



**PROPOSED AGENDA
OAK ISLAND TOWN COUNCIL REGULAR MEETING
TUESDAY, NOVEMBER 14, 2023 – 6:00 PM
COUNCIL CHAMBERS - OAK ISLAND TOWN HALL**

CALL TO ORDER - Honorable S. Elizabeth White

INVOCATION AND PLEDGE OF ALLEGIANCE - Councilman Charlie Blalock

PUBLIC HEARING(S) AND ACTION

PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

Presentation of Oak Island Tree Canopy Assessment

[Oak Island - Tree Canopy Assessment Report](#)

Presentation -- Year-end Report on 2023 Paid Parking Program

ADJUSTMENT/APPROVAL OF THE AGENDA

PUBLIC COMMENT - GENERAL TOPICS & AGENDA ITEMS *Please state your name and address before addressing Council. Observance of the 3-minute time limit for Public Comments as described in Rule 4 (b) and 24 (2) (a) of the Council Rules of Procedure is appreciated. Written comments are also appreciated and should be submitted to the Town Clerk to be recorded in their entirety in the official Minutes. These may be given to the clerk following comments or via e-mail to lstites@oakislandnc.gov.*

COUNCIL REPORTS (MAYOR AND COUNCIL)

I. CONSENT AGENDA

I.1 Approval of Minutes

[090723TownCouncilMinutes](#)

[101023TownCouncilMinutes](#)

ITEMS REMOVED FROM CONSENT AGENDA, IF ANY

II. COMMITTEE APPOINTMENTS

II.1 Committee Appointment -- Par 3 Advisory Board (one unexpired term ending Jan 2025)

[Carl Steele](#)

II.2 Consideration of Appointment to the Board of Adjustment (to fill an unexpired term ending March 2025)

[Steve_Yuhasz](#)

II.3 Consideration of Appointment to the Environmental Advisory Committee (3 seats available, with terms ending in June 2024, June 2025, and June 2026)

[JewelaanMustard](#)

III. ADMINISTRATIVE REPORTS (TOWN MANAGER AND TOWN ATTORNEY)

Department reports are available on the Town's website at www.OakIslandNC.gov/DEPT

IV. OLD BUSINESS

IV.1 Consideration of Oak Island Honors Flag Program and Policy

[OakIslandHonorFlags_DRAFT policy_101723](#)

IV.2 Consideration of Amendment to Moffatt & Nichol Contract for Additional Data Collection (for Bureau of Ocean Energy Management study)

V. NEW BUSINESS

V.1 Consideration of Budget Ordinance Amendments

[Budget Amendments FY 2024 - Nov - From ARP](#)

[Budget Amendments FY2024 - Nov - From GF Fund Balance](#)

V.2 Consideration of Request for Proposals: Comprehensive Land Use Plan Update

[RFP_CompPlanUpdate2023](#)

VI. CLOSED SESSION to Consult with the Town Attorney to Preserve the Attorney/Client Privilege and to Discuss Specific Personnel Pursuant to N.C.G.S. 143-318.11(a)(3) and (6).

VII. ADJOURN

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT:	Presentation of Oak Island Tree Canopy Assessment
DATE:	November 9, 2023
DEPARTMENT:	Planning

Subject Summary: The Town of Oak Island was awarded a grant from the North Carolina Forest Service to have a Tree Canopy Assessment conducted by PlanIt Geo. The Canopy Assessment is complete and a final draft of the report is attached.

Representatives from PlanIt Geo will be presenting the findings to the Town Council.

Attachments:

[Oak Island - Tree Canopy Assessment Report](#)

TREE CANOPY COVER ASSESSMENT

OAK ISLAND,
NORTH CAROLINA
SEPTEMBER | 2023



Funding for this project was provided in part through an Urban & Community Forestry Grant from the North Carolina Forest Service, Department of Agriculture and Consumer Services, in cooperation with the USDA Forest Service, Southern Region.





7,093
ACRES OF CANOPY

59%
OF OAK ISLAND'S
LAND AREA WAS
COVERED WITH
CANOPY IN 2022

EXECUTIVE SUMMARY

BACKGROUND OF THIS ANALYSIS

Oak Island distinguishes as one of North Carolina's premier beach locations, situated along the Southeastern Coast of the state. This barrier island is celebrated for its networks of bicycle and pedestrian pathways, historical lighthouse, and the nesting and hatchlings of loggerhead sea turtles. Oak Island encompasses approximately 19.8 square miles, or 12,718 acres, within the jurisdiction of Brunswick County. It's urban forest serves as an invaluable addition to the rich natural environment, providing residents, businesses, and visitors with many environmental, social, and economic benefits. This assessment mapped tree canopy (TC), possible planting area (PPA), and analyzed how they are distributed throughout Oak Island's town boundary, zoning, right-of-way (ROW), and census block groups. Oak Island's urban forest is a valuable asset. **For the purpose of this report, total tree canopy refers to percentage of tree canopy coverage for the town's total land excluding water bodies.**

PROJECT METHODOLOGY

The results, based on 2022 imagery from the USDA's National Agriculture Imagery Program (NAIP), provide a near-current look at land cover in Oak Island and will allow the Town to revise existing and develop new strategies to protect and expand the urban

forest throughout both public and private lands. This study utilized modern machine learning techniques to create land cover data that are more reproducible and will allow for a more uniform comparison in future tree canopy and land cover assessments.

OAK ISLAND'S FORESTS

In 2022, Oak Island had 59% tree canopy cover and 23% possible planting area, and the other 18% of the town was classified as unsuitable for planting without significant land modification. The Town's total area, **including water bodies**, was categorized by 56% tree canopy, 2% shrubs, 21% non-canopy vegetation; 4% soil/dry vegetation; 12% impervious surfaces, and 6% water. The 7,093 acres of tree canopy in Oak Island provide ecosystem benefits valued at over \$2.6 million per year through air quality improvements, stormwater runoff prevention, and carbon sequestration.

Results from this assessment found that canopy cover changed from 50% to 59% from 2014 to 2022 (+9% or 1,113 acres) using the current town boundary. Regenerative growth of preexisting forest patches contributed the most to the town's canopy gain. The town's mainland extension is predominately forested, categorized by expansive, uninhabited woodlands. These sizable tracts are likely candidates for prospective developmental properties as the town undergoes inland expansion. Given these considerations, it becomes crucial to prioritize residential zones for canopy preservation in tandem with the Town's expansion.



Figure 1. The Town of Oak Island occupies approximately 19 square miles along the southeastern coast of North Carolina.

RECOMMENDATIONS

The findings from this analysis can serve as a foundation for crafting an ongoing plan to safeguard and enhance Oak Island's urban forest. This study revealed that the Town of Oak Island contains 7,093 acres of tree canopy. With 2,736 acres of possible planting area, Oak Island has the opportunity to continue to increase tree canopy coverage on both public and private property.

It is important for the Town to use this assessment to inform future investments in the urban forest so that all those who live, work, and play in Oak Island can benefit from the urban forest. The Town should proactively work to protect the existing urban forest and replenish the canopy with additional trees in new developments. Through management actions, strategic plantings, and protections for existing canopy informed by the TC and PPA metrics included in this report, the Town of Oak Island has an exciting opportunity to expand the quality and quantity of its current tree canopy for the benefit of future generations.



59%
TREE CANOPY
COVER



23%
POSSIBLE
PLANTING AREA



12%
IMPERVIOUS
SURFACE

Figure 2. Based on an analysis of 2022 high-resolution imagery, Oak Island contains 59% tree canopy, 23% areas that could support canopy in the future, and 12% impervious surface areas. Percentages based on land acres.

PROJECT

METHODOLOGY

Land cover, tree canopy, and possible planting areas were mapped using the sources and methods described below. These data sets provide the foundation for the metrics reported at the selected geographic assessment scales.

DATA SOURCES

This assessment utilized high-resolution (60-centimeter) multispectral imagery from the U.S. Department of Agriculture's National Agriculture Imagery Program (NAIP) collected in 2022 to derive the land cover data set. The NAIP imagery was used to classify all types of land cover.

MAPPING LAND COVER

The land cover data set is the most fundamental component of an tree canopy assessment. Tree canopy and land cover data from the EarthDefine US Tree Map (<https://www.earthdefine.com/treemap/>) provided a six class land cover data set. The US Tree Map is produced using a modern machine learning technique to extract tree canopy cover and other land cover types from the latest available 2022 and 2014 NAIP imagery. These six classes are shown in Figure 3 and described in the Glossary found in the Appendix.

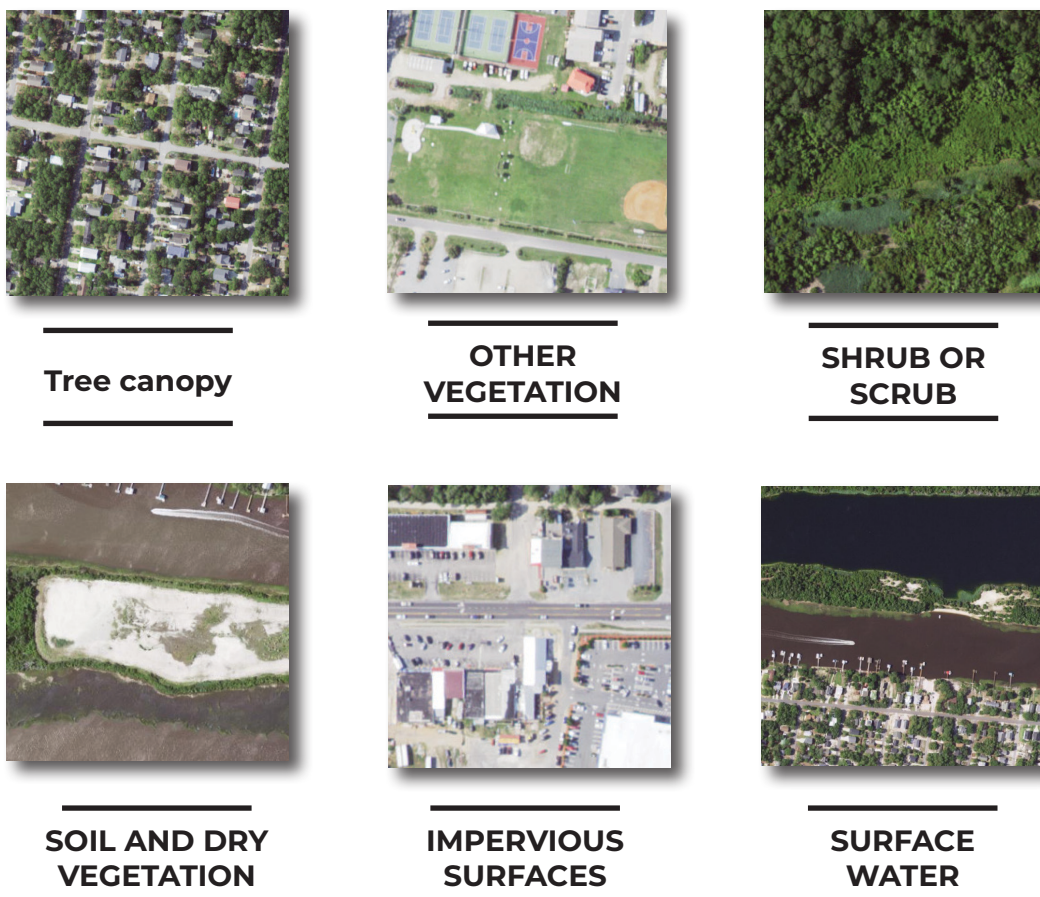


Figure 3. Six (6) distinct land cover classes were identified in the 2022 tree canopy assessment: tree canopy, shrubs, other vegetation, bare soil and dry vegetation, impervious surfaces, and water.

IDENTIFYING POSSIBLE PLANTING AREAS AND UNSUITABLE AREAS FOR PLANTING

In addition to quantifying the Town of Oak Island's existing tree canopy cover, another metric of interest in this assessment was the area where tree canopy could be expanded. To assess this, all land area in the Town of Oak Island that was not existing tree canopy coverage was classified as either possible planting area (PPA) or unsuitable for planting.

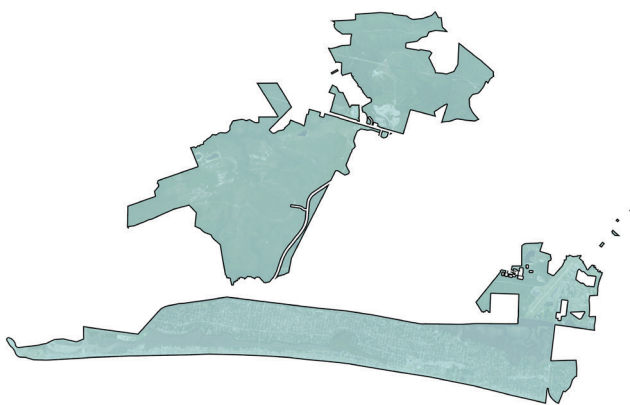
Possible planting areas were derived from the vegetation and shrubs layer. Unsuitable areas, or areas where it was not feasible to plant trees due to biophysical or land use restraints (e.g. golf course playing areas, recreation fields, utility corridors, airports, etc.) were manually delineated and overlaid with the existing land cover data set (Figure 4). The final results were reported as PPA Vegetation, Unsuitable Impervious, Unsuitable Vegetation, Unsuitable Soil, and Water.



Figure 4. Vegetated areas where it would be biophysically feasible for tree plantings but undesirable based on their current usage (left) were delineated in the data as “Unsuitable” (right). These areas included recreational sports fields, golf courses, and other open space.

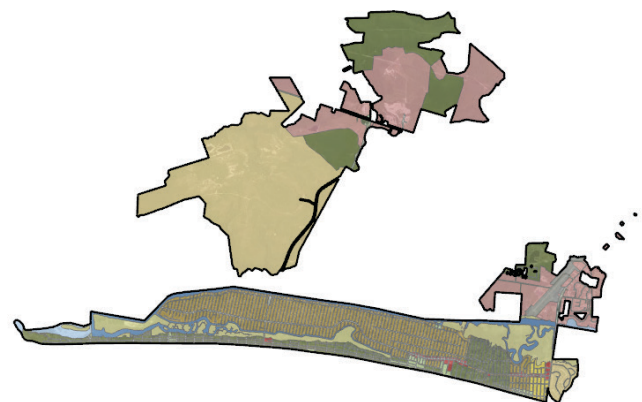
DEFINING ASSESSMENT LEVELS

In order to best inform Oak Island's various stakeholders, tree canopy and other associated metrics were tabulated across a variety of geographic boundaries. These boundaries include the town boundary, zoning, census block groups, public property, and parcels.



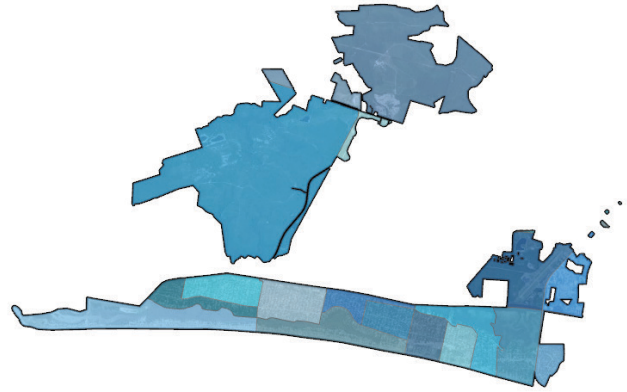
TOWN BOUNDARY

Oak Island's **town boundary** is the one (1) main area of interest over which all metrics are summarized.



ZONING

Thirteen (13) **zoning** types were analyzed to assess the impact of zoning ordinances and policy on a smaller scale.



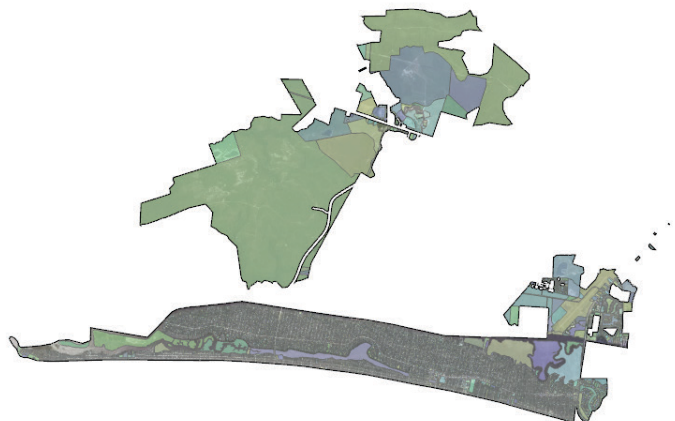
CENSUS BLOCK GROUPS

Twenty (20) **census blocks groups** were assessed to show relationships between canopy and sociodemographic factors, and highlight potential environmental justice issues.



PUBLIC PROPERTY

One hundred and forty (140) **public property** parcels were analyzed to determine how tree canopy differs on land owned by different public entities.



PARCELS

The smallest unit of analysis was **parcels**, of which there were over twelve thousand (12,607) total. This granular assessment level reveals hidden information that larger scales may show.

Figure 5. Five (5) distinct geographic boundaries were explored in this analysis: the Town boundary, zoning, census block groups, public property, and parcels.

STATE OF THE CANOPY AND

KEY FINDINGS

OK-R-6 (RESIDENTIAL) AREAS LOST 176 ACRES OF CANOPY
IN EIGHT YEARS.

OK-CLD (COMMERCIAL LOW DENSITY DISTRICT) ZONED
AREAS HAVE 530 ACRES OF POSSIBLE PLANTABLE SPACE.

OAK ISLAND GAINED 1,113 ACRES OF CANOPY FROM 2018
TO 2022.

OAK ISLAND'S TREES PROVIDE OVER \$2.5 MILLION IN ANNUAL
ECOSYSTEM BENEFITS.

+9% CANOPY CHANGE

23% PLANTABLE SPACE

59% TREE CANOPY

12% IMPERVIOUS

1% OF
TREE CANOPY
SHADES
IMPERVIOUS



This study mapped and quantified tree canopy, plantable space, and canopy change throughout the Town of Oak Island. These metrics help inform a strategic approach for identifying existing canopy to preserve as well as areas suitable to plant trees in the future. Tree canopy cover, possible planting area, and areas unsuitable for planting are represented as percentages of the Town's land area with bodies of water excluded.

TOWN-WIDE TREE CANOPY COVER

This tree canopy assessment utilized the land cover data as a foundation to determine tree canopy cover and possible planting areas (PPA) throughout the Oak Island. After assessing the Town's 12,001 land acres, 59% was found to be covered with canopy. Even though Oak Island's canopy covers over half the town, there is still space to plant more trees. There are still 2,736 acres available for tree planting opportunities. If the Town utilized 100% of its plantable space, it would theoretically have the potential to reach 82% tree canopy cover.

However, not all of the land area in town is feasible for trees. About 12% of the town is covered with impervious surfaces such as roads and parking lots. There is also another 6% composed of recreational sports fields, areas of bare sand and dry vegetation. Altogether, 18% of the town is not a good fit for trees.



Figure 7. Distribution of land cover throughout the town boundary.

Tree Canopy Potential in Oak Island

- Tree Canopy
- Possible Planting Area
- Unsuitable Area

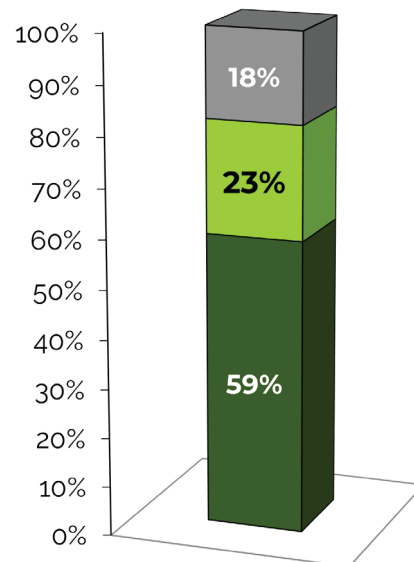


Figure 6. Tree canopy, possible planting area, and area unsuitable for tree canopy in Oak Island.

Town-wide Land Cover

- Non-Canopy Vegetation
- Soil and Dry Vegetation
- Impervious
- Water
- Tree Canopy
- Scrub/shrub
- Tree Canopy Over Impervious

TOWN-WIDE TREE CANOPY CHANGE

Over the 8-year study period, there was an overall increase in Oak Island's tree canopy. Tree canopy increased by 1,113 acres, a 9% raw increase from 2014 to 2022. However, it can be assumed that the tree canopy fluctuated throughout the eight-year study period. This assessment serves as a snapshot of the canopy at the time of imagery collection. Generally, most large losses of canopy can be traced back to development along Oak Island Drive. Canopy growth can be attributed to the growth of existing trees and natural regeneration. Current levels of tree canopy in Oak Island can continue to be improved with careful planning and planting efforts of native species.

Table 1. Tree canopy cover assessment results by acres and percent. (Percentages based on land acres.)

Study Area	Total Area	Land Area	2014 Tree Canopy		2022 Tree Canopy		Canopy Change	
	Acres	Acres	Acres	%	Acres	%	Acres	%
Oak Island	12,718	12,001	5,980	50%	7,093	59%	1,113	9%

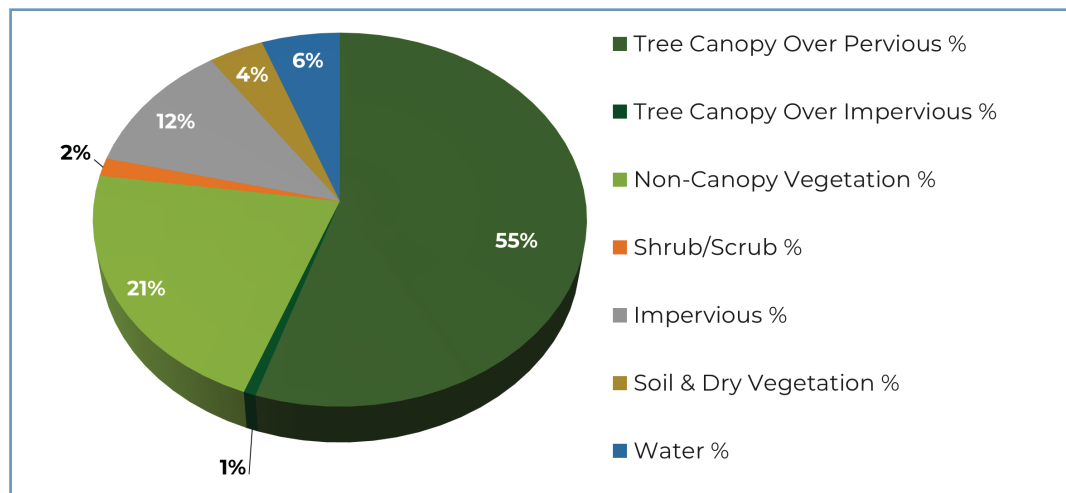


Figure 8. Distribution of land cover (percentages based on total acres including water bodies).

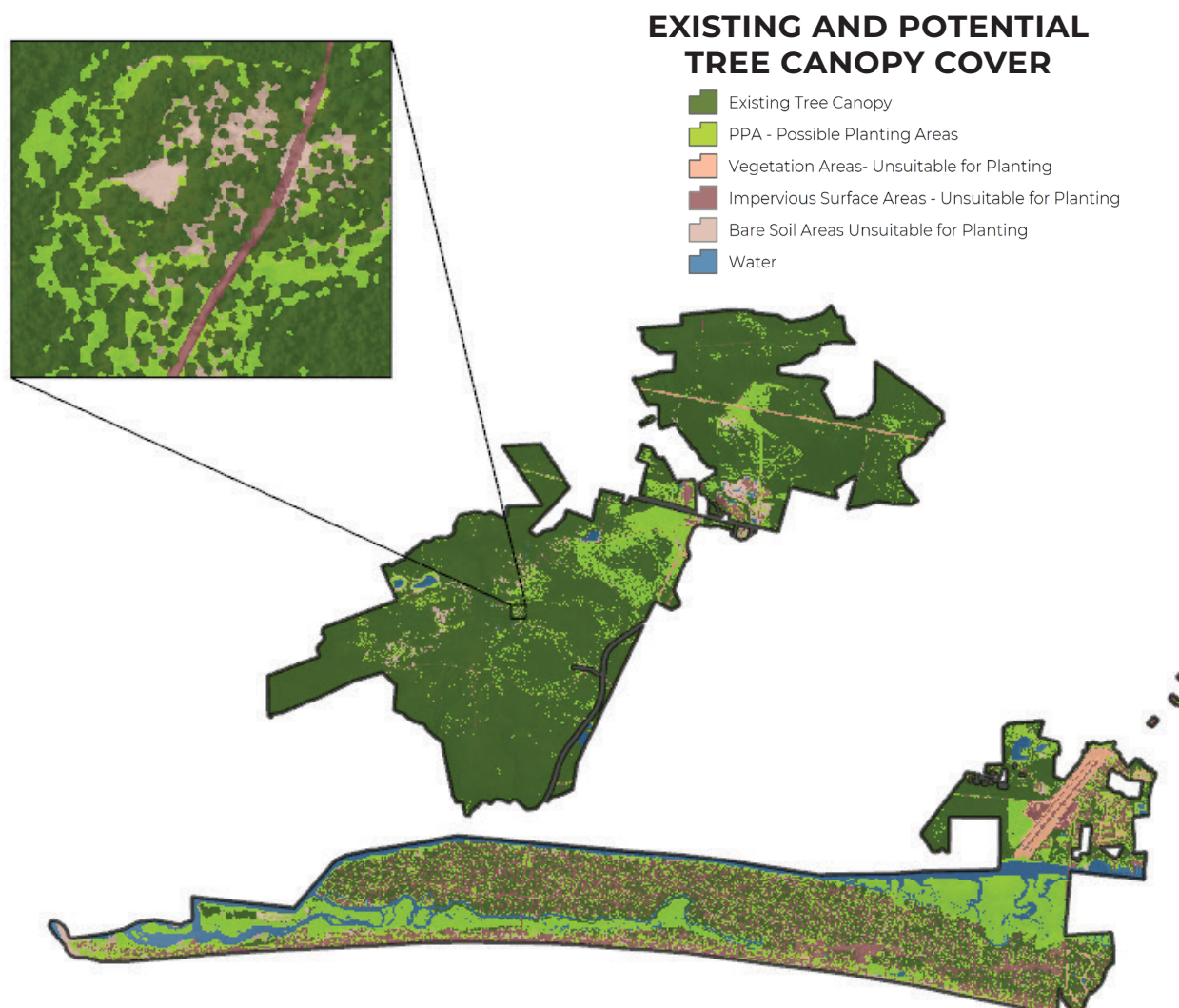


Figure 9. Distribution of existing and potential tree canopy cover throughout the Town.

TREE CANOPY COVER BY ZONING

Tree canopy and PPA were assessed for Oak Island's 14 zoning types. A majority of the town area falls under two categories: OK-R-20 (Low Density Residential District) and OK-CLD (Commercial Low Density District) with 21% and 32% of land area respectively. Remarkably, Low Density Residential District contained almost half (46%) of all the tree cover on Oak Island, featuring an impressive 90% canopy cover within its own boundaries. However, this extensive canopy is largely attributed to the expansive undeveloped forested areas situated on the mainland. Given these circumstances, protective ordinances and strategic collaborations with property developers should be prioritized to safeguard these forested areas.

The areas zoned for OK-R-7 (Medium Residential District) and OK-R-20 (Low Density Residential District) saw about a 20% increase in tree canopy cover (19% and 18% respectively). OK-CLD (Commercial Low Density District) areas added a significant 271 acres.

Only two zoning types exhibited significant losses in canopy. OK-R-6 (Residential District) areas lost 176 acres, or 11% of its tree canopy cover in 8 years. These losses occurred in developments along East Oak Island Drive. OK-R-6MH

(Higher Density Residential District) also lost 11% of its trees, dropping its canopy cover from 60% to 49% during the study period. All other zoning types had small changes, gaining or losing less than 10 acres of trees.

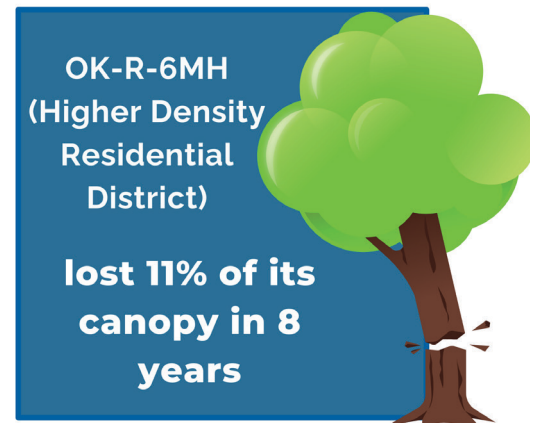
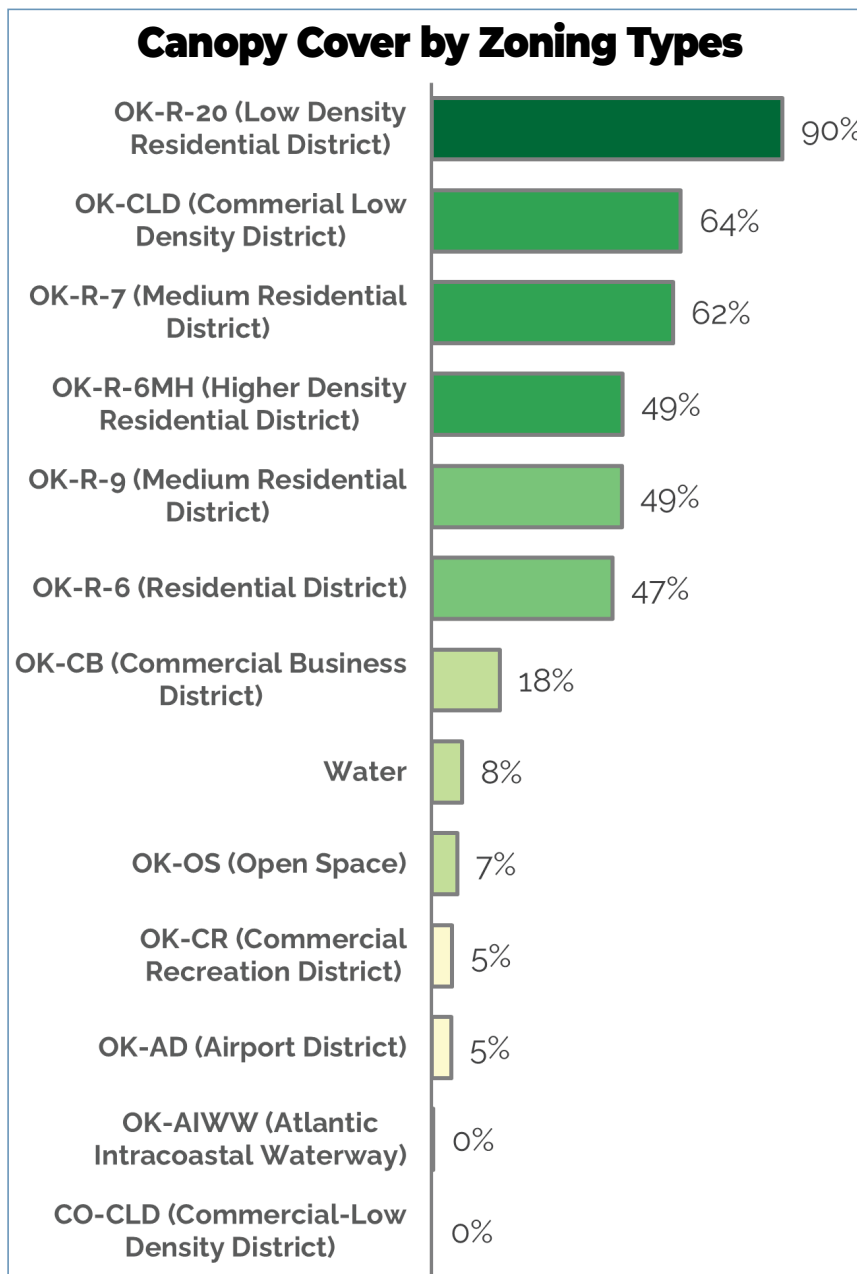


Figure 10. Tree canopy percent by zoning.

TREE CANOPY CHANGE BY ZONING (ACRES)

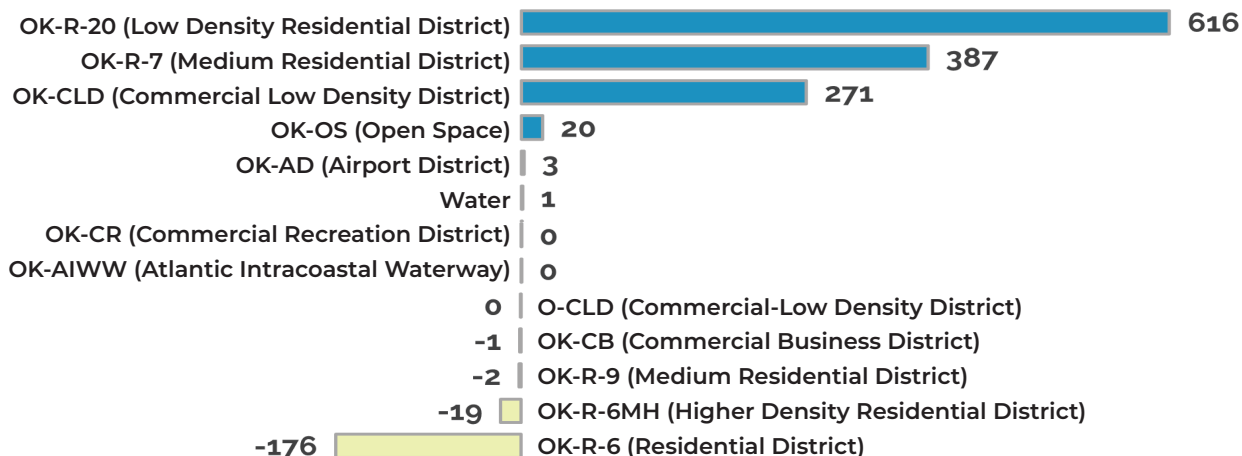


Figure 11. Tree canopy change percent by zoning in Oak Island from 2014-2022.

Table 2. Tree canopy coverage, potential planting area, and tree canopy change by zoning districts.

Zoning Districts	Total Area	Land Area	2022 Tree Canopy		2022 PPA		Canopy Change	
	Acres	Acres	Acres	%	Acres	%	Acres	%
OK-R-20 (Low Density Residential District)	3,514	3,489	3,153	90%	212	6%	616	18%
OK-CLD (Commercial Low Density District)	2,342	2,307	1,481	64%	530	23%	271	12%
OK-R-7 (Medium Residential District)	2,098	2,071	1,288	62%	459	22%	387	19%
OK-R-6MH (Higher Density Residential District)	175	175	86	49%	42	24%	-19	-11%
OK-R-9 (Medium Residential District)	85	85	42	49%	19	22%	-2	-2%
OK-R-6 (Residential District)	1,551	1,543	721	47%	332	22%	-176	-11%
OK-CB (Commercial Business District)	78	78	14	18%	17	22%	-1	-1%
Water	552	96	7	8%	83	87%	1	1%
OK-OS (Open Space)	911	849	56	7%	775	91%	20	2%
OK-CR (Commercial Recreation District)	87	87	5	5%	26	30%	0	1%
OK-AD (Airport District)	150	150	8	5%	11	7%	3	2%
OK-AIWW (Atlantic Intracoastal Waterway)	135	40	0	0%	24	61%	0	0%
CO-CLD (Commercial-Low Density District)	1	1	0	0%	1	66%	0	0%

TREE CANOPY COVER BY PUBLIC PROPERTY

The assessment was also conducted within the Town's public property parcels. This metric helps quantify trees managed and maintained by the town. These 140 public property parcels, were predominately situated in proximity to the Intracoastal Waterway and its floodplain. The trees present in a riparian corridor (areas surrounding rivers and streams) provide many benefits. These benefits range from removing microscopic pollutants, intercepting and absorbing stormwater, and providing shade to regulate aquatic temperatures to name a few.

Tree canopy across these public tracts constituted a mere 12%-considerably less than the town-wide average of 59%. Although, 80% of this layer was deemed suitable for future tree plantings, planting trees or other vegetation near the Atlantic Intracoastal Waterway comes with many challenges. These areas may not be viable planting sites because the lands are controlled by the federal or state government, or because they are often inundated by tides. It is important to ground truth these areas before planning planting events.

Coastal areas present unique challenges for vegetation due to salt spray, sandy soils, inundation from tides, and frequent storms. However, certain tree species are well-adapted to thrive in these conditions along the coast of North Carolina.



Most instances of canopy loss occurred in parcels along SE 48th Street and developments surrounding the Oak Island Par 3 Golf Course on the eastern side of town. However, these changes were minor, the largest loss of canopy in a single area did not exceed 1.5 acres. Conversely, the most significant canopy increase (14 acres) was observed on the land mass between the Intracoastal Waterway and the Montgomery Slough (Figure 12). Significant canopy gains also occurred behind the water tower near Davis Creek Kayak Dock. These areas of growth can be attributed to natural regeneration and flourishing existing canopy.



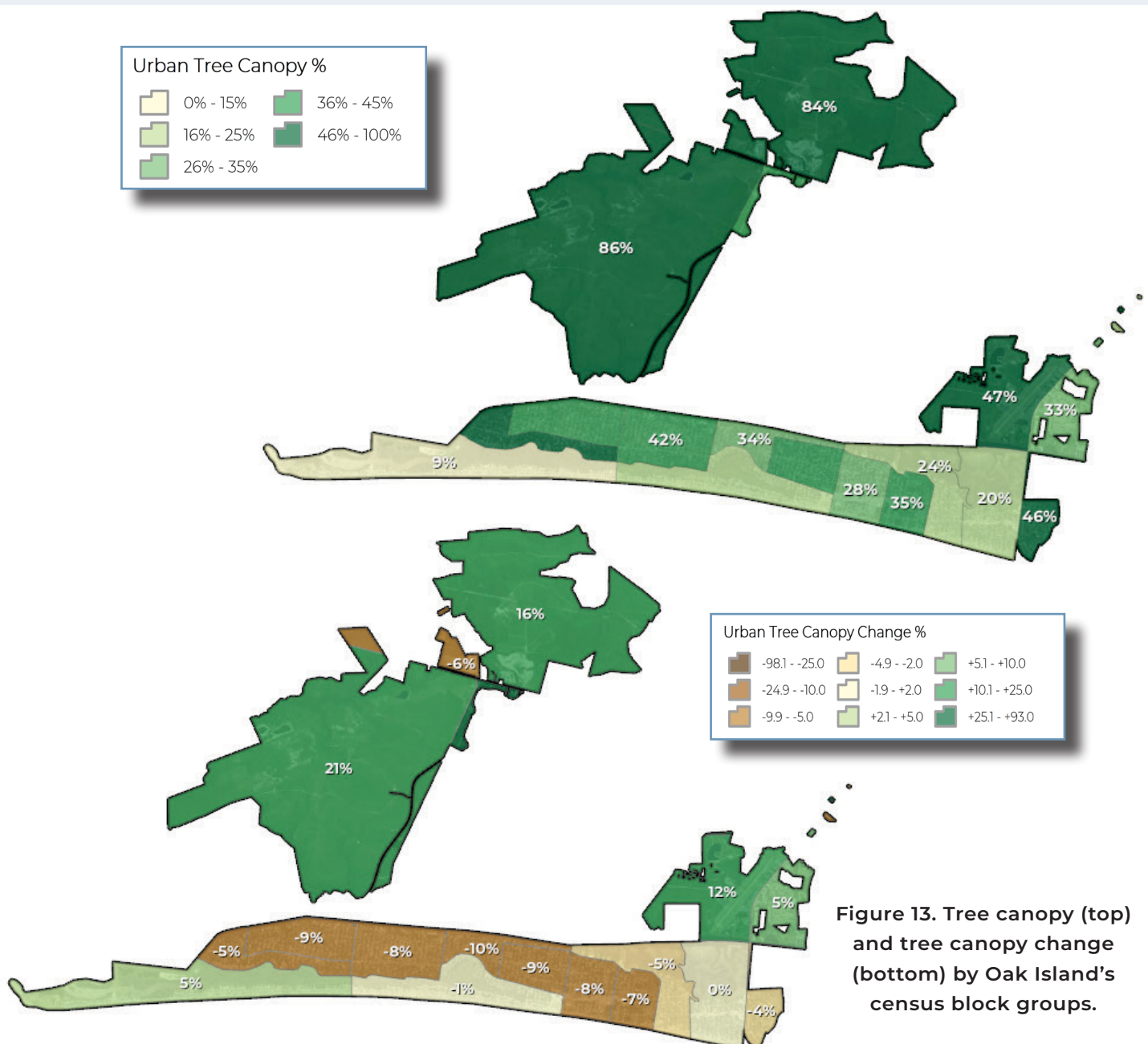
Figure 12. Tree canopy cover in Oak Island's Intracoastal Waterway.

TREE CANOPY BY CENSUS BLOCK GROUPS

TC and PPA were also assessed at the census block group level. Census block groups contain clusters of census block boundaries. This is the second smallest geographic unit of measure at which the U.S. Census publishes statistical data within a state and represents between 600 and 3,000 people. Census block groups are particularly valuable for assessing the equitable distribution of tree canopy throughout the town, as the block groups are linked to readily available demographic and socio-economic data. Results indicated that canopy cover varied substantially throughout Oak Island's 20 census block groups, as seen in Figure 13.

The census block group in the northern part of the town has the largest canopy cover, at 84%. However, most areas (7 out of 20) have between 40-50% canopy cover. The block groups with the least amount of tree cover can be found along the coast.

Over the last eight years, 13 out of 20 census block groups lost some of their tree cover. The area that lost the most canopy acres can be found between N Middleton Ave and Highway 133 along E Oak Island Dr. This block group lost 38 acres or 8% of its canopy. On the other hand, the northern portion of the town saw a large increase in tree cover - up to 21% in one block group. This area gained 814 acres of canopy in just 8 years.



TREE CANOPY BY PARCELS

Tree canopy cover and PPA were assessed for the town's 12,607 individual parcels. Short of quantifying every individual tree, this unit of measure provides the finest possible scale at which to interpret the results, defining TC and PPA metrics for every parcel within the town boundary. Only 11% of the Town's parcels had a tree canopy cover of 10% or lower. However, 88% of parcels met or exceeded the town-wide average of 59%. 10,971 parcels were entirely covered by canopy while 1,410 had no canopy at all. At 24%, the average canopy cover of all parcels fell short of the town-wide average of 36%. For the full tree canopy results by parcel, refer to the Parcels shapefile in a GIS software.

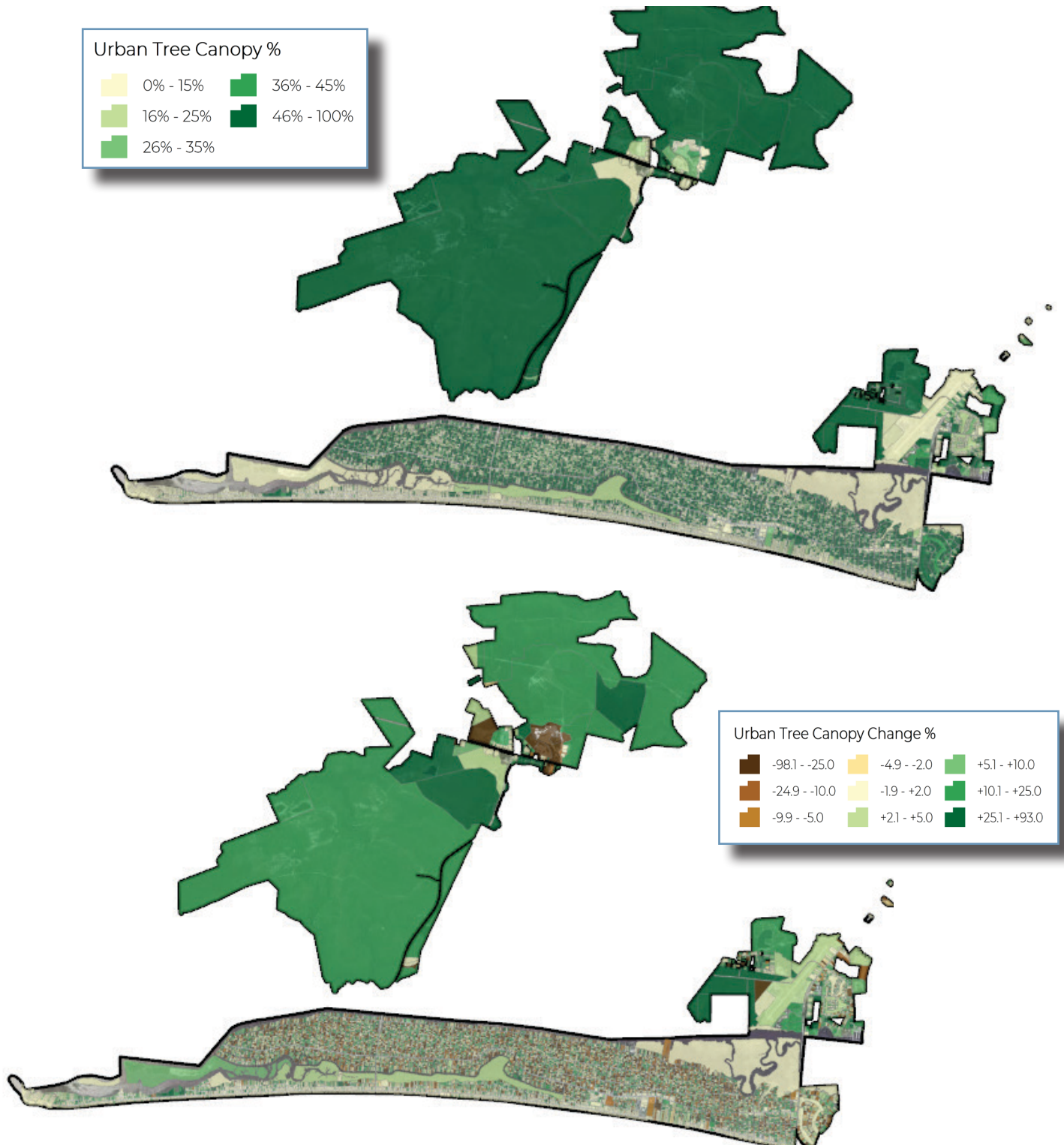


Figure 14. Tree canopy (top) and tree canopy change (bottom) by parcels.

ASSESSMENT OF ECOSYSTEM BENEFITS

Using the best available science from i-Tree tools, values were calculated for some of the benefits and functions provided by the tree canopy in Oak Island, North Carolina. The following values were calculated using the USDA Forest Service's i-Tree Landscape tool with Oak Island's total acres of tree canopy as the input data.

AIR QUALITY

Trees produce oxygen, indirectly reduce pollution by lowering air temperature, and improve public health by reducing air pollutants which cause death and illness. The existing tree canopy in Oak Island removes approximately 610,309 pounds of air pollution annually, valued at over \$587,790.

STORMWATER AND WATER QUALITY

Trees and forests mitigate stormwater runoff which minimizes flood risk, stabilizes soil, reduces sedimentation in streams and riparian land, and absorbs pollutants, thus improving water quality and habitats. The tree canopy in Oak Island absorbs almost 47 million gallons of water per year. Extrapolated county wide, this means that Oak Island's existing canopy provides over \$418,800 million annually in stormwater benefits

CARBON STORAGE AND SEQUESTRATION

Trees accumulate carbon in their biomass; with most species in a forest, the rate and amount increase with age. The trees of Oak Island store approximately 229,500 tons of carbon, valued at over \$39.1 million, and each year the tree canopy absorbs and sequesters 9,072 tons of carbon dioxide, valued at over \$1.5 million.

Ecosystem Benefit Values of Oak Island's Tree Canopy

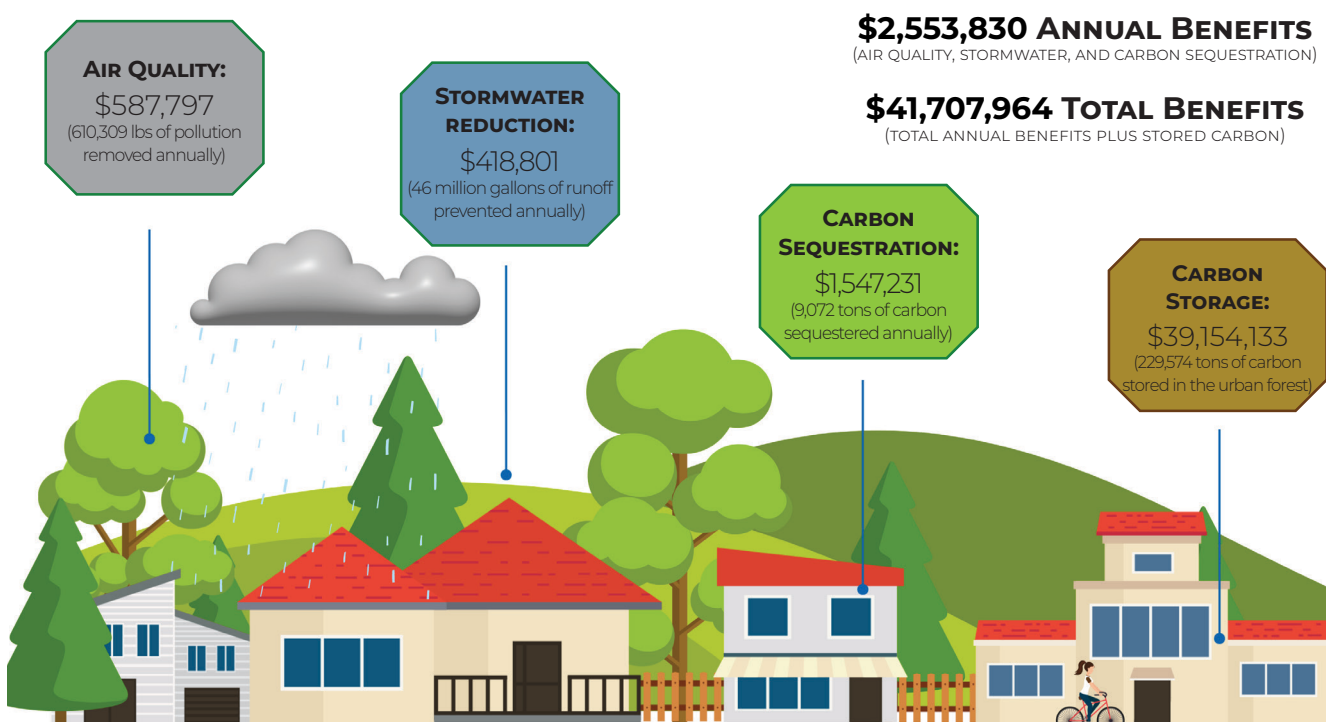


Figure 15. Ecosystem service benefits of Oak Island's canopy cover.

TREE PLANTING PRIORITIZATION

Increased tree canopy cover can provide a wide array of benefits to a local community and its residents and visitors. To locate specific areas in need, socioeconomic data from the US census bureau was downloaded and analyzed at the census block group scale. Rankings are sorted from high (dark blue) to low (light yellow), so areas that contain higher home values were denoted in yellow and areas that have houses that cost relatively less were highlighted in dark blue



Median Home Value: Mature trees can increase home and property values. This criteria highlights areas with lower median home value.



NatureScore™: NatureScore, created by NatureQuant, is a measure of nature and human health created through the use of machine learning to identify correlations between environmental data sets and health conditions. Through these correlations, NatureScore determines what beneficial nature is, where it is present, and where it is lacking. This criteria highlights areas with less access to nature.

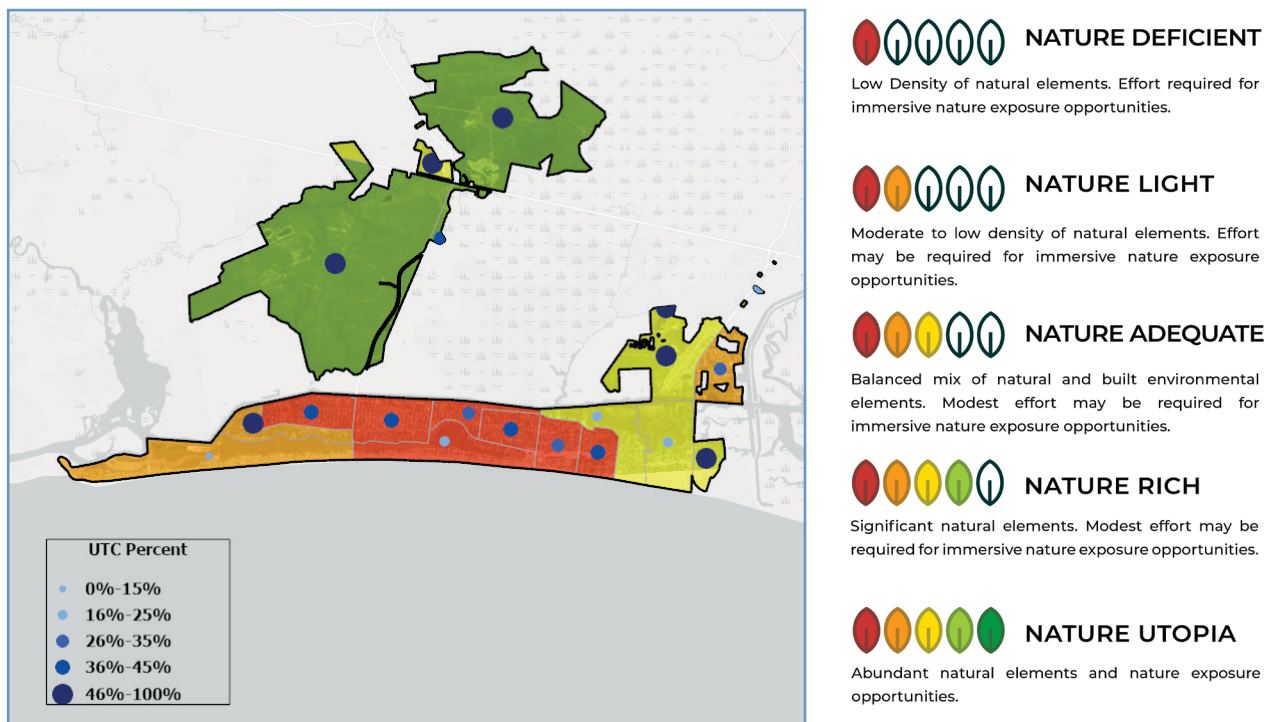
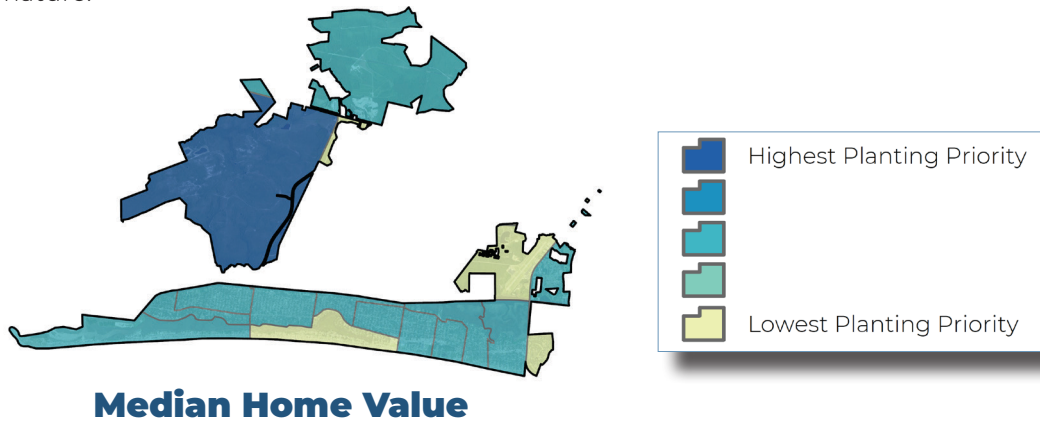


Figure 16. Census block group prioritization by median home value (top) and NatureScore™ (bottom).

Table 4. Prioritization scores by census block groups.

	People of Color Populations (%)	Median Household Income (\$)	Median Home Value (\$)	Poverty Rate (%)	NatureScore™
37-019-020204-2	12	32,418	211,500	46	73
37-019-020304-3	1	114,958	416,200	5	60
37-019-020304-4	6	N/A	416,200	27	50
37-019-020304-5	4	78,000	416,200	33	59
37-019-020305-2	18	44,297	221,000	31	36
37-019-020305-3	13	65,625	221,000	9	8
37-019-020308-1	6	101,042	292,200	10	35
37-019-020308-2	6	63,750	292,200	45	14
37-019-020308-3	N/A	87,857	292,200	12	23
37-019-020312-3	N/A	64,259	N/A	N/A	75
37-019-020313-1	3	88,333	233,500	20	9
37-019-020313-2	N/A	65,833	233,500	16	11
37-019-020313-3	N/A	91,477	233,500	20	11
37-019-020314-1	7	63,351	477,500	17	8
37-019-020315-1	N/A	67,101	289,800	22	7
37-019-020315-2	8	N/A	289,800	37	14
37-019-020315-3	3	69,485	289,800	14	45
37-019-020315-4	N/A	56,786	289,800	40	52
37-019-020316-1	5	125,795	416,700	10	54
37-019-020406-3	3	89,583	385,000	8	N/A
37-019-020603-1	19	56,786	216,000	40	60

CONCLUSIONS AND RECOMMENDATIONS

Oak Island has demonstrated that it values its natural resources and wants to maintain a healthy and sustainable urban environment. Recurring assessments of the Town's tree canopy represent important steps in ensuring the long-term health of its local canopy. As the Town grows, it will be able to use these data to ensure that its canopy policies and management practices prioritize its maintenance, health, and growth. An even greater percent of canopy cover can be achieved with proper planning, investment, and care of existing trees. The Town should continue to monitor the health of the local forest and implement the following recommendations to ensure the canopy is considered during future town planning and development to sustain and enhance the benefits that trees provide to the community.



LEVERAGE THE RESULTS OF THIS ASSESSMENT TO PROMOTE TREE CANOPY

Encourage investment in urban forest monitoring, maintenance, and management; prepare supportive information for local budget requests/grant applications; help establish new canopy cover goals; engage the community and develop an urban and community forest plan to guide the management, conservation, and renewal of the Town's trees; repeat assessment at least every five years to track progress towards goals.

IDENTIFY AREAS TO PRIORITIZE CANOPY EXPANSION

Plantable space in the right-of-way is often found close to high concentrations of impervious surfaces. The Town of Oak Island can develop a proactive street tree maintenance program to take on the responsibility of planting and managing street trees, ensuring healthy trees are distributed equitably across the town. Planting near the coast can mitigate noise and light pollution that can disturb the nesting practices of loggerheads and other native turtles species.



DEVELOP OUTREACH PROGRAMS TOWARDS PRIVATE LANDOWNERS

Community outreach and education programs can better inform citizens and private landholders of the environmental, health, social, and financial benefits that trees provide. Tree canopy in Oak Island provides over \$2.5 million in annual ecosystem service benefits. Tree giveaways, tree planting programs, and tree maintenance events can help to promote new tree plantings.

FOCUS NEW PLANTINGS IN HIGH PRIORITY AREAS

This report and the State's TreePlotter CANOPY application can be used to locate priority areas based on tree canopy cover, available planting space, socio-demographic factors, and nature accessibility. Efforts should focus on outreach to the residents of these neighborhoods, as well as local business and land owners, in order to promote new tree plantings and continued maintenance of existing trees.



SEPTEMBER | 2023

TREE CANOPY COVER
ASSESSMENT
OAK ISLAND, NORTH CAROLINA



Funding for this project was provided in part through an Urban & Community Forestry Grant from the North Carolina Forest Service, Department of Agriculture and Consumer Services, in cooperation with the USDA Forest Service, Southern Region.

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT: Approval of Minutes
DATE: November 9, 2023
DEPARTMENT: Administration

Subject Summary: Approval for Minutes of the following meetings is recommended:

- September 7, 2023 (Regular Meeting)
- October 10, 2023 (Regular Meeting)

Attachments:

[090723TownCouncilMinutes](#)

[101023TownCouncilMinutes](#)

MINUTES
TOWN COUNCIL REGULAR MEETING
THURSDAY, SEPTEMBER 7, 2023 - 6:00 PM
COUNCIL CHAMBERS - OAK ISLAND TOWN HALL

Present: Mayor S. Elizabeth White, Mayor Pro Tempore John W. Bach, Council members Charlie K. Blalock, Bill Craft, and Mark U. Martin, Town Manager David Kelly, Town Attorney Brian Edes, and Town Clerk Lisa P. Stites MMC. Councilman Bell was sick and not able to be present.

Mayor White called the meeting to order at 6 p.m. Councilman Blalock gave the invocation and led the Pledge of Allegiance.

PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

Presentation -- U.S. Army Corps of Engineers: This presentation will be heard at a future meeting.

Department Report/Presentation -- Fire Chief Lee Price: Chief Price gave a presentation about the Fire Department, the staffing, the number of calls the Department has handled this year, the equipment the Department uses and future needs. A copy of the report is attached and is hereby made a part of these Minutes. Chief Price also spoke about the new service the Department is providing with patrols and a new personal watercraft to make ocean rescues. Assistant Chief Chris Sillings spoke about the new truck the Department acquired. Chief Price next addressed call statistics, including overlapping calls. He also spoke about existing programs and others they'd like to add. Mayor Pro Tempore Bach asked the Chief how he would suggest increasing staff; Chief Price said it should be done gradually so it wouldn't be a big hit all at once. Answering another question from Mayor Pro Tempore Bach, Chief Price said that the way to decrease response times would be to add a fourth station on the mainland in the Williamson tract/Pine Forest area. He said the Department could build for that growth incrementally, so it's not felt all at one time. Mayor Pro Tempore Bach asked what could be done to control costs. Chief Price said that they need to refocus spending, such as no longer maintaining and replacing specialized equipment that was not being used. Councilman Craft asked if the surrounding departments always sent personnel and equipment, and Chief Price said they did. Answering a question from Councilman Craft, Chief Price said that there were areas of Pine Forest that is outside the Department's 5-mile radius, which affects the ISO rating. Mr. Kelly said that the Town has residents in Pine Forest who are outside our Department's radius, so we would have to build a new station to bring those residents in. Mr. Kelly said that we could hopefully work out something with the St. James Fire Department temporarily. Chief Price said they do need a mainland fire station, but the timing was something they'd have to work out. Chief Price also explained what kinds of calls the Department answers. Councilman Martin asked if the Town had approached the County about helping to finance a fourth station since it would be providing mutual aid. Mr. Kelly said that staff had spoken with County staff about the County hosting an ambulance in a Town mainland facility and including room for fire and police. He said the County was open to those discussions. Mr. Kelly said that the Town had also reached out to Rep. Charlie Miller to see if the State could offer assistance as well.

Department Report/Presentation -- Police Chief Charlie Morris gave a presentation on the activities of the Department. A copy of the presentation is attached and is hereby made a part of these Minutes. Chief Morris read his message from the Department's annual report. Chief Morris said that thanks to the work they've done with recruiting, they can now focus more on development and training for current employees. A police officer must have 26 hours in training, and there are continuing education and recertification requirements, he said. Chief Morris discussed equipment upgrades the Department had implemented, such as Computer Aided Dispatch (CAD) and a new record keeping program. The Chief also spoke about some internal administrative activities, including updating the entire policy manual and doing a complete review of employee training records to ensure requirements are being met. The training

room has also been upfit to serve as the Town's EOC. Chief Morris also spoke about the Department's efforts in traffic enforcement. He also spoke about the traffic monitoring safety program, saying it was a video monitoring safety camera, not a license plate reader program. He also reviewed statistics and calls for service, and said the Department's off season was really only January through March. Chief Morris also discussed how the Department was looking forward, such as working toward accreditation and going electronic in providing fingerprinting services. Mayor Pro Tempore Bach said that besides a recruitment strategy, he hoped the Chief had a retention strategy as well. Mayor Pro Tempore Bach also said from the communication he sees, the complaints are about low-speed vehicles. He said he also hears complaints about dogs off leash on the beach, so he was glad to see more enforcement. Councilman Martin also spoke about the need for retaining officers. Councilman Blalock said he was proud of the work the Chief had done, especially with community outreach. Councilman Craft said that crime was down, and asked what the Chief would attribute that to; the Chief said he believed it was due to police presence and visibility, and also involvement from the community. Answering a question from Councilman Craft, Chief Morris explained the traffic calming policy, which the Department uses to evaluate complaints about speeding, etc. in specific areas. Chief Morris also said he appreciated the support from Council, the good working relationships the Town departments have, and the work his Department was doing.

Proclamation -- Constitution Week: Mayor White read the Proclamation.

Council took a brief recess from 7:38 p.m. to 7:48 p.m.

ADJUSTMENT/APPROVAL OF THE AGENDA: Mayor Pro Tempore Bach removed the parking contract amendment from the Consent Agenda. Ms. Stites asked Council to add a New Business item for Application to the Golden Leaf Foundation for Grant Funding. She also noted that the agenda memo listed all three contracts for Moffatt & Nichol but that the agenda document listed two. **Mayor Pro Tempore Bach made a motion to approve the agenda as amended, Councilman Craft seconded the motion, and it passed unanimously.**

PUBLIC COMMENT - GENERAL TOPICS & AGENDA ITEMS

Mayor White reviewed some of the Public Comment Rules, asking everyone to keep to three minutes and to be respectful. She said allegations without fact were simply allegations and she believed Council deserved respect for the work they do. Mayor White asked Council to return that respect to the public. Mr. Edes said that he was asked to remind the public that under Rule 8 under Public Comments (from Council's Rules of Procedure), speakers not allowed to talk about any candidacy for office.

Ron Shuster, 3100 Marsh Grove Lane #3213: Mr. Shuster said he had lived at The Preserve for more than 10 years, and he had served as the Homeowners Association's Treasurer for six years. He said he was speaking in favor of The Preserve development plan. He said that Liberty would be a good addition to the development. Mr. Shuster said he had worked with the developer on an easement issue and found him to be open and transparent. He said developers had addressed some of the residents' concerns. He said while they value different opinions, it was crucial to recognize that Liberty owns the land in question and has every right to develop it within the bounds of the law and Town ordinances. Mr. Shuster said that the plan was for 62 units, and though there was a question regarding cottages that were partially located in a wetland area, he didn't think that was a reason to reject the entire site plan. He said Liberty could offer an alternate plan that included even more units, or they could sell the land to a less-desirable developer. Mr. Shuster said that Liberty was a 150-year-old company based in Wilmington that has a proven track record. He asked Council to approve the site plan.

Jim Carter, President of The Preserve HOA: Mr. Carter said that as individuals, all of the HOA board members were in favor of the site plan. He said they were not speaking for the membership because they had not taken a survey. Mr. Carter said the Liberty developers had been very cooperative, in spite of the residents' weak position in negotiations. He said they would have loved to have that property stay as is forever, but they realize that won't happen and that something would be built there. He said the HOA board members were pleased that Liberty bought that property. He said they were committed to maintaining that harmonious relationship with Liberty through construction.

Ron Herald, Unit 4304 in The Preserve: Mr. Herald said good neighbors -- really? He said it took Dara Royal to out Liberty for designing on wetlands that weren't part of the initial Conditional Use Permit. He asked if misleaders were good neighbors and said this wasn't the only thing Liberty was trying to perpetrate onto Town Council Mr. Herald quoted from the June 10, 2014 Town Council Minutes. Mr. Herald said as part of the Special Use Permit, a Declaration was created, and it referred to residences, not rentals. Mr. Herald said Liberty's plan was outside of the scope of the Town's Council's modification. Mr. Herald said that having rentals would decrease the other property values. Mr. Herald said as a homeowner, he would be sorely disappointed if the Council goes down in history having approved a 35 to 50 unit rental resort within a deeded premier condominium development.

Paula Curran: Ms. Curran said The Preserve residents recognize that development was inevitable, but they wanted good neighbors. She said they wanted to see the property developed in a way that was equitable and desirable. She said there had been a lot of talk historically about 35 units or 50 units and who knows. She said the Town Planning Department recommended approval of developing the wetlands as a small change, and in her opinion, it was not a small change and approval was obtained in a questionable manner and should have never happened. She said this property was in a FEMA flood zone. She said ownership means continuity, dedication, paying taxes, and the community of homeowners welcomes Liberty but said she would rather see Liberty sell the units than rent them.

Elise Snavelly, 7104 E. Oak Island Drive and member of the Environmental Advisory Committee: Ms. Snavelly gave an update on the living shoreline project at Veterans Park. There have been two cleanup events and a third is scheduled for next week.

Terri Cartner, 101 SW 23rd Street and Chairman of the Planning Board: Ms. Cartner said the Planning Board was working through the Table of Uses as directed by Town Council. She said there were 47 instances where "S" (special use designation) was listed. As a point of reference, the City of Southport has 14 such designations. With the help of the Planner, the Board was also working through consolidation of or drafting better definitions for the categories and uses. The City of Raleigh has five categories and 97 uses, and Oak Island has 11 categories and 253 uses. She said that progress was slower than anyone would like, but they were trying to be deliberate in their work. She said they were also working on definitions and supplemental regulations. Ms. Cartner said that the Board would welcome the opportunity to work with the Planner on the format used to bring items to Council. She said the American Planning Association provided a great outline for that.

Glenn Baker, 110 NE 16th Street: Mr. Baker said the mission of the Oak Island Civic Alliance was to inform Oak Island citizens what was going on in the Town government. He said he was here to speak again about overdevelopment on Oak Island. Mr. Baker asked Council to give an update on the Williamson tract. He asked if the project was still on tract and when the developers would present their Development Agreement proposal, what the current zoning was for the tract, and if Council was aware that the developers rescinded their CAMA proposal. He asked if Council supported a U.S. Army Corps of Engineers Environmental Impact Study and St. James Mayor Jean Toner's request for an EIS. Regarding

The Preserve, Mr. Baker said it overdevelopment of the earlier zoning agreement by 10 to 12 homes was discovered. He said he sees that as a major change that requires review by the Planning Board and approval by Town Council. He said this was not the open and transparent town government that they all want. Mr. Baker asked Council to not approve the Liberty project at The Preserve, to declare this overdevelopment as a major change, to send it back to the developers for reworking and another zoning change. He said if Council declared it a minor change, the public was owed an explanation of how the zoning ordinance would allow exceeding as a minor change. He said Town Council should not play victim to the UDO.

Robert Hoffee, 2100 Marsh Grove Lane in The Preserve: Mr. Hoffer said he had two major concerns about the Liberty project. One of the concerns was loss of habitat. He said in the first plan presented in June, the building was to be 8,400 square feet, but the August plan showed it reduced by a story with parking around it, so the overall was more than 12,000 square feet. He said it was a 50 percent increase in the building footprint and the parking. He said the other concern was drainage and destruction of the wetlands.

COUNCIL REPORTS (MAYOR AND COUNCIL)

Councilman Craft complimented Town staff for hurricane preparedness efforts. He also said paid parking would end September 30 and that Council would be discussing it in November, and he asked everyone to provide input to Council members. He also said he'd received a compliment about the Town's Utility Department staff's response to a problem.

Mayor Pro Tempore Bach congratulated Mayor White on the award she received this evening. He also thanked the citizens who took the time to fill out the UDO Table of Uses survey. He also asked citizens to provide feedback regarding parking.

Mayor White also complimented staff for the work to prepare for the storm. She said that she served as a judge at the Dutchman Dinghy Dash and also read books to children at various events.

I. CONSENT AGENDA (none)

ITEMS REMOVED FROM CONSENT AGENDA, IF ANY

I.1 Considerations of Amendments to Contract with Otto Connect ([Otto-Oak Contract Amendment](#))

Mr. Kelly said that paid parking was a work in progress, and that when the program started, they knew there were still many items to look at, such as the number of resident decals issued, working with a vendor to collect fines, etc. Mr. Kelly said that Labor Day put the Town's revenues at more than \$1 million. Mr. Kelly also reviewed some of the issues that came up during the season and some of the improvements made to the parking app. He said no decisions had been made for next year's fees or how many passes will be sold, etc. and that would be discussed prior to the next season. Mayor Pro Tempore Bach said that Council had also not decided how to use parking revenue yet. **Mayor Pro Tempore Bach made a motion to approve the contract amendments. Councilman Blalock seconded, and the motion passed unanimously.**

II. COMMITTEE APPOINTMENTS

II.1 Consideration of Designating One of the Newly Appointed Planning Board Members as the Extra Territorial Jurisdiction (ETJ) Member

Ms. Stites explained that since the Town has an ETJ area on the mainland, not the Williamson property or any property that is part of the Town, and that means that the Town has planning jurisdiction over some mainland areas, mainly part of the Sea Watch community. The Town is required to have an ETJ representative, but since there are no residents in the ETJ, and Oak Island resident can fill that position. She said the process had always been to have Council select a name and to provide that name to the County for conformation. She said typically that was done when the Planning Board member was selected, but it was not part of last month's agenda. She said that it needed to be one of the newly-appointed members since one of the outgoing members had filled the ETJ position. She said that there was no difference between an ETJ member and the other Planning Board members, that they all had the same voting rights and that there was no connection to the County Planning Board.

II.2 Appointments to the Business Advisory Board

Ms. Stites said there were 15 applicants, and she reviewed the approved board make up. While Ms. Stites tallied the votes, Mr. Kelly gave the Administrative Reports.

III. ADMINISTRATIVE REPORTS (TOWN MANAGER AND TOWN ATTORNEY) Department reports are available on the Town's website at www.OakIslandNC.gov/DEPT (Please note that the monthly reports for August were still being compiled when the agenda was printed and published since it was so early in the month. Reports will be available prior to the Council meeting.)

Mr. Kelly introduced the Town's new Finance Director, Kathryn Adams. Ms. Adams said she was honored to be working for the Town, a town that she loves and calls home. She also spoke about her background and experience.

Mr. Kelly said that in storm preparation, staff removed all the mobi-mats, and two had been re-installed so far. The pickleball court resurfacing contractor had been in touch about getting started. He also said that the stormwater project on Ocean Drive was in progress and the contractor should be completed by the end of October. Mr. Kelly said he and Mayor White had a meeting with NCDOT coming up. He said he knew it had been a long process to get the crosswalks approved, but that now the Town might have to look at installing more traffic lights to accommodate the crosswalks. He also reviewed some of the feedback regarding the Town's requested locations. He said that the Town had finally received a permit for the handicapped-accessible parking for the Cabana.

Council returned to the Committee Appointments.

For the ETJ position, Mayor Pro Tempore Bach and Councilman Craft voted for Gene Brooks and Councilman Blalock and Councilman Martin voted for Melanie Morgan. Mr. Edes explained that a Mayor can break a tie only on a motion and an "aye/nay" vote, not a written ballot. Mr. Edes said Council could change and use a nomination and vote, and then the Mayor could break a tie. **A second vote was held via written ballot. Mayor Pro Tempore Bach and Council members Craft and Martin voted for Gene Brooks and Councilman Blalock voted for Melanie Morgan; Gene Brooks' name will be submitted to the County.**

For the Business Advisory Board, Ms. Stites read the votes for the top nine as follows: Chasey Bynum with votes from Mayor Pro Tempore Bach, Councilman Blalock and Councilman Craft; Jackie DelPrete with votes from Mayor Pro Tempore Bach and Council members Blalock, Craft and Martin; Zachary Fisher with votes from Mayor Pro Tempore Bach, Councilman Craft and Councilman Martin; Lisa Fitzgerald with votes from Mayor Pro Tempore Bach, Councilman

Blalock and Councilman Martin; Ken Guhse with votes from Mayor Pro Tempore Bach and Council members Blalock, Craft and Martin; Alma Rittenberry with votes from Mayor Pro Tempore Bach, Councilman Craft and Councilman Martin; Ronnie Russell with votes from Council members Blalock, Craft and Martin; Dixon Wright with votes from Mayor Pro Tempore Bach, Councilman Craft and Councilman Martin; and Joe Yager with votes from Mayor Pro Tempore Bach, Councilman Blalock and Councilman Craft. Ms. Stites noted that this group fulfilled the requirement for real estate/rentals but not the requirement for two resident non-business owners. Other votes were as followed: Jacqueline Ball with votes from Mayor Pro Tempore Bach and Councilman Blalock; Jody Burgart with no votes, Bill Davis with no votes, Gene Hales with votes from Councilman Blalock and Councilman Martin; Harmony Hitcher with one vote from Councilman Craft; and Annette Rogers with two votes from Councilman Blalock and Councilman Martin.

Economic Development Coordinator Hallie Willis asked if Council would be willing to add a tenth member and said the resident perspective was an important one for the Board. Councilman Martin said Council had previously voted to create a 9-member board. Ms. Stites reviewed the process to add a tenth member. **Mayor Pro Tempore Bach made a motion to suspend the rules to add a 10th member to the Business Advisory Board. Councilman Martin seconded, and the motion passed unanimously. Mayor Pro Tempore Bach made a motion to create a tenth seat on the Business Advisory Board. Councilman Martin seconded the motion and it passed 3-1, with Mayor Pro Tempore Bach and Councilmen Blalock and Martin in favor and Councilman Craft opposed. Mayor Pro Tempore Bach made a motion to add Annette Rogers as the tenth member for the Business Advisory Board. Councilman Martin seconded the motion and it passed 3-1, with Mayor Pro Tempore Bach and Councilmen Blalock and Martin in favor and Councilman Craft opposed.**

Councilman Craft made a motion to set terms as follows for the real estate positions: Alma Rittenberry for 2026, Zachary Fisher for 2025 and Ronnie Russell for 2024. Mayor Pro Tempore Bach seconded and the motion passed unanimously.

Councilman Craft made a motion to set the other terms as follows: Chasey Bynum and Dixon Wright for 2024, Jackie DelPrete, and Annette Rogers for 2025 and Lisa Fitzgerald, Ken Guhse, Alma Rittenberry and Joe Yeager for 2026. Councilman Blalock seconded, and the motion passed unanimously.

IV. OLD BUSINESS

IV.1 Consideration of Moffatt & Nichol Contracts and Amendments

Sam Morrison with Moffatt & Nichol gave a presentation with an update of the Beach Management Plan (BMP). Mr. Morrison said in June, the Coastal Resources Commission had approved the Town's BMP, which re-establishes the development line but does not allow development any farther seaward. He said the Town would have the opportunity to revise the Plan, if needed, when it comes up for renewal in five years. He said Moffatt & Nichol was here tonight for the 3a Contract, which is a continuation of work on the Town's Beach and Inlet Management Plan (BIMP). He said it included all the costs for the 2024-2025 beach nourishment project, including the permitting and the environmental assessment for the borrow site. The contract amount of \$1.3 million comes out of the \$2.5 million included with the \$40 million project. He said there was another portion separated out and will be called 3b; since the final EIS cannot be determined for the BIMP there is no reason to commit that money at this stage. Mr. Morrison said they had identified a number of potential sand sources, but that they've realized that Frying Pan Shoals will take at least two years of additional studies. Mr. Morrison said they'd also realized that the Bureau of Ocean Energy Management (BOEM) was doing some geophysical and geological investigations in Long

Bay; Moffatt & Nichol was able to use the information collected and thinks this source looks very promising. Mr. Morrison said that they want to be ready to bid the Town's project in September 2024. Mayor Pro Tempore Bach asked if they were working within the \$40 million project and if the engineering was roughly 5.25 percent of the cost; Mr. Morrison said that was correct. Answering another question from Mayor Pro Tempore Bach, Mr. Morrison said that even though the BOEM site was farther away, they anticipate a similar cost. Councilman Craft asked if Moffatt & Nichol could walk the Town through costs and analysis for groins and jetties. Mr. Morrison said they could, and that analysis of alternates was part of the BIMP. Councilman Craft asked if the Town was in a race to get an approved groin since there were a limited number of permits available; Mr. Morrison said that each permit application would be considered separately. Councilman Martin asked for conformation that the \$1.3 million contract was part of the money to be spent for the \$40 million project, and Mr. Morrison said that was correct.

Mayor Pro Tempore Bach made a motion made a motion to approve the proposal and contract, as amended, for the Year 2023 Annual Beach and Jay Bird Shoals Borrow Area Monitoring Surveys in the amount of \$122,110; to approve the proposal for the Stage 3A - Proposal for Planning, Design, Permitting, and Construction Support Services for 2024/2025 Beach Nourishment Project and Environmental Studies to Support Final Environmental Impact Statement (EIS) in the amount of \$1,313,180 and to authorize staff to execute the contract based on final approval by the Town Attorney; and to approve the contract amendment for Stage 2 Oak Island Beach Management Plan – Town of Oak Island as presented in the amount of \$112,485. Councilman Craft seconded the motion and it passed unanimously.

IV.2 Consideration of Issuing a Request for Proposals for a Recreation Center/Community Center Feasibility Study ([DRAFT-RFP - Recreation Center Feasibility Study](#))

Mr. Kelly spoke about the draft Request for Proposals, saying that there would be public engagement, similar to the process used for the skate park. He said the chosen firm would do a lot of the homework for Council, look at the community, interview people, look at the Town's needs, what programs are being offered in the area, etc. Mr. Kelly said that there was not anything for a swimming pool, through there could be an aquatics area for physical therapy, etc. Mayor White said that the Town could also ask our legislators for State funding; Mr. Kelly said that was always a possibility. He also said Council would meet with the companies that bid, and could select one of those or look for someone else. Mayor White noted that this contract would not include the architect and building; Mr. Kelly said that was correct. Mayor Pro Tempore Bach said he liked the idea of reimagining something because where they were was not a very good place and their imagination appeared to be limited. Mayor Pro Tempore Bach asked about the language on page 54 and suggested shifting the point values to emphasize references and past performance. Councilman Craft asked when the public input would come, and Mr. Kelly said that would happen after Council chooses a company to work with. Councilman Craft asked if these companies would know about grants to apply for, and Mr. Kelly said they would provide everything Council would want to know; he said that would be part of the interview process. Councilman Craft said he was glad they were moving forward. Councilman Martin thanked staff for incorporating Council's feedback. **Councilman Craft made a motion to accept the RFP. Councilman Blalock seconded and the motion passed unanimously.**

V. NEW BUSINESS

V.1 Consideration of Approval of Major Site Plan - The Preserve ([03220662.00 The Preserve - Site Plans 2023-08-04](#))

Mr. Kirkland introduced the item and said the applicant was present and wanted to address the Board as well. He said the proposed project was on Howie Franklin Street and comprises four parcels. Mr. Kirkland said the proposal had been circulated among Town departments and the appropriate agencies, and that the site plan met the requirements of the ordinance. Mr. Kirkland said the Planning Board reviewed the site plan in July. Following that meeting, the applicant and The Preserve HOA met and the plan was revised; the Planning Board reviewed that plan in August and voted 5-1 to recommend denial of the project. Mr. Kirkland said a major site plan review was an administrative approval and he referenced the Town's ordinance for how the process works. Mr. Kirkland said that the project was zoned C-LD and was regulated by Special Use Permit (SUP), which was initially approved in 2004. He said the SUP was modified in 2014 to allow construction of 50 cottage-style units in addition to Building 1, the condo-style project at the end of Marsh Grove Lane. Mr. Kirkland said that since the site plan meets the requirements of the ordinance, staff recommends approval.

Worth Mills with Longleaf Law Partners, present on behalf of Liberty Senior Living, addressed the Council. Mr. Mills said that through the master declaration for the overall development recorded in February of 2015, the then declarant for the project withdrew that area. He said that withdrawal was voted on and approved by more than 2/3 of the residents of the condo association at that time, so the areas within The Preserve on which the new homes are to be developed was a private matter between the condo association and the declarant and that was resolved eight years ago. Mr. Mills also addressed Planning staff's recommendation and decision to approve a minor modification. He said Mr. Kirkland made the determination regarding the minor modification when Thad Moore submitted the plan earlier this year and they had relied on that determination throughout the site plan review process. He said the determination between a minor and a major modification was not subject to Planning Board or Town Council review. He said that was before Council was review of the site plan, and that it was an administrative review.

Thad Moore, Development Director with Liberty Senior Living, also addressed Council. He said Liberty acquired the balance of The Preserve property in 2022 and began the planning process to complete the development intended for an active 55 and over community. Mr. Moore said they had met with the condo association Board several times prior to the first Planning Board meeting. He said upon a recommendation from the Planning Board and the association board, they had a meeting on August 2, which was open to all residents of The Preserve. He said it was very well attended. He said that following the meeting, they voluntarily made some adjustments to the plan, including eliminating the pickleball courts and adding parking at the clubhouse. Councilman Craft asked about the Howie Franklin Road issue. Mr. Moore said it was a challenging issue, though it wasn't specifically related to the site plan. Councilman Craft asked about rebuilding a berm, and Mr. Moore explained the plan for making a pleasing entrance there.

Mayor Pro Tempore Bach said the authority given to the Planner was not in dispute, and what was at issue was whether it was a minor change or a major change; he asked if Mr. Mills had said they relied on that decision from March. Mr. Mills said that was correct. Mayor Pro Tempore Bach asked if suddenly, the Planning Board had rejected it. Mr. Mills said the Planning Board disagreed with the zoning administrator's decision about whether it was a major or a minor modification. He asked when the Planning Board was aware of that decision, and Mr. Kirkland said that he mentioned it at the Planning Board's meeting in July and it was discussed again in August. Mayor Pro Tempore Bach asked if the Planning Board knew the exact detail of the change, and Mr. Kirkland said it was not a review requirement of the Planning Board. Mayor Pro Tempore Bach asked Mr. Edes if it was correct that this authority rested with the planning administrator, provided it was a minor change, and that Mr. Mills had suggested it was not appealable or reviewable. Mr. Edes said he did not want to speak for Mr. Mills, but that what he understood Mr. Mills had said was that whether it was a minor modification was not subject

to review by Council or the Planning Board and that what was before Council tonight was approval of a major site plan. He said that he agreed that the appropriate avenue if someone disagrees with approval of a minor modification was to appeal that decision to the Board of Adjustment. Mayor Pro Tempore Bach asked if someone would have to have standing to appeal that, and Mr. Edes said that was correct. Mr. Edes reviewed the state statutes for having standing. Councilman Craft asked Mr. Edes if his research determined it was a minor modification, and Mr. Edes said it was not his place to weigh in on that since it was a Board of Adjustment decision. Mr. Edes said Mr. Kirkland had described his analysis and rationale and had tied that to the minor modifications contained in Sec. 4.7.15.1 through 4.7.15.14 of the UDO. Councilman Craft asked if the Planning Board would have "standing" to appeal to the Board of Adjustment. Mr. Edes said a local government's decision-making board that believes a board has made an improper decision granting a variance, etc. would have standing; he said that would be Town Council.

Joe Boyd with Withers Ravenell, engineer for the project, addressed the wetlands issue Councilman Craft asked about earlier. Mr. Boyd said that some of the project will impact the freshwater wetlands, and that is allowed through a permit process; a little less than .4 acres will be disturbed. He said coastal wetlands would not be affected. He said that they could not apply for the permit until they have site plan approval. He said the runoff would go to the same spot it does now, the freshwater wetlands.

Mayor Pro Tempore Bach said that Council had received quite a few emails in support of the project, and that many had indicated that Liberty had been very cooperative, and that was not the issue. He said the issue was a decision made by the Planner was not appealable and that the site plan was consistent.

Councilman Martin made a motion to approve the major site plan for The Preserve, Councilman Blalock and Mayor Pro Tempore Bach seconded the motion and it passed unanimously.

V.2 Consideration of Approval for Minutes from the Following Meetings: June 20, 2023 (Public Hearings & Regular Meeting) and July 11, 2023 (Public Hearings & Regular Meeting) and August 8, 2023 (Public Hearings & Regular Meeting)

Councilman Martin said that these had been removed from the agenda last month to make some edits which have been completed. **Councilman Craft made a motion to approve the Minutes (with the prepared amendments to the Minutes for July 11 and August 8 meetings). Mayor Pro Tempore Bach seconded the motion and it passed unanimously.**

V.3 Consideration of a Resolution Requesting Rescission of the Doshier Hospital Tax
([ResolutionRequestingEliminationOfHospitalTax](#) NCGeneralStatutes_ [HospitalTax](#))

Councilman Martin said this had been an ongoing topic within the community for many years. He said the last round of tax valuation resulted in significant increases in home values, even more so for the Town of Oak Island. As a result, he said the County Commissioners and the Oak Island Town Council made an effort to go to a revenue-neutral tax rate, but the Doshier Hospital tax didn't change. Councilman Martin said that his taxes ended up increasing this year purely because the Doshier Hospital tax rate did not change. He also said that the bond this tax supports will be paid off next year, and his view was no bond meant no tax. He said this Resolution was to put the County Commissioners on notice that the Oak Island taxpayers would prefer to not continue paying the tax for another six years when there was no bond. He said he hoped that the County Commissioners would hear this, if it's adopted tonight, and that other towns would also ask for the same. Mayor Pro Tempore Bach said the bond ends in 2024 though the referendum doesn't end the tax until 2031, and he asked if, in the intervening period, there was additional revenue for Doshier. Mr. Edes said that the language of the original referendum was arguably broader than just the debt service. Mayor Pro Tempore Bach said he does want to send a message to the County Commissioners, but he did not want to cause catastrophic damage, because of the revenue were pulled

from Doshier without a plan to sustain the hospital, there could be considerable damage. He said that they needed to send a message that the tax needed to end and that there should be a plan to continue supporting Doshier. Councilman Martin said that Novant was now in the area, and there was a Novant facility at Pine Forest; he asked why there wasn't a conversation about a tax for Novant. Councilman Martin said that the bond was going to be satisfied and no bond means no tax. Councilman Craft said that he appreciates and respects Doshier Memorial Hospital, but that we have been paying this tax since 1976. He said there was no talk about lowering it with the recent revaluation. Councilman Blalock said that it wouldn't hurt to ask. Mr. Edes suggested added "presently being assessed against the Town of Oak Island property owners" in the last paragraph.

Councilman Martin made a motion to adopt the Resolution Requesting Rescission of the Doshier Hospital Tax as amended. Mayor Pro Tempore Bach seconded the motion and it passed unanimously.

Authorization for Applying for a Grant Through the Golden Leaf Foundation: Mayor White noted that this grant application would be for funding to go toward the dune infiltration stormwater project.

Councilman Craft made a motion to authorize staff to apply for the grant, Mayor Pro Tempore Bach seconded, and the motion passed unanimously.

VI. CLOSED SESSION: **Councilman Blalock made a motion to go into Closed Session to Consult with the Town Attorney to Preserve the Attorney/Client Privilege Pursuant to N.C.G.S. 143-318.11(a)(3). Councilman Martin seconded the motion and it passed unanimously.**

Council returned to open session at 10:24 p.m. Mayor White said that no action was taken in Closed Session.

VII. ADJOURN: **Mayor Pro Tempore Bach made a motion to adjourn. Councilman Craft seconded and the motion passed unanimously.**

S. Elizabeth White, Mayor

Attested: _____

Lisa P. Stites, MMC
Town Clerk

Clerk's Statement: Minutes are in compliance with the open meetings laws. The purpose of minutes per the open meetings laws is to provide a record of the actions taken by a Council or a Board and evidence that the actions were taken according to proper procedures. All actions of the Council are recorded in the official minutes. Not all portions of Town of Oak Island meetings are recorded verbatim in the official minutes, with general discussion items, reports, presentations, and public comments being paraphrased or summarized in many instances. Public comments in writing should be submitted to the clerk via hard copy, electronic mail, or other means so as to ensure an exact verbatim account. The Town of Oak Island provides full coverage of meetings on Government Channel 8 and the Town website so that the Citizens and the Public may view and listen to the meetings in their entirety.

MINUTES
TOWN COUNCIL REGULAR MEETING
TUESDAY, OCTOBER 10, 2023 - 6:00 PM
COUNCIL CHAMBERS - OAK ISLAND TOWN HALL

Present: Mayor S. Elizabeth White, Sheila M. Bell, Charlie K. Blalock, Bill Craft, Councilman Mark U. Martin, Town Manager David Kelly, Town Attorney Brian Edes, and Town Clerk Lisa P. Stites MMC. Mayor Pro Tempore John W. Bach was out of town and was unable to attend.

Mayor White called the meeting to order at 6 p.m. Councilman Martin gave the invocation and led the Pledge of Allegiance.

PUBLIC HEARING(S) AND ACTION

Proposed Text Amendment to the Unified Development Ordinance - Section 10.24 Signs Not Requiring a Permit - Temporary Signs at Middleton and Veterans Park
([SECTION_10.24__SIGNS_NOT_REQUIRING_A_PERMIT](#)
[TCConsistency_TemporarySigns_0928](#))

Mr. Kirkland described the proposed amendments, saying that the ordinance didn't address putting out signs for Town events. The amendment would allow non-commercial signs to be put out for Town-sponsored events. Mr. Kirkland said the Planning Board reviewed the proposed amendments and unanimously recommended approval. Mayor White asked if there was any reason this was limited to two Town parks instead of including all Town property. Mr. Kirkland said this was starting small, but Council could certainly change the proposed amendments. Councilman Bell said she would rather change it tonight than have to address it again. There were no speakers for the Public Hearing. **Councilman Bell made a motion to close the Public Hearing at 6:07 p.m. Councilman Blalock second the motion and it passed unanimously.**

Councilman Bell made a motion to approve the amendments as further amended by changing "at Middleton and Veterans Park" to "on Town-owned property" and to adopt the associated plan consistency statement. Councilman Craft seconded the motion. Councilman Martin asked if the non-commercial language would be an issue at the Oak Island Pier; Mr. Edes said that referred to the type of sign and not the location. **The motion passed unanimously.**

PRESENTATIONS, PROCLAMATIONS AND RECOGNITIONS

Trees to Seas Award: Councilman Craft said that this award was created to honor citizens who go above the norm in caring for and being active in our community, and for being outstanding citizens. He said that a little more than eight years ago, Clarissa Cope had a vision to start a community outreach program called Oak Island Angels. He said that all year long, the Oak Island Angels help families in need. He said they were the first responders in providing care. The group provides meals for holidays and does nursing home visits, holds sales and garage sales, and receives donations. Councilman Craft said that Clarissa had opened a candy shop on Oak Island and was one of the town's treasures. He said she was a caring and giving person. Councilman Bell read the award and presented it to Clarissa.

U.S. Coast Guard: Police Chief Charlie Morris introduced U.S. Coast Guard Senior Chief Logan Atkinson, the highest-ranking officer at the Oak Island Station; he is in charge of the day-to-day operations. Senior Chief Atkinson said that the Oak Island Police and Fire Departments have formed a great working relationship with the Coast Guard, and they were all very appreciative of that. He spoke about the area of responsibility and some of the tasks the Coast Guard crew provides. He said he was

really grateful to have those partnerships because if there is an emergency, they need to know that they can get in touch with Chief Price and Chief Morris, and also Oak Island Water Rescue. Senior Chief Atkinson said that the Oak Island Station also does water rescue. He also said that the Coast Guard has a Memorandum of Understanding with the Oak Island Fire Department, which includes taking fire departments out to Bald Head after hours in an emergency. He said in 21 years in the Coast Guard, he didn't know when he had a closer working relationship with any agencies as he has here in Oak Island. He also said the town had been such a blessing to his family and that it was a great place to live.

Presentation -- U.S. Army Corps of Engineers: Mayor White asked to modify the agenda to consider an Agreement at the conclusion of the presentation. **Councilman Craft made a motion to consider an Agreement at the conclusion of the presentation, Councilman Blalock seconded the motion, and it passed unanimously.** Mr. Edes noted that the Council could take action on the Agreement.

Dr. Coley Cordeiro, Civil Works Project Manager, U.S. Army Corps of Engineers, gave a presentation on the feasibility study for the federal government's Coastal Storm Risk Management (CSRM). A copy of the presentation is attached and is hereby made a part of these Minutes. Dr. Cordeiro reviewed the tentative timeline for the Coastal Risk Management Study. There will be a meeting with the Corps in January to review the scope, schedule and budget for the study. The anticipated time for releasing the draft report is September 2024, and a decision could be made in January 2025 on whether to move forward with the selected plan. The final report would be prepared by June 2026, and then it would be sent to Congress for approval. The cost of the study is \$3 million, split evenly between the Town and the Corps.

Mayor White asked what this would allow Oak Island to do that wasn't already on the table. Dr. Cordeiro said that the intent was to get a 50-year project, funded in part at least by the federal government; it would be a regularly recurring project.

Mayor White asked how Oak Island would benefit financially by participating in this program versus what was already available. Bob Keistler answered, saying that the Corps was a project-funded organization, so without funding, they can't do any projects. Mr. Keistler said that the study would be authorized by Congress, which was permission to do a 50-year project, and then there would be a budget and a design and schedule for renourishment. He said what it would do for the Town was give it an authorized project, that for the life of the project, as Congress budgeted, would be constructed, and it would be a cost share 65/35 for the local entity; the Town could include state or county funding as part of the local cost share. Mr. Keistler said that the Town could decide to no longer participate at any time. Mr. Kelly said it wouldn't affect any of the current projects, so it wouldn't affect the 2024-2025 project. He said that even after approval, there would be a permitting process. Mr. Kelly also said that the Town had also been talking with Moffatt & Nichol about the first maintenance project, so six years after the 2024-2025 project, hopefully they could look at being a federal beach. He said that it wouldn't knock the Town out of harbor sand or anything else. Mr. Keistler said that Oak Island had done a good job taking care of the beach on its own dime. He said that the Corps could also apply for supplemental funds if a storm affects the beach between scheduled nourishments. He also said that any of the data and work that had already been done for the Town's beach projects could be utilized. Mayor White asked if it was fair to say that the Corps was offering another level of protection. Mr. Keistler said that was correct, and that the Corps pays for 2/3 of the cost. He said from his standpoint, it was a good investment because people come from all areas to use the beach. There are eight federal beaches in the state.

Councilman Craft asked if this pigeonholed the Town into a federal engineered beach. Mr. Keistler said that it would be a Corps of Engineers beach. Councilman Craft asked if funds would be available immediately if a storm comes before approval. Mr. Keistler said that the Corps wouldn't fund it until the Town had approval as a federal beach. Mr. Keistler said that a Coastal Storm Risk Management is

designed to protect dunes so they're always there. He said the sacrificial portion of the beach that erodes away gives some protection, and they make sure there is nourishment before there is erosion of the protection of the dune. He said the purpose of a CSRM project is to build the beach a bit wider, which keeps the energy of the waves farther off the coastline so by the time it gets to the beach, the energy of what hits the beach is less.

Councilman Martin asked about the agency decision milestone, saying what he wanted to avoid would be going through the RFP process for a beach maintenance plan. Mr. Keistler said that the Town would be a partner, and there could be discussions and updates at any time, and he said that he thought this was a great option for the Town.

Mr. Kelly said that Moffatt & Nichol were supposed to be working out a timeline to lay out the next six-year plan. He said the price for sand, etc. wouldn't come until closer to when it's needed, and that this could be the perfect layout for the Town though they still need to move forward with locating sand sources, etc.

Councilman Martin also asked about the contract, saying he didn't see the scope of work from the presentation in the agreement. Mr. Keistler said that this agreement was for a feasibility study. Councilman Martin asked Mr. Edes if he was comfortable that, and Mr. Edes said he was. Councilman Martin asked about the difference in fiscal year terms; Mr. Kelly said that the funding was already laid out for the 3-year period, and they would just have to do a budget amendment to move the funds and make payment to the Corps when requested.

Councilman Craft asked if the project could address problem areas retroactively, such as a hot spot toward the west end. Mr. Keistler said that through their modeling, they would come up with a plan that provides the best protection.

Mayor White said that the Town had done quite a bit of data gathering with Moffatt & Nichol, and she asked if that did anything to the Corps' timeline. Mr. Keistler said it did, and that it accelerated the timeline and also minimizes the Town's costs. Mayor White asked if any of the Corps projects had ever included something other than sand, such as groins. Mr. Keistler said that the Corps would consider all alternatives. He also said the Corps looks at the ICW side of the island, such as if a storm hits the island at a lunar tide.

Answering a question from Councilman Craft, Mr. Keistler said that the federal government realizes that sand is a resource, and that the region has strong Congressional support.

Councilman Bell made a motion to approve the Agreement. Mr. Edes said he had reviewed it. Councilman Martin seconded the motion and it passed unanimously.

Council took a brief recess at 7:03 p.m.

Proclamation -- Fire Prevention Week (October 8-14, 2023): Mayor White read from the Proclamation.

Presentation -- Planning Department Update: Planning Director Matt Kirkland gave a presentation on the work done within the Department in the last 12 months. A copy of the presentation is attached and is hereby made a part of these Minutes. Mr. Kirkland gave a breakdown of what the Department's employees do, such as code enforcement, plan review, administering the State's Coastal Area Management Act (CAMA) program for minor CAMA permits, administering the Town's floodplain management program, long-range plan, etc. He also spoke about current and future tasks, such as

continuing with recommendations from Unified Development Ordinance (UDO) audit, updating the Comprehensive Land Use Plan, continuing with staff training, and evaluating needs for long-range planning efforts and implementation.

ADJUSTMENT/APPROVAL OF THE AGENDA

Mr. Edes said Closed Session was not needed. **Councilman Bell made a motion to approve the agenda as amended (adding Consideration of the Agreement with the Corps and removing the Closed Session), Councilman Martin seconded, and the motion passed unanimously.**

PUBLIC COMMENT - GENERAL TOPICS & AGENDA ITEMS

Joe Yeager, Chairman of the Business Advisory Board: Mr. Yeager said that the committee had held its first meeting, and that they were really excited to have a staff member to work with economic development. He said they were looking forward to building an efficient, collaborative, and friendly economic environment.

Wayne Brookover: Mr. Brookover was no longer present at the meeting, but had provided framed articles about the Ocean Education Center and the Nature Center, which staff presented to Mayor White and Council on his behalf.

Andy Spradley, 114 SE 6th Street, representing the Oak Island Beach Preservation Society: Mr. Spradley said that during the summer months, the group held 5-minute flash sweeps on the beach, and had help from 26 adults, five young people and two dogs; they cleaned seven beach access areas. He thanked everyone for their help in keeping the beaches clean. Mr. Spradley said the group hopes to fund five additional rinse stations. Mr. Spradley also said the group was looking for new members, and that members were invited to a hot dog social on November 4 at the Elks Lodge.

COUNCIL REPORTS (MAYOR AND COUNCIL)

Councilman Craft said that the Marsh Mellowes received a motorized kayak from the Elks Lodge. He said that he and some staff had attended the Beach Ambassadors end-of-season luncheon and wished Skip Cox well as he leaves the Town. He said the Pledge the Pink and Witches Ride were coming up.

Councilman Martin said that he serves on the Cape Fear Rural Planning Organization (RPO), and that board works with NCDOT to move projects to the priority list. He said there were three projects that were moved to the priority list for Oak Island -- improvements to Beach Drive and the bike lanes there, the greenway project, and replacing the light at Middleton and Oak Island Drive with a roundabout. He said that he came up with this idea after the hotel public hearing earlier this year and the concerns about traffic. He said he thought the roundabout would be a marvelous project.

Mayor White said that the mayors of Bald Head, Boiling Spring Lakes, Oak Island, Caswell Beach and Southport meet monthly. She said that they are trying to identify projects they can work on together, and she would bring details to the November meeting.

I. COMMITTEE APPOINTMENTS

I.1 Approval of Parks & Recreation Advisory Board's Recommendation to Appoint a Youth Member: Ms. Stites said there was a youth position on the Parks & Recreation Advisory Board, though there was not a prescribed process for how to fill that slot. She said that a senior at South Brunswick High School, Addison Walters, was interested; she had met with the Board and the

Board recommended she be appointed. The position was ex officio (non-voting). **Councilman Bell made a motion to approve the appointment, Councilman Craft seconded, and it was approved unanimously.**

II. ADMINISTRATIVE REPORTS (TOWN MANAGER AND TOWN ATTORNEY) Department reports are available on the Town's website at www.OakIslandNC.gov/DEPT

Economic Development Coordinator Hallie Willis spoke about upcoming public art workshops for the public mural project.

Mr. Kelly said that they had been talking about crosswalks and red lights for a while. He said that the NCDOT studies show that traffic signals would be needed for all the crosswalk locations on East Oak Island Drive (maps provided are hereby attached and made a part of these Minutes) at 40th Street, 46th Street, 51st Street and 58th Street. He said NCDOT funds could be used for the signal modification at 51st Street and also for the first phase of sidewalks, from 46th to 54th Street. He said they are still working with NCDOT on crosswalks across Beach Drive, and he spoke about the new handicapped parking area and cul-de-sac for the cabana. He said they'd been working on the first phase for sidewalks for almost two years, but that permit should be issued sometime this month. He said that NCDOT did not want to put a crosswalk at Barbee, but would consider 79th Street instead. He said they are working on an encroachment agreement with NCDOT for seven locations for crosswalks to beach accesses as well. Mr. Kelly said that they continue to work on other items with NCDOT as well; funds are available and the lines on Beach Drive will be repainted. The pickleball court repairs would hopefully start by the end of October. He said that a group had also approached the Town about making some improvement to the dog park, and those items will be done. Mr. Kelly said that staff was also making improvements to the disc golf course. He said that Dixie League baseball was also coming back to the park, and there would be work done on the concession stand, etc. Councilman Craft asked about West Oak Island Drive; Mr. Kelly said that the Town was working with a contractor to paint lines there as well.

III. OLD BUSINESS

III.1 Consideration of Contract for 20th Street Crossover Repairs ([20th Street Canal Walkover Replacement Construction Contract](#))

Mr. Kelly said the Town had a contract with S&C Construction, but that company also had a contract with NCDOT for bridge replacement, which took priority. He said that the Town's engineer reached out to them, and that they are willing to walk away from the contract. Mr. Kelly spoke about the new contract and the timing for the project. He said that the 9th Street contract would be rebid. **Councilman Craft motion to approve the contract with Evans & Sons Contracting Inc. in the amount of \$243,815, and to authorize staff to execute the contract. Councilman Bell seconded, and the motion passed unanimously.**

IV. NEW BUSINESS

IV.1 Consideration of a Resolution Affirming the Oak Island Town Council's Support Regarding Implementation of a Compliant NPDES MS4 Stormwater Program ([Council Resolution of Commitment to Implement a Compliant NPDES MS4 Program](#))

Mr. Kelly said that the Town had gone through an inspection, and there were items identified for improvement. He said staff had already started on that work, such as submitting a letter and a template for the stormwater management plan, and there is a timeline for completing the items. He said the Town would be issued the permit, and that one item required was adopting the Resolution. **Councilman Bell**

made a motion to adopt the Resolution as presented, Councilman Martin seconded the motion and it passed unanimously.

IV.2 Consideration of Paying off the FEMA Gap Funding (Special Obligation Bond) ([Budget Amendments FY 2024 - Oct -Transfer from General Fund FB to Beach Nourishment Fund](#))

Finance Director Kathryn Adams explained that this item was a budget amendment and authorization to pay off the PNC loan from 2021 for the FEMA gap funding. She said that staff anticipates getting the FEMA reimbursement this year. Staff recommends paying this off to avoid paying the higher interest rate. Mr. Kelly said that a few projects for the FEMA reimbursements had been approved a few weeks ago. The last item to be approved was the sand project, Moffatt & Nichol had drafted a letter, and hopefully that will close out all of the items for Hurricane Matthew (in 2016) and Hurricane Florence (in 2018). **Councilman Bell made a motion to adopt the Budget Ordinance Amendment as presented and to authorize staff to pay off the Special Obligation Bond. Councilman Craft second, and the motion passed unanimously.**

V. CLOSED SESSION to Consult with the Town Attorney to Preserve the Attorney/Client Privilege pursuant to N.C.G.S. 143-318.11(a)(3): **This was removed from the agenda.**

VI. ADJOURN: **Councilman Bell made a motion to adjourn at 8:20 p.m. Councilman Martin seconded, and the motion passed unanimously.**

S. Elizabeth White, Mayor

Attested: _____
Lisa P. Stites, MMC
Town Clerk

Clerk's Statement: Minutes are in compliance with the open meetings laws. The purpose of minutes per the open meetings laws is to provide a record of the actions taken by a Council or a Board and evidence that the actions were taken according to proper procedures. All actions of the Council are recorded in the official minutes. Not all portions of Town of Oak Island meetings are recorded verbatim in the official minutes, with general discussion items, reports, presentations, and public comments being paraphrased or summarized in many instances. Public comments in writing should be submitted to the clerk via hard copy, electronic mail, or other means so as to ensure an exact verbatim account. The Town of Oak Island provides full coverage of meetings on Government Channel 8 and the Town website so that the Citizens and the Public may view and listen to the meetings in their entirety.

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT: Committee Appointment -- Par 3 Advisory Board (one unexpired term ending Jan 2025)
DATE: November 9, 2023
DEPARTMENT: Administration

Subject Summary: There is one vacancy, with a term ending in January 2025. Applicant(s) are:

- Carl Steele

Attachments:

[Carl_Steele](#)

Town Clerk

4601 E. Oak Island Dr. Oak
Island, NC 28465
Telephone 910-201-8004
lstites@oakislandnc.gov
FAX (910) 278-3400

COMMITTEE APPLICATION

Board/Committee: OAK ISLAND PAR 3

Name: CARL STEELE email: PIRATECAPT60@YAHOO.COM

Home Address: 2210 NE 61ST ST OAK ISLAND NC 28465
(Street) (City) (Zip Code)

Mailing Address if different: _____
(Street) (City) (Zip Code)

Home Phone: _____ Fax: _____ Cell: 704.351.2055 Business: _____

Years resident of Oak Island: 10

Do you have a family member employed by Town of Oak Island? If yes, name: NO

Applicant's Employer: NONE

In accordance with the Town of Oak Island Personnel Policy, a person currently employed by the agency or department for which this application is made must resign his/her position with Oak Island upon appointment. Furthermore, the applicant should have no immediate family member employed by such agency or department.

Occupation: RETIRED

Relevant Professional Activities: ENJOY PLAYING GOLF

Relevant Volunteer Activities: FORMER RANGER AT THE PAR 3

Why do you wish to serve on this board/committee?

I HAVE SEEN THE CURRENT IMPROVEMENTS OF THE PAR 3. I WOULD LIKE TO BE INVOLVED WITH THE PAR 3 IN THE FUTURE.

Conflict of Interest: If a board member believes he/she has a conflict or potential conflict of interest on a particular issue, that member should state this belief to the other members of his/her respective board during a public meeting. The member should state the nature of the conflict, detailing that he/she has a separate, private, or monetary interest, either direct or indirect, in the issue under consideration. The member should then excuse himself/herself from voting on the matter.

What areas of concern would you like to see addressed by this committee?

Qualifications for serving:

I HAVE PLAYED GOLF THERE SINCE MOVING DOWN FROM CHARLOTTE. I BECAME A RANGER 2 YEARS LATER.

Qualifications: What knowledge, skills, experience or other abilities do you have to contribute?

Other Oak Island boards/committees on which you have or are serving:

NONE

Date: OCTOBER 5, 2023

Applications are kept on file for 12 months

Please use reverse side for additional comments

Signature

Carl Steele

I understand that any board or committee appointee may be removed without cause by a majority of Town Council.

Please provide references' contact information on Page 2.

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT:	Consideration of Appointment to the Board of Adjustment (to fill an unexpired term ending March 2025)
DATE:	November 9, 2023
DEPARTMENT:	Administration

Subject Summary: There is a vacancy on the Board of Adjustment -- an unexpired term ending in March 2025. The Committee Policy Council adopted earlier this year allows Council to pull from applications previously received or to advertise the position. There is one alternate currently, Steve Yuhasz, and his application is included for Council's consideration. Mr. Yuhasz previously served on the Board and was appointed as an alternate member in August. There was an additional application received, though the open position was not yet advertised pending direction from Council.

Attachments:
[Steve_Yuhasz](#)

(PLEASE PRINT)

APPLICATION FOR COMMITTEE/BOARD APPOINTMENT
(please do not submit attachments)

COMMITTEE/BOARD: Board of Adjustment

Term sought (open or unexpired) Re-appointment to expiring term March 2023

NAME: Steve Yuhasz

STREET ADDRESS: 7404 E Beach Drive

MAILING ADDRESS (if different): _____

TELEPHONE NUMBER(s): (WORK) 919-593-4887 (cell)

(HOME) 910-933-4316

(e-mail Address) syuhasz@syuhasz.com

NUMBER OF YEARS AS RESIDENT OF OAK ISLAND: 6

ARE YOU CURRENTLY SERVING OR HAVE YOU SERVED ON A TOWN OF OAK ISLAND COMMITTEE? Yes **IF SO, WHICH COMMITTEE(s)?** Board of Adjustment

WHY DO YOU WANT TO SERVE ON THIS COMMITTEE/BOARD? _____

To continue working with town staff on behalf of town residents to provide just and compassionate application of town ordinances to specific real-life situations.

WHAT RELEVANT SKILLS WOULD YOU BRING TO THIS COMMITTEE/BOARD?

Experience as Professional Land Surveyor, licensed NC Attorney, member of a county Planning Board, County Commissioner, six years experience on Oak Island Board of Adjustment.

ARE YOU A YEAR-ROUND RESIDENT ABLE TO ATTEND A MAJORITY OF SCHEDULED MEETINGS OF THIS COMMITTEE/BOARD? Yes

WHAT OTHER OAK ISLAND COMMUNITY ACTIVITIES ARE YOU NOW OR HAVE YOU BEEN ACTIVELY INVOLVED IN? Citizens' Academy, local political precinct

BRIEFLY SUMMARIZE YOUR EDUCATION AND EMPLOYMENT HISTORY:

B.S., Virginia Commonwealth Univ., M.A., Arizona State Univ., J.D., North Carolina Central Univ.
Owner/Principal, ENT Land Surveys, Hillsborough, NC 1983-2016, Attorney, Private practice, 2004-2016
currently retired

Signature



DATE: Jan 19, 2023

Return completed application to:
Town Clerk
Town of Oak Island
4601 E. Oak Island Drive
Oak Island, NC 28465

Note: Upon submission to the Town, this document becomes a public record.

Office Use only:
Appointed: Yes _____ No _____
Date appointed: _____
Term ending: _____

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT: Consideration of Appointment to the Environmental
Advisory Committee (3 seats available, with terms ending
in June 2024, June 2025, and June 2026)
DATE: November 9, 2023
DEPARTMENT: Administration

Subject Summary: There are three positions open on the Environmental Advisory Board, with terms ending in June 2024, June 2025, and June 2026. Applicant(s) are:

- Jeweleen Mustard

Attachments:
[JewelaanMustard](#)

TOWN OF OAK ISLAND**Town Clerk**

4601 E. Oak Island Dr. Oak
Island, NC 28465
Telephone 910-201-8004
Istites@oakislandnc.gov
FAX (910) 278-3400

COMMITTEE APPLICATION**Board/Committee:** _____**Name:** _____ **email:** _____**Home****Address:** _____
(Street) (City) (Zip Code)**Mailing Address if different:** _____
(Street) (City) (Zip Code)**Home Phone:** _____ **Fax:** _____ **Cell:** _____ **Business:** _____**Years resident of Oak Island:** _____**Do you have a family member employed by Town of Oak Island? If yes, name:** _____**Applicant's Employer:** _____

In accordance with the Town of Oak Island Personnel Policy, a person currently employed by the agency or department for which this application is made must resign his/her position with Oak Island upon appointment. Furthermore, the applicant should have no immediate family member employed by such agency or department.

Occupation: _____**Relevant Professional Activities:** _____**Relevant Volunteer Activities:** _____**Why do you wish to
serve on this board/
committee?**

Conflict of Interest: *If a board member believes he/she has a conflict or potential conflict of interest on a particular issue, that member should state this belief to the other members of his/her respective board during a public meeting. The member should state the nature of the conflict, detailing that he/she has a separate, private, or monetary interest, either direct or indirect, in the issue under consideration. The member should then excuse himself/herself from voting on the matter.*

**What areas of concern would
you like to see addressed by
this committee?****Qualifications
for serving:**

Qualifications: What knowledge, skills, experience or other abilities do you have to contribute?

**Other Oak Island boards/
committees on which you
have or are serving:****Date:** _____

Applications are kept on file for 12 months

Please use reverse side for additional comments

Signature

I understand that any board or committee appointee may be removed without cause by a majority of Town Council.

Please provide references' contact information on Page 2.

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT: Consideration of Oak Island Honors Flag Program and Policy
DATE: November 9, 2023
DEPARTMENT: Administration

Subject Summary: The Parks & Recreation Advisory Board has been working on an Oak Island Honor Flags program to honor military personnel on certain holidays. A policy is enclosed for Council's consideration, and the Board's Chairman, Paul DuBay, will make a presentation.

Attachments:

[OakIslandHonorFlags_DRAFT policy_101723](#)

Suggested Motion: I make a motion to approve the Oak Island Honor Flags Policy and program.



General Policy

This policy includes information about the Oak Island Honor Flags Policy.

For this program to be administered by staff in a fair and equitable manner, the following criteria are established:

- Only individuals may be honored on a flag (no businesses, groups, or organizations) who are current residents of the Town of Oak Island or related to a current resident of the Town of Oak Island.
- The honoree(s) may be living or deceased.
- The honoree(s) may be active, fallen, or retired military.
- Only one person may be honored on a single flag.
- Up to 24 in Veterans Park and up to 24 flags in Middleton Park will be placed the previous day, the day of and the day after the following: Memorial Day, Labor Day, September 11, and Veterans Day; and July 1-5 for July 4.
 - See the provided maps for locations. The first flag at Veterans Park entrance is Flag 1 and goes through to flag 24 at the last one on the Intracoastal Waterway.
 - The flag located near the playground is flag number 1 at Middleton Park and goes through to the flag 24 located closest to the stage.
 - The honorees selected and their flag position and park will be decided entirely by a lottery conducted by the Recreation Advisory Board. The flag position and park will be announced before each drawing.
- Fees paid for a flag entitle ownership to the donor, once the agreed upon time that the Town will possess the flag has come to an end. The Town will retain possession of the Flag during that time and is not responsible for any damage or vandalism while being displayed in the park(s).
- Town staff shall retain final approval authority of Flag wording. Wording of a provocative nature (such as profanity), advertisements, and political statements will not be permitted.
- Volunteers will set out the Flags and take them back up and they will be stored at a location determined by Town of Oak Island Staff.

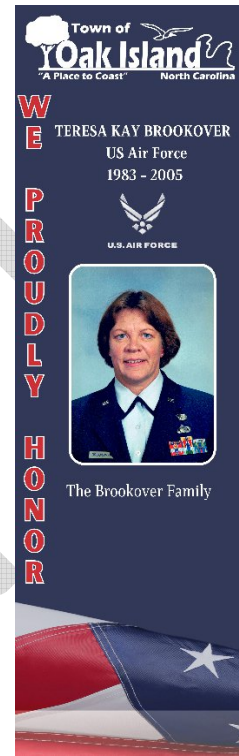
Honor Flags

Flags shall be ordered by the Town of Oak Island once applications are approved. An example of the Flag in Veterans Park and then an example of a Flag on its own is seen below.

- The Flags will measure 2.5 x 8 feet each.
- The Flag will be displayed on a pole and will have an anchoring system to secure it at the assigned locations in the park(s).
- Cost: \$70.00



Oak Island Honor Flags Policy



(continued)



Oak Island Honor Flags Policy

Honor Flags Application

Thank you for making the choice to purchase an Oak Island Honor Flag in recognition of your own special service member! Once purchased, this flag will be displayed at the Middleton Park Complex or Veterans Park the day before, the day of and the day after Memorial Day, Labor Day, 9/11 and Veterans Day; and July 1-5 for July 4.

Flags are **2.5'x8' in size**, cost **\$70 per flag**, and come with a spiking system and weatherproof bag.

Order Information

Person Ordering the Flag

Name: _____

Phone: _____

Address: _____

Email: _____

Person Being Honored

Name: _____

Branch for Military Service: _____

Years of Service: _____

Family to be named Under Photo: _____

Circle the attached verification document:

- Service Members - **DD214 Honorable Discharge Papers; Copy of Active Military ID**
- Background Check – **By turning in this application, you are agreeing to a background check on the honoree and understand that you will have to provide more information.**

Photo

- Must be in uniform depicting information presented.
- Can be a digital image or scanned image.



Flags will be ordered once payment is received in person or by mail to:

Town of Oak Island
ATTN: Recreation Department
4601 E Oak Island Drive, Oak Island, NC 28465.

For more information on the Oak Island Honor Flags Program, contact the Recreation Director at 910-278-5518 or email reccenter@oakislandnc.gov.

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT:	Consideration of Amendment to Moffatt & Nichol Contract for Additional Data Collection (for Bureau of Ocean Energy Management study)
DATE:	November 9, 2023
DEPARTMENT:	Administration

Subject Summary: Council previously approved the contract (3a) for the next phase of engineering work by Moffatt & Nichol for the Town's beach nourishment project. Part of the expenses of that contract are for securing a sand source for the project. While Moffatt & Nichol are investigating potential sand source areas, the Town and Moffatt & Nichol have also started working with staff at the U.S. Bureau of Ocean Energy Management (BOEM) on a possible lease for an area to use for sand. There are additional survey requirements from BOEM to pursue this alternative, and Moffatt & Nichol plans to sub-contract this work out at an approximate cost of \$170,000. While this expense would still be part of the total engineering cost for the project, this specific work was not included in the 3a contract and a contract amendment is needed. Moffatt & Nichol will provide the amendment in writing, but is looking for verbal approval at this point to get the sub-contractor working.

Suggested Motion: I make a motion to approve the amendment to the 3a contract with Moffatt & Nichol in an amount not to exceed \$170,000 and to authorize staff to execute the amended contract upon review by the Town Attorney.



TOWN OF OAK ISLAND
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2023 - 2024

BE IT ORDAINED by the Town Council of the Town of Oak Island, North Carolina, in Council assembled, November 14, 2023, that the following Budget Ordinance Amendment be adopted for the purpose of transferring funds from the American Rescue Plan Funds (ARP) for the following qualifying expenditures: 1) Security Camera System and Motorola Radios for the Police Department. 2) Initial cost for a 5-year Computer Replacement Program. This will replace all the computers that are older than 5 years currently. The remainder of the computers will now be on a replacement schedule to be budgeted accordingly in future years.

		Budget <u>Amendment</u>	Budget As <u>Amended</u>
I. ARP FUND			
A. <u>Revenue Anticipated</u>			
Appropriated Fund Balance	51-300-9800	\$ 290,000	\$ 900,000
B. <u>Expenditures Authorized</u>			
Transfer to General Fund	51-751-9610	\$ 290,000	\$ 290,000
II. GENERAL FUND			
C. <u>Revenue Anticipated</u>			
Transfer from ARP Fund	10-300-9751	\$ 290,000	\$ 290,000
D. <u>Expenditures Authorized</u>			
Police - Capital Outlay	10-510-5430	\$ 265,000	\$ 856,629
Admin - Technology	10-420-5420	\$ 25,000	\$ 180,000

Adopted this the 14th day of November 2023

S. Elizabeth White, Mayor

Attest: _____
Lisa P. Stites, Town Clerk

@BCL@58086946.doc



TOWN OF OAK ISLAND
BUDGET ORDINANCE AMENDMENT
FISCAL YEAR 2023 - 2024

BE IT ORDAINED by the Town Council of the Town of Oak Island, North Carolina, in Council assembled, November 14, 2023, that the following Budget Ordinance Amendment be adopted for the purpose of construction projects for the 20th Street canal walkover and the NE 54th Street walkway, and for professional services (legal and other outside professional services).

		<u>Budget Amendment</u>	<u>Budget As Amended</u>
GENERAL FUND			
A. <u>Revenue Anticipated</u>			
Appropriated Fund Balance	10-300-9800	\$ 593,500	\$12,206,735
B. <u>Expenditures Authorized</u>			
Public Works - Capital Improvements	10-570-5440	\$ 473,500	\$ 473,500
Town Council – Professional Services (legal and other outside professional services)	10-410-3100	\$ 120,000	\$ 185,000

Adopted this the 14th day of November 2023

S. Elizabeth White, Mayor

Attest: _____
Lisa P. Stites, Town Clerk

**TOWN COUNCIL REGULAR
MEETING
AGENDA ITEM MEMO**

SUBJECT:	Consideration of Request for Proposals: Comprehensive Land Use Plan Update
DATE:	November 9, 2023
DEPARTMENT:	Planning

Subject Summary: The Town Council approved funds in the budget this fiscal year to update the Comprehensive Land Use Plan. Town Staff has drafted an Request for Proposals (RFP) for consideration of firms to provide this service to the Town. The proposed RFP is enclosed as an attachment.

Attachments:

[RFP_CompPlanUpdate2023](#)

Suggested Motion: Motion to approve the Request for Proposals as drafted.

TOWN OF OAK ISLAND, NC
REQUEST FOR PROPOSALS

***Comprehensive Land Use Plan
Update***



REQUEST FOR PROPOSALS TO:

Town of Oak Island
Attn: Planning Department
4601 E. Oak Island Dr.
Oak Island, NC 28465

Opening Location and Due Date:

Oak Island Town Hall
December 15, 2023
5:00 pm

Questions regarding the RFP should be submitted via email to Matthew Kirkland, mkirkland@oakislandnc.gov no later than 5:00 PM December 8, 2023.

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Purpose

The Town of Oak Island is seeking proposals from qualified, professional consultants who will assist the Town in updating the Comprehensive Land Use Plan. The existing Comprehensive Land Use Plan for the Town was developed in 2017, with no updates since.

The selected consultants will assist the Town in the update of a CAMA certified comprehensive land use plan, reviewing the vision, goals, implementing actions, and future land uses of the Town.

The consultant(s) awarded this contract will have the primary responsibility of developing the Comprehensive Land Use Plan document and will work in coordination with the Town of Oak Island's Planning Department.

Background

Oak Island is a small coastal town nestled on the coast of Brunswick County, North Carolina, with a population of approximately 9,000 full time residents. The population increases to an estimated peak of 50,000 during the summer as Oak Island is a popular vacation destination.

The town itself was incorporated in 1999 as a consolidation of Yaupon Beach and Long Beach. Commercial and residential growth first began on the island in 1938 and the first divisions of land were for small lots of 6,500 sq ft. This development pattern on the island remains largely intact.

The economy of the Town is largely driven by tourism during the summer months as well as the Cape Fear Regional Jetport on the mainland portion of the Town's jurisdiction. A significant portion of the Town's population is not considered part of the labor force and the Town's median household income based on the most recent Census estimates is \$85,802.

The Town of Oak Island has a total planning area just shy of approximately 19 square miles (land area).

Expectations of Consultant

Throughout the process, the selected consultants will be expected to utilize their experience and drive the process. To achieve this goal, and utilize the experience of the selected consultant, Oak Island will require the expectations outlined below be met and identified within the consultant's proposal.

1. Initial meeting with Town staff to review a project timeline, schedule meetings and begin the process of data acquisition.
2. Review all existing plans, maps, documents, data and other materials relevant to the project. The Town will provide all available existing documentation to the consultant. The consultant will study and consolidate applicable materials into the Plan.
3. Conduct meetings with key elected and appointed officials, stakeholder groups, and the public. The selected consultant will lead stakeholder outreach and participation efforts.
4. Plan and implement an extensive stakeholder and public outreach process using a range of methods to inform and involve stakeholders, citizen organizations and the public. Address the public hearing process and meetings with Town staff, citizen groups, applicable advisory committees, school districts, local units of government, etc.
5. Develop Plan goals, objectives and implementation strategies based on technical data and public input.
6. Draft materials for review and comment by the Town in accordance with a schedule developed at the beginning of the planning process.
7. Confirm the final Plan conforms to existing North Carolina General Statutes including NC Coastal Area Management Act requirements, as well as NCGS 160D.
8. Prepare draft documents for public review and comment, and present to Planning Board and Town Councilmen. The plan should be presented in a format and language that is user-friendly and easily understood by the public.
9. Prepare final draft documents and present at all associated meetings and public hearings for adoption of the plan.
10. Provide at least weekly updates, primarily via e-mail or telephone/video and occasionally in-person, to update Town staff on project status, discuss issues and review drafts. Periodic written status reports and status update presentations may also be required to the Planning Board and Town Councilmen.

Scope of Services

The Scope of Services described herein is a framework of major tasks as currently identified by the Town for the consultant's information. This is not a comprehensive list. A complete Scope of Services and an estimated fixed fee will be developed in consultation with the selected firm based on the Town's needs and the firm's experience and capabilities.

Comprehensive Land Use Plan

1. **Project Meetings.** The consultant is expected to meet regularly with staff. When appropriate, these meetings may be via telephone or video conference. The consultant will meet with the Planning Board to collect input and provide updates. In addition, the consultant will solicit input and feedback from the Planning Board and Town Council and provide interim reports, presentations, and updates to each as required and appropriate, and attend the Plan's formal adoption by the Planning Board and Town Council.
2. **Public Engagement and Communications.** Public Participation is essential to this planning effort and must include an outreach and public participation process designed to engage the public and specific stakeholders in visioning the future of the Town. Significant public input will be required throughout the process. We anticipate that a number of public meetings will be held in order to seek the opinions and views of the public at large, report on progress as the plan develops, solicit comments on specific ideas or concepts, and identify problems or barriers that must be acknowledged and overcome. Public involvement in the planning process and acceptance of the final plan is critical to the success of this effort, and respondents should explain their approach and public participation plan in detail in their responses.
3. **Plan Development.** The consultant will serve as the primary drafter of the updated plan and shall perform research and develop materials for the Plan, including but not limited to:
 - a. A review of the existing plan and relevant information, including the current plan, current codes and policies, demographic and census data, and other information relevant to the required plan elements.
 - b. Develop an inventory and assessment of issues and opportunities based on work with staff, Planning Board, and the public participation process.
 - c. Review and update vision for Oak Island that will serve as a focal point for goals, policy, and strategy decisions.
 - d. Draft the Updated Comprehensive Land Use Plan (including goals, action items, strategies, and future land uses) for Planning Board review, Town Council adoption, and CRC State Certification.
 - e. Provide digital, editable, working, and printable copies of all final documents including reports, maps, and final plan.
4. **Plan Content.** The Plan document will include assembling and analyzing data regarding existing conditions within the established planning area, and utilizing that data to develop policies, actions, and an implementation plan to guide future development and decision making over a 25-year timeframe. The Plan will have to meet the State's Coastal Area Management Act Planning Requirements as outlined in 15A NCAC 07B. It is anticipated the Plan will review the existing plan and recommend updates to the following content:
 - a. Community Assessment – Population, housing, demographic, and economic trends, and projections

- b. Natural Resources, Resiliency (inclusive of sea level rise), and Hazard Mitigation
- c. Historic, Cultural, and Heritage Preservation and Enhancement
- d. Land Use and Community Design – Existing land use and framework
- e. Housing – Review of housing needs, trends and recommendations that will create strong neighborhoods that support lifelong housing needs
- f. Transportation – Bicycle and pedestrian facility recommendations, collector street network, street infill recommendations, and recommendations for applications of street types.
- g. Economic Development – Existing and future opportunities and commercial corridor ripe/firm analysis
- h. Implementation – Specific goals and policies to implement each element of the Plan

Submittal Requirements

The following materials must be received by the submittal deadline for a proposal to be considered. However, during the selection process, the Town reserves the right to request additional information or to seek clarification from the consultant/firm, or to allow for correction of errors and/or omissions. The submittal requirements are as follows:

1. Project Overview
 - A. General Information: Provides a brief overview of firm, including qualifications to execute the contract, and company mission or statement of beliefs.
 - B. Project Understanding: A summary of the consultants understanding of the project as described in this RFP.
2. Qualifications
 - A. Personnel Qualifications:
 1. Identification of lead project manager and contact information.
 2. Name, proposed role, hourly rate, anticipated time commitment to the project and biography of each team member.
 - B. References: Include a list of at least three municipal clients for which you have conducted comprehensive planning, visioning, community engagement and/or land use analysis. Experience in working with municipalities in North Carolina is preferred.
3. Proposal
 - A. Proposal Overview: Provide specific approaches, methods and assumptions that will be utilized to accomplish each task.
 - B. Proposed Work Plan and Schedule: Provide a proposed work plan with schedule based on months of project (ex. Month 1, Month 2), divided into phases identifying key tasks, milestones, approximate dates, project deliverables and resource needs.
 - C. Community Engagement Plan: Describe at least three approaches for providing innovative, effective stakeholder engagement and public participation. These alternatives should represent different levels and

styles of involvement and complexity. Provide examples of how your firm would conduct public and stakeholder engagement that would capture input that is representative of all of the Town's residents.

- D. Budget: Identify cost estimates for completing each of the elements in the "Expectations of Consultant" and "Scope of Services" sections of this RFP. Itemized cost estimates may include more than one area in these sections provided the combination of the elements is logical or overlapping. Also identify any other anticipated budgetary needs including incidentals. Identify total not-to-exceed project cost.

Submittal Format & Deadline

Interested firms shall submit six (6) paper copies and one electronic copy (PDF) of the complete proposal either in person to the Town of Oak Island Planning Department or mailed to:

Town of Oak Island
Attn: Matthew Kirkland, Planning Director
4601 E. Oak Island Dr.
Oak Island, NC 28465

Complete submittals must be received no later than 4:30 pm on December 15, 2023. Submissions received after this deadline may not be considered for further review.

Submittal Review Schedule

Staff will begin the review process following the submission deadline and determine if interviews are needed in order to finalize selection among top candidates. Upon selection, the Consultant will be contacted to finalize the contract, fee structure and project timeframe. Final approval will be given by the Town of Oak Island Town Council.

Method of Evaluation & Selection

Prior to making an award determination, the Town of Oak Island may conduct consultant interviews. Interviews may be conducted virtually if necessary.

1. Firm experience/reputation/workload: Experience of the firm in similar work and record of successful results of that work. Also considered will be the firm's ability to take on additional work, demonstrated understanding of the Town's goals and purposes of the project, specific management approach, how well the firm's organization structure shows sufficient depth of its present workload, and the firm's ability to offer the breadth and quality of services required for this project. Additionally, the firm's successful experience performing other services for the Town on past and current projects may be considered.
2. Qualifications of the personnel assigned to this project team: The Town will give considerable weight to the individual qualifications of the project team members who will actually do most of the work on the project. Consideration will include

qualifications of key personnel, project team members' individual experience and other qualifications, project manager's experience, sub-consultant's (if applicable) individual experience and qualifications.

3. Schedule: Consideration will be given to the firm's availability to complete the plan updates within a reasonable timeframe.

Disclaimers

The Town of Oak Island reserves the right, in its sole discretion, to reject any or all of the proposals, to waive any deficiencies associated with the submittal, and to accept any proposals that it deems to be in the Town's best interest. The Town of Oak Island also reserves the right to re-advertise the request for proposals. The Town of Oak Island shall have no obligation to award a contract for services and work as a result of this Request for Proposal.

If applicable, the selected consultant shall be responsible for obtaining and maintaining adequate liability insurance to complete and full protect the Town of Oak Island. Said consultant shall furnish proof of this liability insurance to be attached to the executed copies of the contract. Said consultant will also complete the E-Verify Requirement.

A negotiation of the final contract price will be between the Town and the chosen consultant. (NOTE: Consultants shall bear all costs incurred for interviews and the RFP response preparation and shall not include such costs within the RFP response).

The Town shall select a firm on the basis of the applicant's qualifications for the job and award them, with respect to compensation and opportunity for training and advancement, including upgrading and promotion, without regard to age, sex, race, color, religion, national origin, disability, political affiliation, or marital status.

Questions

All questions pertaining to this Request for Proposals (RFP) shall be submitted in writing via email to mkirkland@oakislandnc.gov no later than 5:00 PM December 8, 2023.

Only written questions will be considered formal. Any information given verbally or by telephone will be considered informal. Any questions that the Town feels are pertinent to all proposals will be included as an addendum to the RFP.