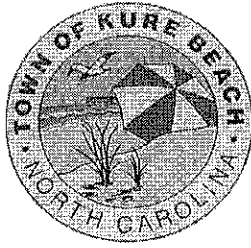


The following
Closed Session Minutes
were approved for release by
Town Council
on
Tuesday, March 17, 2009
at a Regular Council Meeting

Please contact the Town Clerk if you have
any questions.



KURE BEACH TOWN COUNCIL

CLOSED SESSION
October 10, 2006

MINUTES

The closed session of the Town Council of the Town of Kure Beach was called to order by Mayor Fuller at 9:00pm on December 19, 2006. A quorum was present.

COUNCIL MEMBERS PRESENT:

Mayor	Tim Fuller
Mayor Pro Tem	Mac Montgomery
Commissioner	Jim Dugan
Commissioner	Bill Ufferman
Commissioner	Dean Lambeth

COUNCIL MEMBERS ABSENT:

None

STAFF PRESENT:

Town Clerk	Nancy Avery
Building Inspector	John Batson

Town Attorney A.A. Canoutas was in attendance.

Items of discussion:

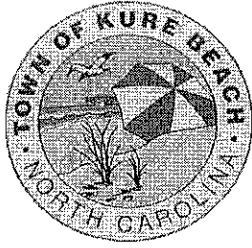
1)Sanco request for building permits for lots 2,3,4 and 5, block 10, 105 Atlantic Avenue

Building Inspector Batson stated:

- the Land Use Plan (LUP) wasn't brought into observation when the BOA issued a variance
- a gray area exists as to whether issuing building permits is consistent with the LUP and may be a problem for Sanco to get CAMA permits
- he received a phone call from Willard editor of the Island Gazette newspaper) on 12/14/06 stating issuing building permits not consistent with LUP. He told Willard to talk to the town attorney
- Sanco has applied for demolition and building permits – received 12/5/06 and gave to assistant to process on 12/12 or 12/13, next day told assistant to hold off on processing
- CAMA permit being processed and advertised next week but there are problems with permit:
 - Survey didn't have vegetation line or 60 ft setback
 - No platter survey for demolition was included
 - AEC notice wasn't signed by applicant

Attorney Canoutas stated:

- Willard called him and he told Willard to run his concern by CAMA because BOA issued a variance to the ordinance
- He received the LUP on 12/18/06 and read page 120
- Received a call from John Wessell (attorney)



KURE BEACH TOWN COUNCIL

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- The town council is not party to BOA nor to CAMA and should be careful how town steps into fight. Building Inspector wears two hats: issuing CAMA permits and working for the Town of Kure Beach
- This is a land mine – don't want to give Nathan Sanders (Sanco) impression town is interfering in process
- Town council can't direct Building Inspector as CAMA officer if he issues CAMA permit
- If 3rd party suit filed, is town going to back him up?
- Superior court case has not been withdrawn yet

Council comments:

- This issue with the LUP should have set off bells and lights – why didn't it?
- Why weren't all council members informed?
- If newspaper is calling, the mayor should be notified
- Who determines and interprets LUP?

Attorney Canoutas stated he and the Building Inspector are to meet with CAMA representatives Thursday, 12/21/06 at 4pm.

Consensus of council:

Attorney to call Rob Meares (CAMA) and ask CAMA to relieve the Building Inspector for this particular case

If asked at the Thursday meeting with CAMA, town abides by BOA ruling

If the newspaper calls again, refer to the mayor

Adjourned at 9:50pm.

approved by Council 11/21/06

Tim Fuller, Mayor

ATTEST: *Nancy Avery*

Nancy Avery, Town Clerk