



**MINUTES**  
**TOWN OF SUNSET BEACH**  
**REGULAR MEETING AND PUBLIC HEARING**  
October 4, 2004  
7:00 pm

**Members Present**

C. G. Cheek, Mayor  
Ed Hughes, Mayor Pro-tem  
Ed Gore  
Len Steiner  
Ron Klein  
Carl Bazemore

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-** None
3. **Agenda Comments:** Jan Harris, 204 N. Shore Dr., spoke on the Preliminary Proposed Subdivision for Sunset Beach and Twin Lakes, Inc. See written comments and maps which are hereby incorporated by reference and made a part of these minutes.
4. **Minutes of Special Called Meeting August 23, 2004.**  
**Motion** by Steiner to adopt minutes as presented, Seconded by Hughes. Motion carried.  
**Minutes of Special Called Meeting on August 30, 2004.**  
**Motion** by Hughes to accept minutes as presented, Seconded by Steiner, Motion Carried.
5. **Public Hearing:**
  - a. **Changes to Fee Schedule for Building Permits**  
No comments.

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**b. Reconveyance of property back to Sunset Beach and Twin Lakes, Inc.**

(This was incorrectly listed as a Public Hearing item on the agenda. Corrected and moved to New Business)

**Public Hearing closed.**

**6. Reports**

**a. Administrator-**

Fluegel requested Council move the November meeting from the 1st to the 8<sup>th</sup> due to elections.

Motion made by Hughes to reschedule the regular meeting for November 8, 2004, Seconded by Klein. Motion carried.

Fluegel also informed them the final total to date for Hurricane pick-up was \$98,730.

**b. Finance -** None

**c. Police** – Chief Kerr reported everything was fine in the police dept.

**d. Fire:** - Chief Barbee presented brief report (see attached) and informed council and public they would soon begin flushing hydrants and the water may be a bit dingy for a short period of time.

**e. Public Works-** John Hancock stated the radio read program was half finished. They had partially read with it this month and had a great report.

**f. Inspections:** See report attached.

**7. New Business**

**a. Appointment to the ABC Board**

Fluegel informed Council Fred Clanton's term was up and he was not in the city limits so he could not be considered. The only other resume she received was from Nancy Smith.

Motion by Hughes to appoint Nancy Smith to the ABC Board. Seconded by Klein. Motion passed.

**b. Contract Renewal with Council of Government**

Motion by Hughes to renew contract. Seconded by Bazemore. Motion carried.

**c. Chapter 98 Amendments for Streets and storm water**

Fluegel explained all that was changed was to add definitions.

Steiner suggested corrections "Waste should be taken to landfill" and "even if it's legal and easy it's not the best solution".

Motion by Steiner to adopt amendments with corrections, Seconded by Bazemore. Motion carried.

**d. Amendment to Water Ordinance "Deposits"**

Fluegel stated deposits should increase, as the current deposit of twenty-six (\$26.00) dollars was not sufficient to cover bills left by owners and renters. Fifty (\$50.00) dollars would at least cover 3 months.

Motion by Steiner to adopt amended deposit schedule, Seconded by Bazemore. Motion carried.

**e. Proposed Subdivision for Sunset Beach and Twin Lakes, Inc. (information only)**

002244

**f. Request for support of Resolution from the County opposing Hugo Neu Installation**

Klein suggested tabling the request as there were too many differing opinions not taken into consideration. He, along with other council members, also felt it was not up to Sunset Beach to interfere with neighboring municipalities decisions' about their own well-being.

After discussion by council, Motion by Klein to table request, Seconded by Bazemore. Motion Carried.

**Recorded Votes: Ayes- Klein, Bazemore, Gore, Hughes.**

**Noes- Steiner.**

**g. Reconveyance of property from the town back to Sunset Beach and Twin Lakes, Inc.**

(This item was moved from Public Hearing)

Fluegel explained that in 1987 this property on the west end of Sunset Beach was given to the town for parking with the provision that if parking was not built in 3 years it was to be conveyed back to Sunset Beach and Twin Lakes, Inc. She stated there was no access and the town could not afford to purchase and relocate a home to allow ingress and egress to the oceanfront.

Mike Isenberg, Town Attorney stated this was titled "right of re-entry"; it was not done with consideration, but as a gift. Though the town was within legal right and could have done it years ago, it was just now reconveying this property back.

Motion by Hughes to adopt resolution to reconvey the property, Seconded by Steiner. Motion passed.

**8. Old Business:**

**a. Changes to fee Schedule for Building Permits**

Motion by Steiner to adopt New Fee Schedule, Seconded by Klein.

Steiner asked why the irrigation fee was missing. Jeff Curtis, Building Inspector stated the plumbing permit would now cover this.

Motion Carried.

Mayor Cheek informed all she had been at a Committee 100 meeting and there would be a bond referendum on the November ballot. She cautioned the public that if voting a straight ticket, check and see if it closed out the ticket completely....if there is an issue of importance to them and make sure it's marked. If not, they would need to go over each item carefully.

Hughes inquired if the Committee was abolished. Larry Cheek stated that it had never been abolished. It was still going strong and at the end of the year they had provided over 250 jobs.

Hughes then broached the subject of the proposed subdivision on the east end. He stated the island and coastline keeps changing. He felt they would all agree no one is allowed to make the any of these inlets permanent. He had walked down to the eastern end and stated that if left as is....the way it's moving and wearing down, it will get cut off. It will go, just like Ocean Isle. He stated it makes no sense that people sitting behind a desk are making rules about what we should do. If they are going to let people build on the islands, to say what we can and can't do to a constantly changing piece of geography is an utmost waste of time. He emphasized we have an island we could protect and we weren't being allowed to protect it. He stated that some of these rules have no sense behind them and felt that to "follow them blindly was the utmost stupidity".

**9. Open for Discussion**

Charles Nern, an island resident, stated he had read in the "Sea Trailer" newsletter that the bulkhead on the plat approved by the planning board was a cost to the town and why is the town paying for it?



C.G. (Cherri) Cheek, Mayor  
Edward M. Gore, Sr., Council  
Carl Bazemore, Council  
Paul (Ed) Hughes, Council  
Ronald Klein, Council  
Len Steiner, Council

Linda Fluegel, Administrator  
Larry Crim, Asst. Administrator

**RESOLUTION AUTHORIZING RECONVEYANCE OF PROPERTY  
PURSUANT TO G.S. 153A-177**

**THAT WHEREAS**, by deed recorded March 3, 1987 in Book 683 at Page 528 of the Brunswick County Registry, Sunset Beach and Twin Lakes, Inc conveyed to the Town of Sunset Beach a certain tract of land described therein as a gift and without consideration from the Town ;and

**WHEREAS**, said deed contained a condition requiring the Town of Sunset Beach to construct a public parking facility on said property within three years from the date of the deed or the Grantor would have the right to reenter and recover said property; and

**WHEREAS**, the Town of Sunset Beach has not constructed said public parking facility as required in said deed; and

**WHEREAS**, Sunset Beach and Twin lakes, Inc. has requested the Town of Sunset Beach to reconvey said property to Sunset Beach and Twin Lakes, Inc pursuant to G.S. 153-A177; and

**WHEREAS**, the Town of Sunset Beach has determined that the property will not b used for the specific purpose of constructing a public parking facility thereon;

**NOW THEREFORE, BE IT RESOLVED** by the Town Council of Sunset Beach that the Town shall reconvey the property described in Book 683 at Page 528 of the Brunswick County Registry to Sunset Beach and Twin Lakes, Inc pursuant to G.S. 153A-177.

This the 4<sup>th</sup> day of October, 2004.

C.G. Cheek, Mayor

Kim Allen, Town Clerk

