutes with typo correction, Seconded by Steiner. Motion passed.

4. Public Hearing

a. Amendment to 151.193(H) (2) Dimensional Requirements

Al Siebert explained this was making the zoning consistent. This was the same as #151.148 MR-1.

Tom Coyte, Builder; stated he had 3 customers on Shoreline Dr. that were concerned about the MR-3 rezoning. They were sold their property based on the fact they could see the waterway. One was at Oyster Pointe.

Linda Fluegel informed Mr. Coyte he was mistaken, that there were no MR-3 (Mixed-Use) zones on Shoreline Dr. The amendment being heard didn't affect it. It was MR-1 or MR-2. He asked about the home being built in Oyster Pointe that was 38 ft.

Mayor Cheek stated it was MR-3 there and he would have to come before Board of Adjustments and show hardship for a variance. It was up to them not Council.

Rich Marchell, Rice Mill Cr., asked Council if they had given any consideration to multi-family.

Fluegel informed Mr. Marchell this public hearing was on #151.193 single families only. They could not go into multi use or anything else right now.

Marty Freidman Rice Mill, inquired what the difference as between MR-1, MR-2 and Mr-3. Mayor Cheek explained MR-2 was Mainland Residential (on the size of the lot), MR-3 was Mixed Use zoning (the rest were fee simple lots).

b. Amendments to #150.03 Operation Rules; Meetings, and Records for the Planning Board

Siebert explained that right now Sunset Beach Planning Board has 7 members. Four(4) are regular members, One (1) is Alternate and there are two (2) ETJ members. As it stood, they required four members (which was technically incorrect) to make a quorum. They needed to change it to three.

(Out of Five members, you needed 3 for a quorum, not 4).

No comments.

5. Reports

a. **Administrator-** Linda announced that the meeting with URS scheduled for Oct. 5th had been cancelled by Dennis Hoyle. They would reschedule and she would let them know of the new date.

b. **Finance** -none

c. **Police** – Chief Kerr stated all was okay.

d. **Fire Department** –Chief Barbee gave a brief report (see attached). He also informed council and public they would begin flushing hydrants soon and would take about 3 weeks to complete.

e. **Public Works-** John Hancock, Superintendent, introduced Robert Traylor in the Public Works Dept. and spoke of Robert completing his back-flow cross connection training. He is now qualified to enforce the program for the town and make sure it is up to standards. Council congratulated Mr.Traylor. Klein asked what back flow cross connection was, to which Mr. Hancock explained the process of how contaminated water could back flow into the main lines in the case of a fire or similar emergency. Back-flow Training was to prevent this from happening. There were double check valves in the system but now the state says it isn't good enough.

6. New Business:

a) Appointment to ABC Board

Motion by Bazemore to re-appoint Mrs. Betty Oakes. Seconded by Klein Motion carried unanimously.

b. Planning Board Recommendations:

i. **Final Plat of Bedford Springs** (information only)

ii. **Final Plat of the Villas on Osprey Ridge** (information only)

c. Request for Resolution from Ocean Isle Beach on Directional Sign.

After discussion, Council decided to have the administrator get more information for clarification on where they want these signs and what they want on them.

d. Change November's meeting due to elections.

Motion by Steiner to change November's regular meeting to November 14th due to the county setting up equipment for elections in the chambers. Seconded by Klein. Motion carried unanimously.

e. Resolution of Designation of Applicant's Agent

Fluegel stated this was to authorize someone to sign papers for the FEMA or State, in case of grants, etc...

Motion by Bazemore to designate Fluegel as person to sign such papers, Seconded by Klein. Motion Carried.

7) Old Business:

a. Amendment to 151.193(H)(2) Dimensional Requirements

Motion by Steiner to adopt #151.193 amendments, seconded by Bazemore. Motion carried.

b. Amendments to #150.03 Operation Rules; Meetings, and Records for the Planning Board

Motion by Bazemore to adopt amendments to #150.03, Seconded by Klein. Motion Carried.

8. Open for Discussion:

Dave Jenkins, Fairway Dr stated he was concerned about that one home Tom Coyte spoke of in Oyster Pointe. Fluegel stressed to him the house was conforming. He also inquired if we knew what the damage was from the hurricane. Fluegel stated she was in the process of being reimbursed for the debris pickup and for overtime for the Firemen and Police Officers.

Marty Freidman, 209 Rice Mill Cr. Read a statement of opposition to what he considered "harassment" by the Police Dept. during campaigning. See attachment.

Richard Cerruto, 617 Eastwood Park, also spoke of being stopped from standing in the right-of-ways during campaigning. See Attachment.

Ray Puknys 316 40th, stated he was “shocked” at the “selected enforcement” of the ordinance that stops people from soliciting in the right of ways and why didn’t the police stop religion factions, such as Jehovah’s witnesses?

Warren Kuhler ,590 Summer Green Ct. asked if council had a position on the ordinance? Could he campaign without fear of harassment? Mayor Cheek responded of course he could. The second issue was the clarity and pressure of the water coming out of his pipes. He spoke with Brunswick County officials and they seemed to think it was from inadequate flushing of the lines. He asked that the Fire Dept flush the lines adequately. He stated he had to remove his pressure reducing valve in less than a year. He did not replace it, as he did not have the pressure to require one. He stated the water was horrible in Sunset Beach.

Rich Marchell stated he had respect for Council but the harassment his colleague received was appalling and unacceptable and they(Council) should consider an apology.

Allred Brown 514 Medcalf Dr. asked for information...why didn’t Medcalf have fire hydrants? He also felt the Council owed him \$800.00 for the SBWSA payments he made. The Mayor explained we were nothing but a billing agent. The Town received no money. He asked why he wasn’t notified of the annexation until he received his tax bill. Mayor Cheek informed him the annexation went through all the legal requirements. He then inquired about overgrown lots. Fluegel stated that if it was near improved property they were notified that they had 30 days to clean it up. If they didn’t, then the town does it and then charges the owner. He complained about downed trees on the golf course and that Sea Trail hadn’t cleaned them up.

Rich Marchell asked Council to look at all multi-family zoning. He felt we had new construction going on without adequate infrastructure. He asked how the county got involved with the water pressure issue if it wasn’t due to an angry citizen that got no satisfaction....Councilman Steiner informed Marchell that was NOT the way it happened. The council had asked the county earlier to look at our need. *They* send the water pressure to *us* (the Town). We do not have capability to alter what they give us. We maintain a water tank that they suck more water out of than we have sometimes...Council asked the county to look at putting in a another water tank. Council was way ahead of the problem. It was not due to an isolated incident. Marchell felt there was not sufficient communication.

Councilman Gore stated it was not the fault of the council nor the county. If you went back to when it was designed, the design was created by the same company that did the county’s transport system. They recommended a 1 ½ million gallon tank to be placed at the corner of NC 904 and Georgetown Rd. The Board of Commissioners (not the current board but a previous one) changed the design criteria from a 24” line to a 20” line (or some smaller size).They eliminated the line coming from the treatment plant from Malamo. The growth is catching up with the original 10-20 year plan for which the system was designed. Those things can be overcome. The present Board of Commissioners is looking at the remedy. One being more storage or an elevated tank similar to the ground tank you see north of supply (four million gallons). Our tank is taller than most in the county. They (the county) explained in a meeting with us they had a polemic problem between our tank and their pump station and that once that was corrected they knew our level was being shortchanged. You can’t point to an isolated incident (the citizen with the low pressure)that is no one’s fault, certainly not any member on this Council or with the County. Let’s give some credit to the job’s that’s being done on behalf of its citizens. Sunset Beach is a wonderful place and we want it to remain that way.

Dave Jenkins commented that years ago the Council wanted to eliminate water tank but decided to keep it and he was especially glad.

Jim Kennedy 101 N. Shore Dr. was concerned about the candidate’s ability to campaign.

Councilman Bazemore stated everyone is free to campaign.....there was no issue. The incident was an unfortunate misunderstanding..... but there have never been any restrictions. As long as you clean your signs up and keep them out of the right of way there is no problem.

Kennedy asked why the Town couldn't get grants. Fluegel stated the town's median income was too high. The Town has applied before and been turned down.

Ray Zetts, 402 2nd St. asked Council to clarify that signs were allowed on private property, Fluegel confirmed they were, just not in the right of way....and keeping with sign restrictions and the time period allowed.

Bob Shoals , SummerGreen Ct., asked if we were still spraying mosquitoes, as he didn't see the truck. Steiner confirmed the Town was still on a schedule and everyone had the same problem. John Hancock, Public Works informed Mr. Shoals he was indeed still spraying. He mostly went out at around 4 am....

Zetts also asked if Council could ask Waste Management to pick a better time for them to pick up the garbage containers (dumpsters) instead of 3:30 am.

9. Adjournment

Motion to adjourn by Bazemore.

TOWN OF SUNSET BEACH

Kimberly Allen, Town Clerk