



Town of Cedar Point Board of Commissioners
Regular Meeting
November 26, 2024

The Town of Cedar Point Board of Commissioners held their regularly scheduled monthly meeting on Tuesday, November 26, 2024, at 6:30 PM at Town Hall. Mayor Hatsell determined a quorum to be present and opened the meeting.

PRESENT: Mayor Hatsell, Commissioners Riggs, Bray, Nash, Winberry, Town Manager Rief, Town Clerk Calhoun

ABSENT: Commissioner Castellano

A moment of silence was observed, followed by Mayor Hatsell leading the Pledge of Allegiance.

The Agenda and Consent Agenda, consisting of the October 22, 2024 Regular Meeting Minutes, a Resolution Prohibiting Viewing of Pornography on Town Networks and Devices, the 2025 Board of Commissioners and Planning Board meeting schedules, and a renewal contract for Catalis Web Services, for the Town Website, were presented for Board approval. Mayor Hatsell added an agenda item 10a. Closed Session in accordance with NCGS 143.3 Attorney-Client Privilege. Commissioner Winberry made a **Motion** to approve the agenda with item 10a and the Consent Agenda as presented. The Motion carried 4-0.

The next agenda item was a Public Hearing to consider a rezone request RZ-2024-03, a request to rezone a parcel located at 1204 Cedar Point Boulevard, Bogue Sound RV Park. Commissioner Bray made a **Motion** to open the public hearing. The Motion carried 4-0. Mr. Rief presented a brief overview of the request. The request is to rezone the front parcel to allow recreational amenities. This request applies to the portion of the property just south of the new entrance on the Bojangles side. The request is to enable certain recreational amenities, such as expanding the pool deck and adding lawn-style games. Mr. Rief pointed out that the request does have associated consistency statements for consideration based on the Board's motion to approve or deny. The applicants from Kimley Horne and Ashton Smtih were available for questions or comments and were in attendance via Zoom.

There were no Board comments.

39 Commissioner Bray made a **Motion** to close the Public Hearing. The Motion carried 4-0.
40 Commissioner Winberry made a **Motion** to approve rezone request RZ-2024-03 with the
41 associated consistency statement.

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43 The next agenda item was a public hearing to consider a Text Amendment to the UDO, Text
44 Amendment TA-2024-04, which requested amending the language to include car washes.
45 Commissioner Bray made a Motion to open the public hearing, which carried 4-0. Mr. Rief
46 presented a brief overview of the proposed text amendment language, stating that the applicant,
47 The Rhetson Company, requests this amendment to establish specific standards for car washes.
48 The Planning Board approved the language change but added that the use should be granted with
49 a Special Use Permit, not permitted by right.

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51 Mayor Hatsell asked about the tunnel's position, pointing out that the car wash in Swansboro is
52 very loud. To minimize noise, Mayor Hatsell suggested shifting the tunnel's orientation toward
53 Old Highway 58 and placing the blowers further inside the tunnel.

54
55 Commissioner Nash suggested the insertion of language for noise mitigation and more specific
56 language concerning the hours of operation. Mr. Mark Russell, owner, stated that the hours of
57 operation may vary depending on the time of year. Summertime most likely would have hours of
58 operation from 8 AM to 8 PM, but wintertime may result in the car wash closing at 6 or 6:30
59 PM. Mr. Russell also indicated that sound can be reduced by adjusting the blowers, increasing
60 ceiling height, and introducing a buff and dry cycle. He also spoke about creating a dog leg
61 modification at the exit where the blowers are located.

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63 A noise study was conducted using a decibel meter at the Swansboro and Morehead City car
64 wash locations. While the readings were significant, there was no buffering at either relocation to
65 dampen the noise levels.

66
67 Commissioner Winberry asked if there were oil and water separators, which are a requirement
68 from NCDEQ. Mr. Russel stated there is a three-tank chamber for water reclamation, and the oil
69 separators must be cleaned routinely. The Cedar Point location would be a six-chamber process.
70 Commissioner Winberry stated that this should be included in the text language.

71
72 Commissioner Nash supports the proposal in a B3 zoning district but not in a B1. Requiring an
73 SUP gives the town one last chance to review and safeguard its aesthetics.

74
75 Mr. Rief reminded the Board that the motion, whether it is approved or denied, must include two
76 consistency statements commensurate with the vote.

77
78 Commissioner Nash made a **Motion** to accept the Text Amendment as written, with the
79 associated consistency statement and the requirement of a Special Use Permit. There were three
80 Nay votes, and the Motion died.

81
82 Commissioner Winberry made a **Motion** to approve the Text Amendment as presented, adding a
83 time restriction for the carwash to not operate from 9:00 PM to 7:00 AM. Commissioner Nash
84 voted No. The Motion carried 3-1.

85 The next agenda item was a public hearing for a text amendment to the UDO requesting that
86 language be added to include taxi services. Commissioner Bray made a **Motion** to open the
87 public hearing. The Motion carried 4-0. Mr. William Edwards, the applicant, was present to
88 answer any questions. Mr. Edwards wishes to open a taxi service adjacent to Pinnacle Storage.
89 Currently, the UDO language only allows taxi services in the LIW zoning district. Mr. Edwards
90 is asking for this use to be allowed in a B-1. Mr. Edwards saw a need for taxi services in Cedar
91 Point, especially during tourist season. There was no public comment. Commissioner Bray made
92 a **Motion** to close the Public Hearing. The Motion passed 4-0. There was no Board discussion.
93 Commissioner Riggs made a **Motion** to approve Text Amendment 2024-05 with the Consistency
94 Statement. The Motion was unanimous, 4-0.

95
96 Mr. Rief presented his Manager’s Report, beginning with the new audience chairs in the board
97 room, which Cape Carteret Baptist Church donated. Bridge Point Park now has a grill, dog waste
98 station, signage for parking, and a picnic table for the public to use and enjoy. In the spring,
99 pavers will be installed for a patio for the picnic table. A grill was also added near the shelter at
100 Boathouse Creek Park. New signage with park rules was installed, and there are now three solar-
101 powered cameras. The Town was not chosen as a Big Rock Foundation grant recipient. This
102 grant money would have been used for gym expansion. The town was awarded a cybersecurity
103 grant that will be used for new computers and cybersecurity measures. The website will be
104 updated and changed to a .gov address and upgraded to Windows 11. Mr. Rief asked for Board
105 direction to engage in a contract to accept these grant funds. Commissioner Bray made a **Motion**
106 to direct Mr. Rief to enter into a contract for the cybersecurity grant. The Motion passed 4-0.
107 Equipment is being tested from T-Mobile for an internet capability fail-over system. Spectrum
108 would still be our primary provider. Mr. Rief has been invited to serve on a core team for County
109 economic development for affordable housing. UNC Chapel Hill oversees this group. The Board
110 agreed that Mr. Rief should participate. A new bill is proposed on the House floor. SB382 is
111 mostly Helen Recovery funds, but buried at the end of the bill concerns down zone prohibition.
112 Code Enforcement Officer Alisha Dahart completed her CZO course and is awaiting official
113 certification to arrive. A salary increase will be recommended once the certification process is
114 complete.

115
116 Town Clerk Calhoun reminded everyone that the Toys for Tots and coat drive has begun.
117 Donations for both can be dropped off at Town Hall.

118
119 Mayor Hatsell opened the floor to public comment. Mr. Marty Raynor, 244 Bell Street,
120 expressed frustration at the Town’s lack of interest in pursuing grant funding to raise his house.
121 Mr. Raynor’s house is in a flood zone, limiting the amount of upgrading or remodeling. Mr. Rief
122 explained why the grant was not pursued, pointing out that the Town would be required to
123 expend funds for the project, and FEMA would reimburse the Town. This was too great of a risk
124 for the Town, and the Board felt it would not be in the town's best interest to pursue the grant.

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126 The Board went into Closed Session at 8:27 PM. Commissioner Bray made a **Motion** to go into
127 Closed Session in accordance with NCGS 143-318.11(a)3 Attorney-Client Privilege.

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129 The Board returned to Open Session at 9:07 PM.

130 There being no further business to discuss, the meeting was adjourned. Commissioner Winberry
131 made a **Motion** to adjourn the meeting, which was carried 4-0.

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133 The meeting Adjourned at 9:07 PM

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Scott Hatsell, Mayor



Jayne Calhoun, Town Clerk