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Town of Cedar Point
Regular Meeting
Tuesday, October 26, 2021

Board Members

Scott Hatsell, Mayor | Pam Castellano, Mayor Pro Tem |
Gary Bray, Commissioner | John Nash, Commissioner | Frankie Winberry, Commissioner |

- I. Call to Order/Invocation/Pledge** Mayor Scott Hatsell
Invocation presented by Pastor Jeff Duncan, Grace Church, Swansboro

Mayor's Remarks

II. Agenda and Consent Agenda

The Town Clerk respectfully submits to the Board, the Regular Agenda and the below consent items, which are considered to be of general agreement and of little or no controversy. These items may be voted on as a single group without Board discussion or if so desired, the Board may request to remove any item(s) from the consent agenda and placed for consideration separately.

Consent Items:

- a. September 28, 2021 Regular Meeting Minutes
- b. Conflict of Interest Policy for CAMA Access Grant Award
- c. Tax Certification for CAMA Access Grant Award

III. Rezone Request RZ-2021-03

This item was discussed at Public Hearing at the October 21, 2021 Agenda Work Session.

Action Needed:

1. [Motion to approve or disapprove Rezone Request along with associated Consistency Statement](#)

IV. Public Comment

V. Deputy Report

VI. Items Moved from Consent Agenda

VII. Manager's Report/Comments

VIII. Board Comments

IX. Adjournment

The next regularly scheduled meeting will be held on Tuesday, November 23, 2021 at 6:30 PM.

Tab 2 Consent Agenda



Town of Cedar Point Board of Commissioners
Regular Meeting
September 28, 2021

The Town of Cedar Point Board of Commissioners held their regularly scheduled monthly meeting on Tuesday, September 28, 2021 at 6:30 PM at Town Hall. Mayor Hatsell determined a quorum to be present and opened the meeting.

PRESENT: Mayor Hatsell, Commissioners Bray, Castellano, Nash, Winberry, Town Manager Rief and public

Mr. Rief provided the Invocation, followed by Mayor Hatsell leading the Pledge of Allegiance.

The Agenda and the Consent Agenda consisting of the June 17, 2021 Agenda Work Session meeting Minutes, the August 19, 2021 Agenda Work Session Minutes, the August 24, 2021 Regular Meeting Minutes, a Proclamation recognizing Red Ribbon Week, and a proclamation recognizing October as Domestic Violence Awareness Month was presented for Board consideration and approval.

Mayor Hatsell moved the Proclamation declaring October as Domestic Violence month to a separate Agenda item; 2a. Mayor Hatsell read the Proclamation out loud and Deputy Nakamura spoke a few words concerning the Sheriff's Department commitment to assisting anyone affected by domestic violence. Commissioner Winberry made a **Motion** to approve the Agenda and Consent Agenda as presented. The Motion carried 4-0.

The next item on the Agenda concerned paving of streets and roads in Cedar Point. An RFP was sent out, with one bid being submitted and received. Mr. Rief stated this lack of response was due to the short amount of time given, weather concerns and over-burdened paving contractors. The bid received came in at \$162,907.48. Current funds available in the Town's Powell Bill account total \$151,423. The October allocation for Powell Bill funds increased slightly to \$19,059.45. There are enough funds in the Powell Bill fund to cover this bid amount, however the other option would be to wait until Spring and re-bid the project. Board consensus agreed to wait until January to put out another RFP for a Spring project. The time frame for completion would be extended to June 2022 to allow the expenditure to come out of the current fiscal year budget.

38 Mayor Hatsell opened the floor to Public Comment. Mr. Don Redfearn invited everyone to visit
39 the newest addition to the park, the picnic shelter. Concrete for the base of the shelter is
40 expected to be poured soon.

41
42 Deputy Nakamura announced that Cedar Point's first ever Coffee with a Cop will be held
43 Thursday, October 7, 2021 from 6:00 PM to 8:00 PM. These hours would accommodate citizens
44 who work. Sheriff Buck and other representatives from the department will be present.
45

46 Mr. Rief provided his Manager's Report. Letters have been sent out to the residents in the ETJ
47 concerning annexation into the Town. A total of 344 letters were mailed out and there has been
48 much interest in annexing into the Town for services. It's proposed that at the October meeting
49 as many annexation petitions as we've received will be presented to the Board to direct the Clerk
50 to investigate their sufficiency and set the date for Public Hearing at the November meeting.
51

52 The Planning Board discussed multi-family structures language at their September 14 meeting.
53 The discussion involved additional density and higher standards applicable to landscaping,
54 buffering and aesthetics. They will be prepared to make a recommendation at their October 5
55 meeting. They will also consider a rezone request for the old Shellfish 2000 property, from B-1
56 to B-2 for a proposed marine construction business. The applicant is looking for water access for
57 their barges, some storage for equipment and materials and a few samples for display.
58

59 Mr. Rief is looking for an engineer or architectural firm to draw up plans for the park restroom
60 building. After reaching out to three different design firms, they returned quotes of \$24,000,
61 \$30,000 and \$43,000 just to draw up plans. Mr. Rief will draw up an idea and consult a
62 draftsman to assist in creating a plan. Fishing continues on the new dock and also under the
63 pavilion, with some of the fishermen using the benches as cutting boards for bait cutting. In
64 response to this, signs will be erected directing fishing to only on the dock, not under the
65 pavilion.
66

67 Mr. Rief has reached out to Swansboro, Cape Carteret and Emerald Isle concerning the annual
68 Fall cleanup. Mr. Rief asked for the Board to grant him and the Mayor authority to make a
69 decision and enter into an agreement. Board consensus agreed that the decision-making process
70 be granted to Mr. Rief and Mayor Hatsell. Proposed dates would be October 22nd and 23rd.
71

72 NCDOT is address the pipe collapse issues on Highway 24 in Cedar Point and Cape Carteret.
73

74 Letters and invoices have been sent out to Drew Lutheran concerning both properties adjacent to
75 Town Hall. To date, there has been no response or payment of fines. Mr. Rief asked the Board
76 at what point do we simply seek a court order and clean up the property? The consensus was to
77 move forward with seeking the court order. Mr. Rief will contact Town Attorney Whitford.
78

79 Town Clerk Calhoun polled the Board concerning setting the date for Trick or Treat. All other
80 towns are setting the date for Sunday, October 31, from 6:00 PM to 8:00 PM. The Board agreed
81 we should follow suit.

82 Mayor Hatsell then opened the floor to Commissioner comments. Commissioner Nash asked
83 that the Planning Board address UDO amendments to trigger standards when a change in use is
84 submitted. The Board agreed to present this language to the Planning Board for consideration.
85

86 There being no further business to discuss, the meeting was adjourned.
87

88 Commissioner Bray made a **Motion** to adjourn the meeting. The Motion carried 4-0. The
89 meeting adjourned at 7:20 PM.
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Scott Hatsell, Mayor

Jayne Calhoun, Town Clerk

TOWN OF CEDAR POINT

Mayor
Scott Hatsell

Mayor Pro-Tem
Pamela Castellano

Board of Commissioners
Frankie Winberry
John Nash
Gary Bray



Town Manager
David M. Rief

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427 Sherwood Avenue
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CONFLICT OF INTEREST POLICY

Conflict of Interest Defined:

A conflict of interest is defined as an actual or perceived interest by a (Staff Member/Board Member) in an action that results in, or has the appearance of resulting in, personal, organizational, or professional gain. A conflict of interest occurs when an Employee/Board Member has a direct or fiduciary interest in another relationship. A conflict of interest could include:

- Ownership with a member of the Board of Directors/Trustees or an Employee where one or the other has supervisory authority over the other or with a client who receives services.
- Employment of or by a member of the Board of Directors/Trustees or an Employee where one or the other has supervisory authority over the other or with a client who receives services.
- Contractual relationship with a member of the Board of Directors/Trustees or an Employee where one or the other has supervisory authority over the other or with a client who receives services.
- Creditor or debtor to a member of the Board of Directors/Trustees or an Employee where one or the other has supervisory authority over the other or with a client who receives services.
- Consultative or consumer relationship with a member of the Board of Directors/Trustees or an Employee where one or the other has supervisory authority over the other or with a client who receives services.

The definition of conflict of interest includes any bias or the appearance of bias in a decision making process that would reflect a dual role played by a member of the organization or group. An example, for instance, might involve a person who is an Employee and a Board Member, or a person who is an employee and who hires family members as consultants.

Employee Responsibilities:

It is in the interest of the organization, individual staff, and Board Members to strengthen trust and confidence in each other, to expedite resolution of problems, to mitigate the effect and to minimize organizational and individual stress that can be caused by a conflict of interest.

Employees are to avoid any conflict of interest, even the appearance of a conflict of interest. This organization serves the community as a whole rather than only serving a special interest group. The appearance of a conflict of interest can cause embarrassment to the organization and jeopardize the credibility of the organization. Any conflict of interest, potential conflict of interest or the appearance of a conflict of interest is to be reported to your supervisor immediately. Employees are to maintain independence and objectivity with clients, the community, and organization. Employees are called to maintain a sense of fairness, civility, ethics, and personal integrity even though law, regulation, or custom does not require them.

Acceptance of Gifts:

Employees, members of employee's immediate family, and members of the Board are prohibited from accepting gifts, money or gratuities from the following:

- a. Persons receiving benefits or services from the organization;
- b. Any person or organization performing or seeking to perform services under contract with the organization;
- c. Persons who are otherwise in a position to benefit from the actions of any employee of the organization.

Employees may, with the prior written approval of their supervisor, receive honoraria for lectures and other such activities while on personal days, compensatory time, annual leave, or leave without pay. If the employee is acting in any official capacity, honoraria received by an employee in connection with activities relating to employment with the organization are to be paid to the organization.

TOWN OF CEDAR POINT

Mayor
Scott Hatsell

Mayor Pro-Tem
Pamela Castellano

Board of Commissioners
Frankie Winberry
John Nash
Gary Bray



Town Manager
David M. Rief

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October 26, 2021

To: State Agency Head and Chief Fiscal Officer

Certification:

We certify that the Town of Cedar Point does not have any overdue tax debts, as defined by N.C.G.S. 105-243.1, at the federal, State, or local level. We further understand that any person who makes a false statement in violation of N.C.G.S. 143C-6-23(c) is guilty of a criminal offense punishable as provided by N.C.G.S. 143C-10-1(b).

Sworn Statement:

Scott Hatsell and Pamela Castellano, being duly sworn, say that we are the Mayor and Mayor Pro-Tem, respectively, of the Town of Cedar Point in the State of North Carolina; and that the foregoing certification is true, accurate and complete to the best of our knowledge and was made and subscribed by us. We also acknowledge and understand that any misuse of State funds will be reported to the appropriate authorities for further action.

Scott Hatsell, Mayor

Pamela Castellano, Mayor Pro-Tem

Sworn to and subscribed before me on the day of the date of said certification.

Jayne Calhoun, Notary Public

My Commission Expires:_____

Tab 3 Rezone Request

**TOWN OF CEDAR POINT
BOARD OF COMMISSIONERS**

Proposed Consistency Statement

Rezoning Request 2021-03

The Town of Cedar Point Board of Commissioners hereby finds that the proposed Official Zoning Map amendment application:

Rezoning Application RZ-2021-03: a request to rezone a parcel located at 421/425 Cedar Point Boulevard, PIN # 5374-1313-5076, from B-1 General Business to B-2 Marine Business.

is consistent with the Town of Cedar Point Comprehensive Plan adopted November 27, 2012 because the property is located within an Existing Core Area which indicates properties within this area are suited for redevelopment, because the property is located within the Business Corridor where commercial uses are encouraged, and because working waterfronts and water dependent uses and businesses are encouraged under Policy VI.1.3 and Goal VII.3.

Further, the Board of Commissioners finds the proposed rezoning request to be reasonable because the property is located adjacent to both Cedar Point Boulevard and an accessible waterway making it an idea location for water dependent businesses, the smaller size of the property will prohibit heavy commercial use which is beneficial to the adjoining residential neighbors, the proposed rezoning will result in fewer allowable uses that are undesirable to adjoining residential uses, and use of commercial boats to access this property will assist in keeping access into and out of the canal open for neighboring property owners.

Tab 5 Deputy Report

Cedar Point Reported Calls

14 SEPTEMBER - 13 OCTOBER 2021

Nature of Call	Quantity
Domestic/Disturbance	15
911 Hang up	105
Alarm	21
Trespassing	7
Call By Phone	67
Vehicle Unlocks	2
Theft	5
Medical Calls	56
Fraud	5
Traffic Stop	101
Assist Motorists	0
Suspicious Persons	9
Follow Up/Admin	37
Animal Complaint	1
Harassment/Threats	4
Psychiatric	3
Damage to Property	6
Warrants	10
Drugs	0
Runaways	2
Burglary	2
Death	0
TOTAL:	452

