

**Minutes
Town of Atlantic Beach, North Carolina
Town Council Meeting
Monday, May 19, 2008**

The regularly scheduled meeting of the Atlantic Beach Town Council was held Monday, May 19, 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; Ken Ide and Vada Palma

Members Absent: None

Others Present: Pete Allen, Town Manager; Derek Taylor, Town Attorney; Kelly Nash, Town Clerk; Sabrina Simpson, Administration and Marc Schulze, Public Services Director

CALL TO ORDER AND ROLL CALL

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

INVOCATION AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF THE AGENDA

Councilmember Briley made a motion to amend the Action Agenda to include as Item #2 – “Amendment to the Proposed FY2008-2008 Budget regarding Dredging” and as Item #3 – “Request to Schedule Public Hearing on Proposed Budget Ordinance 08-06-01” Motion was seconded by Councilmember Ide. Vote was unanimous, 5-0. Motion carried.

Councilmember Ide made a motion to approve the Consent Agenda as written. Motion was seconded by Councilmember Batt. Vote was unanimous, 5-0. 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 –APRIL, 2008:

Tax Collector Laura Buda submitted the tax collection report for April, 2008 which showed that \$12,235.33 had been collected. The year-to-date total at the end of April, 2008 was \$3,337,922.43.

2. TAX REFUND: A refund of \$77.41 was submitted for approval.

3. BUDGET TRANSFERS

A total of six (6) budget transfers were submitted for approval.

4. APPOINTMENT TO THE CARTERET COUNTY 9-1-1 COMMUNICATIONS ADVISORY BOARD

5. ATLANTIC BEACH TOWN COUNCIL MEETING MINUTES: (Feb. 18TH; March 17th, 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

Joe Tarascio – Resident of Atlantic Beach, NC

Mr. Tarascio commented that he is not surprised at the budget numbers presented and with the reserve fund being at forty-one percent (41%) makes sense. He feels that the storm water costs should be spread out evenly amongst the citizens, but that he is confused about the proposed White Goods fees. He also wants to make sure the monies will be used for what they are suppose to be used for.

Sonny Davis, Owner – Cap'n Stacy's Fishing Center, Atlantic Beach Causeway, Atlantic Beach, NC

Mr. Davis spoke on the issue of dredging of the Causeway Channel. He stated that the channel is very shallow and the situation is not getting any better. He noted that the situation is going to get to the point where no boats will be able to get through.

Billy Brewer – 200 Atlantic Beach Causeway, Atlantic Beach, NC

Mr. Brewer commented that the citizens were misled on the issue of the reason for purchase of the old Food Lion property. He stated that it was told that the property was bought for the purpose of a town wastewater treatment facility. He feels that if the property will not be utilized for this purpose then the town needs to sell the property, get the money back and hold a referendum in regards to proposed uses for the property. He requested again, a mission statement from Council to the citizens in regards to the direction for the town.

Mayor Cooper responded by stating that the current mission for the town is lowering taxes and the cost of living; designing better, long-range land planning; long-range planning on the issue of stormwater and devising a effective dredging plan.

Mayor Pro Tem Archer firmly stated to Mr. Brewer that he was refuting Mr. Brewer's comment regarding the use of the old Food Lion property in that it is incorrect and that the property was not brought for the purpose of wastewater but purchased for the purpose of knowing the town's need for additional space for the town's government complex, fire department, police department, administrative offices and public works.

Zuleen Wooten, 320 Fairview Street, Atlantic Beach, NC

Mrs. Wooten commented that she would like to find a way for the town to pay for the street lights in the area that she lives in, Bogueview Shores.

PRESENTATIONS

1. Proclamation 08-05-01: "Proclamation of Heroic Effort" – Mayor Cooper/Police Chief Smith – Atlantic Beach

Proclamation was presented to United States Coast Guard Petty Officer, Alan Scott Cantrell for his heroic effort in the water rescue assistance of Mrs. Gloria Mosely on April 18, 2008 at 114 Davis Boulevard, Atlantic Beach, NC. The Atlantic Beach Fire and Police Department emergency personnel involved (Mike Ussery, Brian Prior, Greg White, Wayne Woods, James Invick and Corey Lail) were also commended for the their professionalism in performing their job duties.

(Clerk's Note: a copy of Proclamation 08-05-01 is hereby attached and therefore made a part of these minutes.)

2. Financial, Cash and Investment Reports – Sabrina Simpson, Administrative Services

Mrs. Simpson presented the financial report for the month ending April 30, 2008.

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

3. "Jumping The Gun" – James Willis, III

Mr. Willis gave a powerpoint presentation on how Atlantic Beach has "jumped the gun" in regards to the Phase II Storm water Designation.

Mr. Willis stated that even though former Town Manager, Dave Harvell stated that the town received an official notice from the Environment Management Commission stating that Atlantic Beach has been designated as a Phase II Stormwater municipality, if you go back to the meeting minutes of the Environmental Management Commission dated May 10, 2007 and read the section where a motion was made to designate Atlantic Beach as Phase II, the motion was (according to the approved minutes) never voted on, therefore never passed and therefore Atlantic Beach is not officially designated.

(Clerk's Note: a copy of Mr. Willis' powerpoint presentation is hereby attached and therefore made a part of these minutes.)

ACTION AGENDA

1. Board of Adjustment Appointments

Presented by: Jessica Fiester, Planning Director

Miss Fiester stated that the following Board of Adjustment members term were due to expire and all members have acknowledged that they would like to be reappointment if that was the wish of the Council. Those Board of Adjustment members being: Darrel Lawrence, George Bailey; Gary Plough and Gene Walz (Alternate).

Mayor Pro Tem Archer made a motion to reappoint Darrel Lawrence, George Bailey, Gary Plough as Board of Adjustment members and Gene Walz as Alternate Board of Adjustment member with terms of July 1, 2008 through June 30, 2011. Councilmember Ide seconded the motion. Vote was unanimous, 5-0. Motion carried.

2. Budget Amendment #13

Amendment to budget monies received from May 10th surplus property auction and to provide funding for \$40,000.00 dredging project.

Councilmember Briley made a motion to approve \$40,000.00 for dredging of 2,000 square yards and to create a budget amendment to facilitate this, capped at \$40,000.00 through June 30, 2008. Councilmember Ide seconded the motion. Vote was unanimous, 5-0. Motion carried.

3. Request to Schedule a Public Hearing on Proposed Budget Ordinance 058-06-01; FY2008-2009 Budget

Councilmember Ide made a motion to set an official Public Hearing on proposed Budget Ordinance 08-065-01; FY2008-2009 Budget for Tuesday, June 10, 2008 at 6:00 p.m. in the Town Boardroom. Councilmember Palma seconded the motion. Vote was unanimous, 5-0. Motion carried.

TOWN MANAGER'S REPORT

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

TOWN ATTORNEY'S REPORT

Derek Taylor, Town Attorney had no report at this time

MAYOR/COUNCIL REQUESTS/COMMENTS

Mayor Cooper advised citizens that the proposed budget can be viewed on the town website, atlanticbeach-nc.com. He also wanted to note that approximately \$1,000,000.00 has been cut from the proposed budget, along with lowered taxes from 15% to 12.55 with no reduction in services to citizens, no “dipping” in the reserved fund balance to balance the budget, but a White Goods fee and Stormwater fee has been included in the proposed budget.

Following the Mayor/Council comments, Council held a discussion on the proposed budget that allowed citizens to voice any concerns they may have regarding the proposed budget prior to its adoption.

Mr. Clause Andrews commented that Atlantic Beach is very fortunate to have such a good reserve fund balance. Mr. Joe Goodson stated that he is in favor of fees, but would like to see some fees removed if monies are accumulated from grants, etc. He also inquired as to how the fees would be administered to the citizens. It was advised that, if approved, effective July 1, 2008, there would be a \$2.00/month additional fee included on the water bills. Mr. Lotspih was in favor of the storm water fees being implemented, but advised the town not to rely on the services of W. K. Dickson.

Mayor Cooper thanked everyone for the participation in the budget discussion and attendance at the meeting.

ADJOURNMENT

There being no further business before the Town Council, Councilmember Palma made a motion to adjourn the meeting. Motion was seconded by Councilmember Batt. Vote was unanimous, 5-0. It was 8:17 p.m.

Submitted by:

Kelly L. Cyrus, Town Clerk

These minutes were approved at the July 28, 2008 meeting of the Atlantic Beach Town Council.

A. B. Cooper III, Mayor