

***MINUTES OF THE REGULAR MEETING
OF THE TOWN COUNCIL
TOWN OF CAROLINA BEACH***

December 11, 2007

The Town Council of the Town of Carolina Beach met in regular session on December 11, 2007 at 6:30 p.m. in the Council Chambers at the Municipal Administration Building, 1121 N. Lake Park Blvd., Carolina Beach, North Carolina. The following were present: Mayor, Bill Clark; Mayor Pro Tem, Alan Gilbert; Councilwoman, Pat Efird; Councilman, Joel Macon; and Councilman, Jerry Johnson. Also present were Town Manager, Tim Owens; Town Attorney, Al Clyburn; Finance Director, Dawn Johnson; Town Clerk, Lynn Prusa, and minutes recorded this evening by Sara Hartman, Administrative Assistant to Town Clerk.

Mayor Clark called the meeting to order.

INVOCATION AND PLEDGE OF ALLEGIANCE

Former Councilman, Jack Lynch, led everyone in the invocation. Following the invocation, members of Boy Scout Troop 210 presented the flags and led everyone in the Pledge of Allegiance.

PUBLIC DISCUSSION

Linda Skipper of 1511 S. Lake Park Blvd., said she wanted to state a message to Mayor Clark and incoming and outgoing members of Council. She said we have gone through a whole lot in Carolina Beach and we have had 1600 people come out and vote for whomever they thought would be best for this town and it is time for Carolina Beach and everyone here, whether business, residents, Council, P&Z, to all come together and try to unify this town and make it one of the greatest beaches in this area. She concluded by stating that she has faith in every one of you.

Next to speak was Isabel Foushee of 515 Cape Fear Blvd. Ms. Foushee said she had a message for Mayor Clark, and with that she very joyfully wished him a happy birthday and led everyone in the happy birthday song.

CONSENT AGENDA

Councilwoman Efirm made a motion to approve the minutes of August 14, 2007, October 9, 2007, October 23, 2007, and November 19, 2007 as presented, including the addition of Item #14(a) to be considered as part of the new Council's Consent Agenda, as follows:

On January 8, 2008 at 7:30 p.m. or soon thereafter consider broadcasting the monthly meeting on public access programming.

MOTION CARRIED UNANIMOUSLY.

PRESENTATION OF THE FINANCIAL AUDIT FY 2006/2007

Mr. Clement Goodson presented Council with the audit and summarized his findings.

He referred everyone to the Table of Contents that reads: the audit report is composed of 4 major categories and one is the independent auditor's report and the town received the highest level of audit opinion that they can. He said the books were fairly stated and everything was in accordance with government auditing standards.

On pages 3-12 is your management discussion and analysis and it gives you highlights of the year of the town's finances and things that took place during the year.

On page 13 there is a statement of net assets totaling \$30,975,216 and as of June 30, 2007 you had cash and investments of \$8,019,968.

On page 14 there is a statement of activities for the year. Our net assets increased by \$53,072 during the year that was made up of a combination of \$129,000 decrease in the general fund and an increase in the water/sewer fund of \$176,000.

On page 15 is the fund balance as of June 30th. This states the cash position as of June 30th and you had fund balances in the general fund of \$3,966,197.

On page 18 is the budget vs. actual for the year. As of June 30th you had total revenues in the general fund of \$6,989,434 that total expenses of \$7,400,676 and other financing sources of \$213,150 and this was a decrease in our general fund in the amount of \$198,092 for the year. We actually planned on spending \$514,000 of the fund balance last year and you actually only spent \$198,000 and that was a marked improvement over what you anticipated.

Mr. Goodman said overall the books and records are in excellent shape and the town staff always does an excellent job taking care of everything. Mayor Clark asked him how long he has been working for the town, and Mr. Goodson said about 24 years. Mayor Clark asked, do you feel we are in stable financial shape? Mr. Goodson said, yes.

Councilwoman Efird asked if the finance director has anything to do with that. Mr. Goodson said, yes 100%.

RECOGNITION OF SPECIAL GUESTS

Mayor Clark recognized some special guests to include Mayor-elect Mac Montgomery from the Town of Kure Beach, and Kure Beach Commissioners Dean Lambeth and Barry Nelder. He thanked them for coming tonight.

He also recognized a very good friend, Senator Julia Boseman. He said that he is truly honored that she is here tonight.

He explained that Mayor Bill Saffo was coming tonight but he had a meeting.

Mayor Clark said that one of the perks of the job is expanding your circle of friends. Although not in attendance he mentioned New Hanover County Commissioner Bill Caster and his wife, Diane. Also, Bob O'Quinn and the new Wrightsville Beach Mayor Steve Whalen. Mayor Clark said he is proud to have their support and friendship over the years.

Next, he recognized Miss Pleasure Island, Lyndsey Childers. Miss Childers said it is an honor to be Miss Pleasure Island for 2007. She has found it very rewarding to tell others throughout North Carolina about Pleasure Island.

Mayor Clark mentioned some past Carolina Beach Mayors such as Neil Pharr who was mayor back in the 80's during the building boom. Mr. Pharr is sick this evening and couldn't make it tonight. Mayor Clark also mentioned Hubert Vincent who is responsible for part of this Town Hall that we are in tonight; another Mayor, Anthony Loreti; Ray Rothrock who is also responsible for the new Town Hall; and Dennis Barbour, who runs a business and he had to be in New Jersey and couldn't be here tonight.

RECOGNIZE OUTGOING MAYOR BILL CLARK

Mayor-elect Joel Macon presented a gift to Mayor Clark in appreciation for his service to the town. He thanked Bill Clark for serving Carolina Beach as he did so with honor and distinction and he really raised the bar on conduct and we are going to miss him. Also he recognized Mayor Clark's wife, Birdie Clark, by presenting her with a gift.

Mayor Clark thanked the citizens for the opportunity to serve as Mayor.

Mayor Clark spoke of some of the accomplishments made by Council to include:

Completion of the skate park.

Approved equipment for the fire department and new personnel for fire and police with the help of \$80,000 from the ABC Board.

He said thank you for budget restraints. We held back on the budget; even though there were many needs, we couldn't do it all.

We resolved the 4 year sewer issue with the Town of Kure Beach.

We completed the multi-purpose bike walking path near the State Park.

The beach was renourished a little over a year ago.

We've kept the Carolina Beach Inlet open, and there were a lot of battles trying to keep that open.

He asked everyone to remember him for the Water Assurance Plan that he put forward a year and half ago with that we started with water expansion at lift station 1. Also we started a water conservation program out of that.

We started a Master Parks Plan and this is one of the few ways you are going to have for opening a door to grants.

The visits to Washington with our House of Representatives and our senators and letters of follow-up that he feels brought in an extra \$1,000,000 for beach renourishment.

The interaction that he had with State Senator Boseman and Representative McComas and he said it has been a pleasure working with them.

He said the lonely part of being the Mayor is when you stand before boards asking for money such as funding to keep our inlet open.

He asked Mayor-elect Macon to get more involved with the community because what you do effects the community, such as the various events, our elementary school, churches, seniors, business, etc. Get to know the New Hanover County Commissioners because they are the folks that decide where the money is going. Get involved in the Beach, Inlet and Waterway Committee, the Tourism Development Authority, the NC Resource Commission, the Corps of Engineers and get to know the colonel at the Army Corps of Engineers. Get involved with the other beach towns and get to know their mayors and councils.

Mayor Clark said to ask for more services from the county. This year we are going to pay 3.6 million more dollars than we paid last year, and he asked what we are going to

get for it? We have to go to New Hanover County and ask for services. They are not going to cut our taxes. The same as Senator Boseman is here and she came to me a couple years ago and she asked what can I do for you? We have to go to them and ask.

A couple of unrealized goals are the Wilmington Beach paving. Those folks pay their taxes and they deserve to have roads but we have stumbling blocks with federal permits.

We need to go before the county manager to get a bus service from Monkey Junction to here.

Mayor Clark said, in reference to the State Park land, we have 22 acres right behind our gym. I have been in discussion with the directors of the NC State Parks and they have come down here but we just haven't quite closed the deal.

Also high on the list is the paving of Carolina Beach Avenue North.

Mayor Clark said he wants to thank the past mayors who have served with dedication. He said it is a thankless type job and he is proud of the people who have stepped up. He again recognized his friend Barry Nelder who just stepped up this year to run for Kure Beach.

He is going to miss the daily interface with the town employees. We have a great team that works here.

He thanked his family, and he asked the members of his family in attendance to stand up and be recognized, his daughters Cindy and Nancy, and his wife Birdie. He said his father was a beach mayor too and he had a lot of influence on me in running for this job. Mayor Clark said his wife Birdie was his toughest critic but his most ardent supporter and she represented me with her own warmth and style and kept me looking my best.

He thanked God for opening the way to enter politics. He will always treasure the friendships made over the last two years and they will last forever. May the God of peace and reconciliation bless the new Council and citizens of Carolina Beach. Thank you very much.

PRESENTATION BY AMERICAN LEGION POST 10

Mayor Clark recognized Harold Davis and Al McQuire of American Legion Post 10. Mr. Davis said he is here tonight with Al McQuire to present a picture portrait of 3 Medal of Honor recipients from New Hanover County. They have been recognized by the schools at Veteran's Park: Edwin A. Anderson, Jr. Elementary School, Charles P. Murray, Jr. Middle School and Eugene Ashley High School. Each school has been presented with these posters too and he would like for one to hang at our Town Hall and the public library. Mayor Clark thanked them for coming tonight. He said there is nothing more important than our veterans and our servicemen working right now to keep us free.

REORGANIZATION OF COUNCIL

Town Clerk, Lynn Prusa, opened by stating that she was asked to do this tonight by Mayor-elect Joel Macon, Councilwoman Efird and Mr. Wilcox, and she considers it an honor. They could have asked a judge or magistrate to come and they wanted me to do it and I really do appreciate it and consider it an honor.

OATH OF OFFICE – MAYOR ELECT JOEL MACON TO SERVE 2 YEAR TERM OF OFFICE

Mayor Elect Joel Macon was administered the oath of office by Town Clerk, Lynn Prusa.

Following the oath of office, Mayor Macon thanked everyone for their support during the election and in his last 12 years on Town Council. He thanked and recognized his brother Don and his wife Estelle; Dustin; Caroline; Samantha; Axel; my girlfriend, Shellma and his sister, April. Also he thanked his campaign manager, Shawn Underwood and his treasurer, Diana Murphy. He said that being mayor is an honor and a privilege and I do not take it lightly. I need the rest of this Council to work with me and with each other so we can be successful for the Town of Carolina Beach – that is what is most important here. Each member has something unique to bring to this table, Pat has wisdom, Jerry keeps us grounded, and Alan and Dan are the thinkers and analyzers. So together there is nothing that we can't accomplish.

OATH OF OFFICE – COUNCILWOMAN RE-ELECTED PAT EFIRD TO SERVE 4 YEAR TERM OF OFFICE

Councilwoman Pat Efird was administered the oath of office by Town Clerk, Lynn Prusa.

Following, Ms. Efird said she wants to thank everyone for supporting me for another 4 year term. This isn't my first term and it may not be my last. She said her good friend Fran Doetsch asked her, do you know how old you'll be when you get out of office and I told her let's not talk about that. Ms. Efird said she is delighted to serve again, she appreciates the support and she will do her very best to make this a good place for us to live. I love Carolina Beach and I love all of you and thank you so much. I wish everybody a healthy and happy holiday.

OATH OF OFFICE – COUNCILMAN ELECT DAN WILCOX TO SERVE 4 YEAR TERM OF OFFICE

Councilman Elect Dan Wilcox was administered the oath of office by Town Clerk, Lynn Prusa.

Following, Mr. Wilcox said this must be the first trick they planned because nobody told me to prepare a speech. He thanked all of the people that worked on his campaign and all of the people that supported him, the kids and the groups that got together. It was inspiring and I was honored by it. He recognized his sons, D.J. and Dylan. He concluded by saying thank you very much and I'm going to work hard to do what you appointed me to do and Merry Christmas.

APPOINTMENT OF MAYOR PRO TEM

A motion was made by Councilwoman Efird to appoint Dan Wilcox as Mayor Pro Tem. MOTION CARRIED UNANIMOUSLY.

INTRODUCE NEW EMPLOYEES

Chief Younginer introduced new Police Officer, Tess Casals. Mr. Owens introduced the new Operations Director, Paul Parker. Mayor Macon welcomed them to the town.

CONSENT AGENDA

Mayor Macon reminded everyone that the consent agenda was amended earlier this evening to include under item #14(a) to add to the January 8, 2008 meeting, consider broadcasting the Council meetings. The town manager reminded Mayor Macon that also a request is being made to remove under item #14(a) bullet item #4, a request to discuss parking at end of Spencer Farlow Drive.

A motion was made by Councilman Gilbert to approve the consent agenda, removing bulleted item #4 a request to discuss parking at end of Spencer Farlow Drive. The items of approval are as follows:

Set a public hearing date for January 8, 2008 at 7:30 p.m. or soon thereafter to consider the following town code and/or zoning ordinance amendments:

- Amending the Zoning Ordinance, Article 7.2 Off-Street Loading Requirements
- Amending the Code of Ordinances, Chapter 2 Administration, Article II Mayor and Council, Section 2-17 Meeting Times and Place, to change the regular meeting time from 6:30 p.m. to 7:00 p.m., and to consider holding a 2nd regularly scheduled monthly meeting to be held at 7:00 p.m. with meeting day to be decided.

- Amending the Code of Ordinances, Concerning Horse Regulations: Chapter 3, Animals and Fowl, Section 3-5; and Chapter 11 Parks and Recreation, Article IV Freeman Park, Concerning Horses and Fires
- Hold a public hearing Concerning the NCDOT Enhancement Grant Entry-Way Project Draft Plan

Authorize the town clerk to advertise for consideration of property exchange for police/lifeguard radios on January 8, 2008 at 6:30 p.m. or soon thereafter.

Approve amending the budget by transferring \$5,866.75 from beach maintenance into CIP account as presented for the purchase of a lifeguard trailer.

Request the town clerk advertise for membership on the following newly created ad-hoc committees with appointments to be made on January 8, 2008 at 6:30 p.m. or soon thereafter: (1) Budget Committee, (2) Business Advisory Committee, and (3) Arts & Activities Committee.

Appoint Council Members to represent various boards/committees:

- **Carolina/Kure Beach Regional Sewer Authority**
Reappoint Councilman Alan Gilbert and appoint Mayor Pro Tem Dan Wilcox.
- **Cape Fear Council of Governments**
Reappoint Councilman Jerry Johnson.
- **New Hanover Beach Communities Board**
Reappoint Mayor Joel Macon.
- **Wilmington Regional/NHC Port, Waterway & Beach Commission**
Appoint Mayor Pro Tem Dan Wilcox.
- **NHC Tourism Development Authority**
Appoint Mayor Joel Macon.
- **National League of Cities**
Reappoint Councilwoman Pat Efird.
- **Senior Citizens Board**
Reappoint Councilwoman Pat Efird.
- **American Coastal Coalition**
Reappoint Councilman Alan Gilbert.

- **Transportation Advisory Committee**
Reappoint Councilman Alan Gilbert.
- **NC Resort Town's Association**
Reappoint Councilwoman Pat Efird.

MOTION CARRIED UNANIMOUSLY

***DISCUSSION AND POSSIBLE ACTION CONCERNING COASTAL RESOURCES
COMMISSION SETBACK REGULATIONS***

The town manager said there have been some proposed regulatory changes from the CRC. He presented Council with a packet of some of the information that came through. The changes would create a static line for a lot of the beaches that are considering beach renourishment and we have a static line of vegetation so this wouldn't affect us. The other change would be instead of exempting single family, it would include single family with regard to the setback. There would be a graduated setback and it would include single family and commercial structures. Anything less than 5,000 square feet would remain in the 60' setback, and anything greater than 5,000 would still be 120' and it goes up in increments. The other part of these proposed changes is at this point there has been an interpretation that cantilevering is allowed over any of these setbacks, but these regulations would eliminate the ability to cantilever. There have been some communities that have taken a stand on some of these things. Mayor Macon asked, have those towns taken a stand against the new regulations? The town manager said, for the most part it seems that the communities are against these changes, but not totally against them. Councilman Gilbert said they signed a boiler plate resolution, but it had more to say about the static line than anything else. Mr. Owens said they were in favor of the static line but had concerns about the setbacks and what would happen in the future. I tried to call the CAMA director to find out what the timeline is for responses. He suggested to Council, you can wait and try to digest this in January, make a stand on it tonight, or a resolution or letter can be drafted and brought back for your consideration. Mayor Macon said he isn't for it and would like for Carolina Beach to have some kind of voice to the CRC about it and he asked, what is the pleasure of Council? Councilman Gilbert said I think there are a lot of good things in the proposed amendment to this code, so I don't think you can say you are against the whole thing. He would like to review the resolution and see if it is weighted to Carolina Beach because we have our own specific challenges. He would like to see some discussion on the setback issues and single family. There is some input from the NC Sea Grant Extension Program and it is very weighted and educational to some of the static vegetation line concerns. Instead of giving a blanket no, I would like to review it and have an intelligent discussion on what we are saying no to. The town manager said he doesn't think it has to be done tonight and he can bring it back in January. The mayor asked him to provide a resolution for consideration in January.

ITEMS NOT ON THE AGENDA

Councilman Gilbert said he attended a drop in meeting yesterday of WAVE Transit and they are talking about transit stations and one specifically at Monkey Junction which he believes would be of benefit to the area. The southern extension has not been funded. Also a trolley line that would service Carolina Beach hasn't been funded. We need to go to our county commissioners and ask them to help us to come up with funds for these services to Carolina Beach.

Mayor Pro Tem Wilcox asked about item #14(d) and the advertisement for new committees. He said there has been some discussion about new committees to service the town. He was interested in the Business Advisory Committee to be made up of business people to help us work on incentives for new business and help existing businesses with any hardships they might have and lead the town on how to improve our business structure and make more money and flourish.

We also talked about an Arts and Activities Committee to put on events at the boardwalk, boardwalk art shows, music events, and things of that nature.

He asked if those committees are due to be advertised or do we need to discuss those. Mayor Macon said they were on the consent agenda so we could move the meeting along due to the reception this evening, and yes they will be advertised.

Mayor Macon said he's glad Councilman Wilcox brought this up and he explained that the Budget Committee is for concerned citizens that have experience in budget work to look at the budget for ways to save taxpayers' dollars.

ADJOURNMENT

Councilwoman Efird made a motion to adjourn, and she invited everyone to attend the reception to be held in the atrium. MOTION CARRIED UNANIMOUSLY. The meeting adjourned at approximately 7:30 p.m.

Respectfully submitted,

Sara Hartman

Approved: _____