

Minutes
Town of Atlantic Beach, North Carolina
Town Council Meeting
Monday, December 22, 2008

The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, December 22, 2008 at 6:00 p.m. in the Council Meeting Room.

Members Present: Mayor A. B. Cooper, III; Mayor Pro Tem Harry Archer; Councilmembers: Ann Batt, Eddie Briley and Vada Palma

Members Absent:

Others Present: Pete Allen, Town Manager; Derek Taylor, Town Attorney; Kelly Cyrus, Town Clerk; Sabrina Simpson, Administration; Marc Schulze, Public Services Director; Jessica Fiester, Planning Director; Allen Smith, Police Chief

CALL TO ORDER AND ROLL CALL

Mayor Cooper called the meeting to order at 6:00 p.m.
Kelly Cyrus, Town Clerk took roll call.

INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Claude Andrews gave the Invocation and Mayor and Council led the assembly in the Pledge of Allegiance

APPROVAL OF THE AGENDA

Councilmember Palma made a motion to approve the agenda as written. Motion was seconded by Mayor Pro Tem Archer. Vote was unanimous, 4-0. Motion carried.

Councilmember Batt made a motion to amend and approve the Consent Agenda by requesting that from this date forward any and all social security numbers on the public record for the Annual Certification of Firemen be stricken from the form. Motion was seconded by Councilmember Briley. Vote was unanimous, 4-0. Motion carried.

CONSENT AGENDA

All items listed below are considered to be routine and will be enacted by one introduction/motion/second/roll call vote. There will be no separate discussion of these items unless a Council Member so requests, in which event the item will be removed from the Consent Agenda and considered separately.

1. TAX COLLECTION REPORT –NOVEMBER, 2008:

The tax collection report for November, 2008 was submitted for approval, which showed that \$369,214.51 had been collected.

2. TAX RELEASES - NOVEMBER, 2008:

A cumulative amount of \$1,587.80 in tax releases were submitted for approval.

3. TAX REFUNDS – NOVEMBER, 2008:

A cumulative amount of \$418.636 in tax refunds were submitted for approval.

4. BUDGET TRANSFERS

\$7,500.00 in budget transfers was submitted for approval.

5. BUDGET AMENDMENT #6

A budget amendment for \$16,209.00 was submitted for approval.

6. 2009 SCHEDULE OF MEETINGS:

7. ANNUAL CERTIFICATION OF FIREMEN:

7. TOWN COUNCIL MEETING MINUTES:

November 24, 2008

(Clerk's Note: a copy of all Consent Agenda items are hereby attached and therefore made a part of these minutes.)

CITIZEN REQUESTS/COMMENTS

Jim Willis, 104 Atlantic Beach Causeway, Atlantic Beach, NC

Mr. Willis stated that he has "discovered" that the seasonal speed zones are not controlled by the town or the state, but controlled by a "speed zone Czar" with absolute authority. He states that this "Czar" goes around the district denoting speeds in locations of his preference. He noted that on the west side of town that a speed zone sign is approximately a tenth of a mile further west than it could begin and on the east side of town the "Czar" has no lee-way according to town ordinance which states it should be right at the intersection. The first 45 MPH sign is three tenths of a mile toward Fort Macon. He commented that the 35 MPH signs that begin at the intersection up to the 45 MPH sign are illegal.

ACTION AGENDA

1. Resolution 08-12-01; Resolution Opposing Amendment 16 to the Magnuson-Stevens Fishery Conservation and Management Act

Presented by: Pete Allen, Town Manager and Mr. Sonny Davis, Owner – Capt. Stacy's

Mr. Davis first began by thanking the Town Council for attending to the issue of the dredging of the Causeway Channel. Mr. Davis then began speaking on Resolution 08-12-01. He briefly summarized the reason for the resolution to oppose the Amendment to the Magnuson-Stevens Act by advising that currently there is a bag limit on Vermillion Snapper of 10 catches/per person and Grouper is 5 catches/per person and what Amendment 16 to the Act is proposing is cutting the bag limit of Vermillion Snapper down to 5 catches/per person and Grouper down to 2 catches/per person. He noted that the decrease for the Grouper will not be as bad as the decrease on Vermillion Snapper. He also stated that the amendment is proposing for closure on Vermillion Snapper in November, December, January, February and March and the closure on Grouper would be January, February, March and April. He said his customers, the working class people, that his company takes fishing come from all over the eastern seaboard and they spend a lot of money in the area. He feels that this proposed amendment would hurt the whole country and pretty much put headboats out of business. He stated that if these working folks are cut back in their fishing they are not going to drive all the way down & up here to our area, spend their hard-earned money on accommodations, fishing, food, shopping only to find that their catch is limited. He feels this would not only hurt the commercial fishermen but the local and area economies. He also noted that the Council that is trying to pass this amendment, the data that they are using to support this amendment is outdated and incorrect. Mr. Davis respectfully requested support from the Town Council in conjunction with Carteret County to oppose Amendment 16 to the Magnuson-Stevens Act.

Councilmember Briley commented that more Grouper has been caught in the last two (2) years than he has seen in quite awhile and the King Mackerel Tournament has been great and he is not sure where the Southeast Council is getting their information.

Mayor Pro Tem Archer made a motion to *approve* Resolution 08-12-01 opposing Amendment 16 to the Magnuson-Stevens Fishery Conservation and Management Act and likewise encourage all municipalities within Carteret County and surrounding counties to do the same. Motion was seconded by Councilmember Briley. Vote was unanimous, 4-0. Motion carried.

2. Approval of Contract for Emergency Medical Billing Services between Tarheel Medical Billing, Inc. and the Town of Atlantic Beach

Presented by: Adam Snyder, Fire Chief

Chief Snyder briefly explained that through the use of Colleton software, data collection and information is provided to the state as mandated. This software will also allow the emergency medical personnel to enter information into the system while out in the field which in turn will provide automatic billing to Colleton software. Chief Snyder explained that eventually the town could see an increase in revenues from their EMS billing.

Councilmember Briley made a motion to *approve* the contract for emergency medical billing services between Tarheel Medical Billing, Inc. and the Town of Atlantic Beach subject to town attorney review. Motion was seconded by Councilmember Batt. Vote was unanimous, 4-0. Motion carried.

5. Resolution 08-12-02; Adoption of Revised Personnel Policy for the Town of Atlantic Beach:

Presented by: Mayor Cooper

Mayor Cooper briefly explained that this item has been on the Action Agenda for the past few months and that this has been a work in progress for the past several years. He also stated that a work session had taken place to work through the document and fine tune everything. He noted that there were two (2) issues, prior to this night's meeting, that Council questioned and the first being extending healthcare coverage for long term employees with a minimum of twenty (20) years. He stated that Council wanted to make sure they knew the financial impact of this benefit. The second latest issue in question would be the number of paid holidays that employees are allowed. He explained that one (1) paid day will be omitted and that will be "Employee's birthday" and to remove the proposed Bereavement Leave section due to the fact that the Sick Leave section addresses any bereavement leave that may be necessary.

Councilmember Palma made a motion to *approve* Resolution 08-12-01; Adoption of the revised Personnel Policy for the Town of Atlantic Beach. Motion was seconded by Councilmember Briley. Vote was unanimous, 4-0. Motion carried.

TOWN MANAGER'S REPORT

There was no report from the Town Manager at this time.

TOWN ATTORNEY'S REPORT

There was no report from the Town Attorney at this time.

PRESENTATIONS

1. Swearing in of Newly Appointed Councilmember Patricia Ide

Presented by: Mayor Cooper

Newly appointed Councilmember Patricia Ide was sworn into office by Mayor Cooper. Ms. Ide requested that "Capt." Jim Willis, III hold the Bible for her. Ms. Ide is filling the Council seat vacancy left by the passing of her husband, former Councilmember Kenneth Ide in June, 2008.

MAYOR/COUNCIL REQUESTS/COMMENTS

Councilmember Batt wished everyone a Merry Christmas and thanked all town departments for the outstanding 2008 town of Atlantic Beach Christmas event that took place this year. She stated that it is a privilege to serve with the current Council. She stated that she has learned from everyone including staff and is looking forward to the upcoming year. Councilmember Batt also thanked all the staff that will be working and continuing providing town services during the holidays so that we can spend a safe and happy holiday season with our families.

Mayor Pro Tem Archer wished everyone a Merry Christmas and a happy and prosperous 2009. He commented that the Christmas event this year was great and he is still waiting for an answer from his wish made to Santa Claus the

night of the Christmas event as to whether Santa will be able to find the monies to give raises to all our employees for the town. He stated that with no response from Santa, he will be assuming his silence was a "yes" to his wish.

Councilmember Palma echoed the sentiments of her colleagues. She also noted that she is looking forward to the new year. She then thanked Mr. Sonny Davis for his work on the dredging committee. She then wished everyone the best for the holiday season

Councilmember Briley also wished everyone Merry Christmas and Happy New Year. At this time, Councilmember Briley commented on how he received numerous compliments on the Christmas event that was held this year. He requested that for the upcoming holiday season the Christmas event be more heavily advertised, possibly with large banners. He also thanked Mr. Sonny Davis for his work.

Councilmember Ide thanked the Council for their appointment of her to the vacant seat left by her husband. She is looking forward to working with everyone and feels honored with be with such a group.

Mayor Cooper welcomed Councilmember Ide. He noted that the staff the town has working for it makes their jobs a lot easier. He is looking forward to the continued work and wished everyone Happy Holidays.

| |
|--------------------|
| ADJOURNMENT |
|--------------------|

There being no further business before the Town Council, Mayor Pro Tem Archer made a motion to adjourn the meeting. Motion was seconded by Councilmember Ide. Vote was unanimous, 4-0. It was 6:45 p.m.

Submitted by:

Kelly L. Cyrus, Town Clerk

These minutes were approved at the January 26, 2009 meeting of the Atlantic Beach Town Council.

A. B. Cooper, III - Mayor