

TOWN OF BOGUE
COUNCIL MEETING
July 15, 2024

The Town Council of Bogue met Monday, July 15, 2024, at the Bogue Town Hall, 121 Chimney Branch Road.

Mayor Robert O'Chat called the meeting to order at 6:00 p.m. After the Pledge of Allegiance, Mayor O'Chat led a prayer.

Council members present; Mayor O'Chat, David Padgett, Albert Taylor, Mike Crose, John Dale, and Allison Cannon. Also, present; Town Attorney Donna Boggs and Town Clerk Shawne Southard.

Agenda

Councilman Taylor made a motion to accept the agenda. Councilman Padgett seconded. Motion passed unanimously.

Minutes

Councilman Dale made a motion to approve the June 17, 2024, Regular Meeting minutes and the July 1, 2024, Special Meeting minutes. Councilman Crose seconded. Motion passed unanimously.

Clerk Southard asked Mayor O'Chat if she could speak before the Town Council got into unfinished business. Mayor O'Chat allowed it.

Clerk Southard gave a brief statement regarding the misconception of what is being talked about in the Town regarding Bogue Sound Distillery. She stated that when the Distillery came to the Town in 2015, they asked to have a Distillery only; the Town did not have distilleries listed in the Permitted and Special Uses Table so the Town decided a Special Use Permit would be appropriate. The Town approved the Special Use Permit for a Distillery, museum, and retail establishment. What is happening at the Distillery was never approved and I can say that I doubt the Town Council back in 2015 would have approved of what is at the Distillery now as it backs up to a residential area. Last year, at the end of the summer, we received several complaints about noise, and because of that we sent a letter to the Distillery saying to please turn it down. It was ignored. We then sent a letter telling the Distillery to cease all music and you must come to Town to ask for permission to have entertainment. The Distillery came to the Town and received a Special Use Permit for indoor entertainment only. I just want to reiterate that what the Distillery is now is not what was approved and the Town is trying to make things work for the whole Town we are not trying to shut anyone down. Thank you, Mayor.

Attorney Boggs asked Mayor if she could add to what was just said. She stated that what she keeps hearing is "Why now?" Actually, Bogue has been very proactive in reviewing their ordinances since Elizabeth Sweeney was Town Clerk and part of the reason is most Towns simply took the County's Ordinances and changed it to their Town's name. The Town wants to be sure we are doing the best we can for the Town and its residents and businesses. Another statement I've heard is that Mr. Chapman wants to be permanently permitted; a Special Use Permit is permanent just as any other permit is as long as you don't violate it. As long as the business complies, they can stay there and it won't be revoked. I have reached out to Mr. Chapman's attorney to see what it is you need. I also want to reiterate that the Special Use Permit only applies to Businesses. A commissioner's job is to serve the citizens of Bogue and with that they must balance what their constituents are saying, what businesses want and what people like yourselves that are coming here. Their first obligation is to the citizens of Bogue.

Unfinished Business

Mayor O'Chat stated that they will now discuss Table of Permitted and Special Uses. After much discussion the following motions were made.

Councilman Padgett made a motion to approve making Ambulance Service, Private (in B1 and IW); Artisan Studio (in B1 and OI) and Automobile/Boat Washing Establishment (in B1) a Special Use Permit and to remove Bus and Taxi Terminal and Convenience Store/Gas Station from the Table of Permitted and Special Uses. Councilman Dale seconded. Motion passed unanimously.

Councilman Taylor made a motion to approve making Entertainment Facilities (in B1); Entertainment, Outdoor (in B1) and Manufacturing and Production of Goods (in IW) a Special Use Permit and to remove Motel, Hotel and Personal Services from the Table of Permitted and Special Uses. Councilwoman Cannon seconded. Motion passed unanimously.

Councilwoman Cannon made a motion to approve making Restaurant (in B1); Retail (in B1); Temporary Uses (in all districts) and Vehicle Sales (in B1) a Special Use Permit and to remove Sexually Oriented Business; Storage, Enclosed and Storage, Open from the Table of Permitted and Special Uses. Councilman Dale seconded. Motion passed unanimously.

Mayor O'Chat stated the next item is the draft Special Use Permit application.

Councilman Crose made a motion to approve the draft Special Use Permit application as presented. Councilman Padgett seconded. Motion passed unanimously.

Citizen Comments

Edgar Morton at 274 Lake Arthur Dr. stated that he appreciated the job and how the Town Council is managing the Town. When the Town was established, the idea was to keep it a quiet, residential town and I'm here to ask it to stay like that.

Johnlyn Morton at 274 Lake Arthur Dr. said thank you for all your doing and she appreciates the hard work the Board is doing. I want Bogue to stay a family town, if we are not careful and let too many things come in, we will lose that.

Robin Korlin at 907 WB McLean stated growth is coming to the county. The council has done a pretty good job so far. Thank you.

Joann Parker at 151 Chimney Branch Rd. stated that she's lived in Bogue her entire life. She doesn't mind new businesses, but feels you need to follow the rules. She wants the town to stay little and thanks to the council for all their hard work.

Donald Skinner at 1530 Indian Beach Rd. stated you all have a tough job. He asked what would be a violation of a special use permit, Attorney Boggs told him to contact the Town Clerk or she could help. Bogue Distillery does a lot for charities, do they need to apply each time for a special permit? He also said a lot of the Town has a lot of dirt streets and I think some of these people would like them paved.

Erin "Sissy" Camp at 108 Bogue Commercial Dr. stated that a lot of the definitions are undefined. A lot of the Permitted and Special Uses are vague.

Attorney Boggs stated that when the Town does ordinances, they are vague enough to accommodate different uses, but specific enough to be able to enforce. There is no perfect answer.

New Business

None

Department Reports

Finance: Mayor O’Chat stated total cash funds are \$642,927.53.

Budget: Clerk Southard gave a synopsis of last fiscal year’s budget; income was \$134,428.40 and expenses were \$118,995.65. She also stated that Property Taxes, Moter Vehicle Taxes and Local Sales Tax are paid through May.

Planner: None

ILA: Thank you card from Western Carteret Fire & EMS.

Streets: None

Emergency Manager: None

Town Hall: Need a new towel holder for the hall bath.

Events: Answered questions from the base regarding what is involved for Bogue Day and are waiting to hear what dates are available.

Mayor O’Chat stated he spoke with Colonel Burks at the recent quarterly meeting at Cherry Point and he said he would try to do everything he could to help us and to possibly help us with aircraft or watercrafts. We have a lot of support.

Miscellaneous Reports/Announcements

None

Adjournment

At 6:55 p.m. Councilman Padgett made a motion to adjourn. Councilman Crose seconded. Motion passed unanimously.

_____ ROBERT O’CHAT, MAYOR

_____ SHAWNE SOUTHARD, TOWN CLERK