

**Town of Sunset Beach  
Council Meeting  
March 21, 2017**

**MINUTES**

**Members Present:** Mayor Robert Forrester, Mayor Pro-Tem Carol Scott, Councilman Peter Larkin, Councilman Mark Benton; Councilman John Corbett; and

**Members absent:** Councilman Rich Cerrato

**Attorney & Staff Present:** Susan Parker, Town Administrator; Kevin Dempsey, Fire Chief; Dustin Graham, Public Works Department Director; Cindi Stephenson, Public Works Administrative Assistant and Lisa Anglin, Town Clerk

Mayor Forrester called the Meeting to order at 9:00 am and the Pledge of Allegiance was recited by those in attendance.

**Draft Agenda Review and Approval**

The Agenda was amended as follows:

- 2015/2016 Audit Presentation moved to the April 3, 2017 Meeting
- Closed Session for legal updates was removed

COUNCILMAN CORBETT MADE A MOTION TO APPROVE THE AGENDA AS AMENDED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY 4-0 VOTE.

**Shoreline Management – Pre-Dredging Analysis Presentation**

Robert Neil, Consultant, Moffatt and Nichol provided a Project Overview outlining the previously dredged areas of Mary's and Turtle Creeks, the feeder channel, and the finger canals, and the proposed new dredging area of Jinks Creek. Mr. Neil advised that the proposal is to follow the deep water conduits where feasible to reduce dredge quantities and potential impacts while maintaining adequate vessel clearance of a minimum of twice the expected beam width where conditions allow. The proposal is to allow sufficient design depth for vessel navigation where available to -6 MLW where space allows and -3 to -5 MLW when space is limited and provide appropriate side slopes to prevent sloughing. Within the Channel, Canals and Bay areas, the proposal is to maintain a minimum construction clearance of 5' from any pier, dock, piling, or bulkhead. Within the previously dredged areas, the proposal is to maintain consistency with the previous permits.

Mr. Neil advised that the anticipated dredge volume is 181,100 cubic yards and estimates that 105,200 cubic yards will be compatible for reuse and 75,900 cubic yards will not be compatible for reuse and will require upland disposal. The disposal island tour has not been scheduled since it has been determined that the US Army Corp. of Engineers will allow the Town to place the non-compatible material on its island. The tour will be conducted and related costs determined prior to the final report presentation.

**Shoreline Management – Pre-Dredging Analysis Presentation (Cont.)**

Mr. Neil reported the Mary’s and Turtle Creeks shellfish surveys, within the dredging footprint, results noting that one bed containing five (5) clams was found in Mary’s Creek and no beds in Turtle Creek.

Mr. Neil reviewed the Jinks Creek Numerical Modeling Analysis that addresses the three (3) concerns expressed by the Division of Coastal Management and the US Army Corp. of Engineers which were:

- Additional Shoaling in the AIWW Confluence with Jinks Creek;
- Increased Scour Potential along ‘S’ Curve Alignment;
- Influence on Tubbs Inlet Shoaling & Migration Patterns.

It also evaluated extreme storm conditions utilizing Hurricane Hugo data and considered additional alignments to evaluate how the designs may change the results. Mr. Neil advised that the modeling summary shows that the preferred alignment should not create significant changes to the tidal conditions of Jinks Creek as the maximum velocities should experience <5% increase and the average flow rates should experience <5% increase. A constricted or minimized channel proposed for the preferred alignment in northern Jinks Creek helps to reduce the potential for increased tidal velocities & flow rates.

Mr. Neil advised the next steps include scheduling the Agency Coordination Meeting and beginning a discussion with the Town of Ocean Isle Beach to review our project, consider their level of interest for material placement and costs sharing. Mr. Neil is hopefully to be ready to request the Council authorize the application submittal at the April 3<sup>rd</sup> Meeting. Afterwards, Mr. Neil will provide the Council with the results of the Agency Coordination Meeting and for the Town Council to consider moving forward to the permitting phase.

**Public Comments on Agenda Items Only**

Jeff Skiff 414 33<sup>rd</sup> Street – Questioned how the dredging project is going to be funded. Mayor Forrester advised that the Council will make that determination.

Katie Hovermale 1429 Bay Street – Pleased with the Council’s in depth questions of Mr. Neil regarding the dredging analysis; encourage Council to consider the ERC information of other viewpoints.

**Old Business**

**Main Street Sidewalk Engineering Update**

Susan Parker, Town Administrator, advised that the survey work is underway. Councilman Larkin questioned when a survey map could be expected as it will be needed for the parking study project.

**Consideration of Adoption of Chapter 92.41 Grilling Ordinance**

Fire Chief Dempsey presented the proposed Grilling Ordinance and advised that prior to adoption, the approval of the State Building Code Council will be needed. The Council reviewed the proposed ordinance and add that grilling is prohibited within 10’ of the structure footprint.

MAYOR PRO-TEM SCOTT MADE A MOTION TO SUBMIT THE GRILLING ORDINANCE TO THE STATE BUILDING CODE COUNCIL FOR APPROVAL. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

**Old Business (Cont.)**

Consideration of Adoption of Chapter 92.42 Pine Straw Ordinance

Fire Chief Dempsey presented the proposed Pine Straw Ordinance and advised the ordinance will apply to commercial and multi-family structures only.

MAYOR PRO-TEM SCOTT MADE A MOTION TO ADOPT THE PINE STRAW ORDINANCE AS PRESENTED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

Consideration of Adoption of Resolution - FEMA Flood Map Process

MAYOR PRO-TEM SCOTT MADE A MOTION TO ADOPT THE RESOLUTION REGARDING THE FEMA FLOOD MAP PROCESS AS PRESENTED. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

Review of Draft Revision of Personnel Policy

Mayor Pro-Tem Scott distributed a proposed amendment for the Personnel Policy outlining the process for hiring department heads and when the Council is to be made aware of personnel issues. Mayor Pro-Tem Scott requested the proposed amendment be placed on the April 3, 2017 Meeting agenda.

Consideration of Scheduling Special Meeting for Preliminary Review of the Draft CAMA Land Use Plan Update

The Council briefly discussed dates to review the draft CAMA Land Use Plan Update and reached a consensus to submit available date to Staff to schedule the Meeting.

**New Business**

Resolution Supporting Dedicated State Revenue Source for Beach Nourishment

Mayor Pro-Tem Scott questioned if the proposed funding source will reduce funds the Town currently receives from the State. Staff will research and notify Council. The Resolution will be added to the April 3, 2017 Meeting Agenda for consideration.

Consideration of Appointment to the Fire Fee Committee

Fire Chief Dempsey advised that the Brunswick County Commissioners approved proposed legislation to be submitted to the State to allow the County to increase the existing fire fees. A Fire Fee Committee, comprised of representatives from the district, will set the fees. Council is requested to appoint a member. Councilman Cerrato (via email), Mayor Pro-Tem Scott and Councilman Larkin volunteered to serve on the Committee.

COUNCILMAN CORBETT MADE A MOTION TO APPOINT COUNCILMAN LARKIN TO THE FIRE FEE COMMITTEE. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY 3 – 0 VOTE. (Councilman Larkin did not vote)

Review upcoming Agenda Items and Identify New Agenda Items for April 3, 2017 Meeting

The Council reviewed the upcoming Agenda items and identified new Agenda items as follows:

- 2015/2016 Audit Presentation
- Beach Nourishment Resolution Consideration
- Personnel Policy Amendment Consideration
- ERC Mission and Status

**Public Comments**

Karen Joseph 915 Sandpiper Bay Drive – Encourage Council to obtain an opinion from the current Counsel as the prior legal Counsel advised Council not to receive personnel issue information as the Council is the personnel appeal board for grievances; stated that removing the hiring authority from the Town Administrator undermines the position.

Carmel Zetts 402 2<sup>nd</sup> Street – Encourage Council to review all the dredging information provided by the Consultant and the ERC before making any decisions.

Katie Hovermale 1429 Bay Street – Encourage Council to review all the dredging information provided by the Consultant and the ERC before making any decisions; Agreed that the Town Administrator should have hiring authority and encouraged the Council not to micro-manage.

**Closed Session**

MAYOR PRO-TEM SCOTT MADE A MOTION TO GO INTO CLOSED SESSION PURSUANT TO NCGS 143-318.11 (a) (3) TO DISCUSS PERSONNEL. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

The Council met in Closed Session for approximately 30 minutes.

MAYOR PRO-TEM SCOTT MADE A MOTION TO RECONVENE OPEN SESSION PURSUANT TO NCGS 143-318.11 (a) (3) TO DISCUSS PERSONNEL. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

Mayor Forrester advised that no action is needed as a result of the Closed Session.

**Adjournment**

COUNCILMAN CORBETT MADE A MOTION TO ADJOURN THE MARCH 21, 2017 COUNCIL MEETING. MAYOR FORRESTER CALLED FOR A VOTE AND THE MOTION CARRIED BY A 4-0 VOTE.

**Town of Sunset Beach**

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**Robert Forrester, Mayor**

Submitted by:

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Lisa Anglin, Town Clerk