



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, NOVEMBER 15, 2016 – 7:00 P.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Regular Meeting on Tuesday, November 15, 2016 at 7:00 p.m. in the Town Hall Public Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem H. Ashley Royal; Commissioners Peter Freer, Kim Isenhour, John Fletcher and Ken Kyser; Town Manager David W. Hewett; Town Clerk Heather Finnell; Public Works Director Chris Clemmons, Building Official Tim Evans; Shoreline Protection & Recreation Manager Christy Ferguson; Detective Jeremy Dixon; Sergeant Adam Milligan; and Town Attorney Noel Fox.

Mayor Holden asked for a moment of silence and then called the meeting to order.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Motion by Mayor Pro Tem Royal to approve the agenda as presented; second by Commissioner Fletcher; approved by unanimous vote.

APPROVAL OF MINUTES

Motion by Commissioner Fletcher to approve the minutes of the Regular Meeting of October 18, 2016 as written; second by Commissioner Freer; approved by unanimous vote.

PUBLIC COMMENTS ON AGENDA ITEMS

No comments were made.

POLICE REPORT – DETECTIVE JEREMY DIXON

- Reviewed the numbers on the Police Report.
- On November 3rd we had the first reported house break-in. Hopes to get ahead of that and stop it before it gets out of control.
- Mayor Pro Tem Royal asked about lost property. Detective Dixon replied it could be anything from cell phones to license plates. This report included the Festival by the Sea.

AFTER ACTION REPORT – HURRICANE MATTHEW

Town Manager Hewett presented a slideshow. He summarized the event, experiences, issues and takeaways from the storm. He explained the progression of the storm's path. Our State of Emergency was in place the 6th – 11th of October. Matthew shows the disconnect between the higher coastal insurance rates and inland's. The high degree of variability between storms magnifies the gap between our everyday operations, expectations and what we are actually capable of doing. Some of the issues are as follows.

Personnel – there are three phases of a storm. The Town has a small staff whose lives may be impacted themselves by the storm. From what Town Manager Hewett witnessed four – five days is about the maximum possible with the operational pace that was taking place. Mayor Pro Tem Royal asked if he was going to address this further in terms of takeaways. Town Manager Hewett said the variability on the storms is so great that some of the circumstances you need to react to. Where we ultimately go to is to request other resources from other areas. You can't program a preloaded request for additional resources until you see how bad it will be. We were able to get two cops from the Gaston County Sheriff's Department for this event.

Emergency Operations Center – It is on a septic tank so it is not restrained by the same issues as the island. Kitchen facilities served well. Bedding is limited. The cloud works. There was an issue with generator. We had to manually override. We have some training to do.

Public Works – due to flooding issues we needed to shut the sewer down. There were power interruptions at all four stations. In addition to that, half of Brunswick County had power issues. We had the capability to provide power to all four stations once the storm cleared out. It took half of a day to regenerate the sewer system once the power was restored. All 1,500 valve pits have to be manually inspected. Mayor Pro Tem Royal said he understood that staff took proactive measures to protect Station IV to help protect against failure. He saw that as a positive. Commissioner Fletcher asked if it is possible to organize to have external help available from professionals. Town Manager Hewett replied the critical skill set for this is a commercial electrician. He explained the problem with candy canes. Commissioner Freer asked if there will be a supplement to this report. Town Manager Hewett said he hopes these issues would be rolled into the sewer system vulnerability effort. We did have a bypass pump available to get the system up and running.

Police – bridge conversations are dangerous. We will handle that with other techniques discussed with the Police Department. We can control the bridge, but it is not realistic to expect the Police to patrol for boats. We can request other assets through the Sheriff's Department. After the storm passed, we had the fair weather syndrome. Mayor Pro Tem Royal said he did notice the Coast Guard out. He asked if they are part of the checklist. Mayor Holden said he called the Sheriff, which is standard protocol when the need arises. The Sheriff agreed to put boats in the water and contact the Coast Guard. He also agreed to utilize the helicopter over Holden

Beach. He stated it is standard protocol to work with them. Town Manager Hewett added the Town has an interlocal agreement in place that authorizes that. They can provide services on an as requested basis, but local resources are needed in other places too.

Public Facilities – must be inspected by a competent authority to make sure they are okay for folks to get on. The beach strand also needs damage assessment.

Decals – they are a pressure point. They work for bridge access. We are going to review our distribution process. Consistency is key. We had people evacuate from Lumberton here. We didn't expect that.

Planning & Inspections – there were contractor yards that were not secured. We have become assured that our walkway ordinance exists for a reason. Building Official Evans stated the damaged walkways were the ones that were extended because the frontal dune moved in those areas. All of those walkways that existed from the original frontal dune are still standing. Town Manager Hewett stated we need more outreach regarding the CRS rating and repetitive losses. Open drains below the BFE (candy canes) are in violation of the plumbing code. We proved that we can conduct inspections manually.

Docks – we believe the Canal Dredging Program's initiative to help identify substandard docks has paid benefits in the fact that many bulkheads have been repaired. That helps keep silt out of the canals and keeps the cost of the program down, however many failures may not become apparent for several months. We have not been able to get to the deficiencies in floating docks and ramps. Building Official Evans has it on his list to address and identify ones that need tending to. Town Manager Hewett reviewed dock float off examples. Attorney Fox said those situations would be a civil matter. Mayor Pro Tem Royal said he thinks the Town should evaluate this so we can educate people on the topic. Attorney Fox explained she thinks it is too much of a gray area for the Town to take a position. She recommended people contact their own attorneys with specific questions.

Communications – everyone with a cell is a cub reporter. The Town uses multiple techniques. All weather radios are available if you aren't able to receive notifications. Reviewed emails received during the storm. Town Manager Hewett stated he realizes the emergency information on the website doesn't pop. We are going to fix that. The website needs reworking. Reviewed the post storm feedback chart.

Miscellaneous Issues – the artificial reef is still there. Many propane tanks were compromised. We had to secure a number of them after the storm. Renters' insurance doesn't kick in unless there is a mandatory evacuation. Mayor Holden explained the process. Town Manager Hewett stated the Emergency Plan only addresses tropical storm type events. It doesn't address things like a water service interruption or tsunami. Town Manager Hewett explained in those instances we would have to be reactive. Mayor Holden said common sense dictates that part of the plan may need to be put into action in other types of emergencies.

Town Manager Hewett stated there are three major takeaways. The sewer system issues are the Town's Achilles' heel. The operations and how a storm affects the system come into play in every decision during an emergency. Some of the fixes we have talked about in the sewer system vulnerability effort may improve the situation. In regards to our reentry process on the decals, Town Manager Hewett thinks the protocol for controlling access to the bridge is fine, but we need to look hard at how the decals are handed out. He thinks the website upgrade is a low hanging fruit.

The audience provided feedback. Commissioner Freer suggested adding communications as to why decisions are made to the website.

RESOLUTION 16-12, DESIGNATION OF APPLICANT'S AGENT (HURRICANE MATTHEW FEMA RESOLUTION)

Town Manager Hewett stated this is the resolution that would authorize him and Mandy Lockner to be signatories for FEMA reimbursement.

Motion by Commissioner Isenhour to approve Resolution 16-12; second by Commissioner Fletcher; approved by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON SELECTION OF ENGINEER TO REVIEW SEWER SYSTEM VULNERABILITY

Town Manager Hewett said the Board had requested additional information from Compass Pointe. Mr. Norton provided the input that is in front of the Board in response to the dialogue at the last meeting. The Board discussed the information. Town Manager Hewett stated this is a proposal. The next step would be to have a contract prepared for Board review and consideration.

The consensus of the Board is that they would like a contract prepared for their consideration.

DISCUSSION AND POSSIBLE ACTION ON TOWN MANAGER PERFORMANCE OBJECTIVES FOR 2016/ 2017

Mayor Pro Tem Royal stated he has become aware that one of the responsibilities the Board has is to oversee the town manager, since he is a direct report to the Board. He reviewed his handout regarding town manager performance objectives. Mayor Pro Tem Royal thinks the Board should have a set of performance objectives developed so the Board can fairly and equitably evaluate the town manager's performance. He believes the objectives should include manager input to support ownership.

Motion by Mayor Pro Tem Royal that the Board of Commissioners direct the town manager to develop performance objectives for the commissioners' review at the next regular meeting based on the duties detailed here.

Attorney Fox mentioned that is typically something evaluated in closed session for personnel reasons. The criteria may be developed in Open Session, but the Board would discuss that in closed session. She explained that each town does it differently. Attorney Fox said the Board could not collaborate as a group, without a properly noticed meeting, but you could work on it in groups.

The motion was seconded by Commissioner Fletcher.

Mayor Pro Tem Royal said the purpose of the motion is to develop objective levels of performance measurement. Commissioner Fletcher asked Town Manager Hewett if he is comfortable preparing his own set or if he would want help from a couple of commissioners. Town Manager Hewett stated it may be helpful to have guidance from the Board. Mayor Holden said he is concerned with the timing of this because of the holidays and storm related issues that Town Manager Hewett is working on. The Board discussed timing of developing the objectives and the evaluation.

Mayor Pro Tem Royal amended his motion to: the Board assist the town manager in developing performance objectives for 2017, with the objectives due at the December regular commissioners' meeting.

The Board further discussed timing.

Mayor Pro Tem Royal, with Commissioner Fletcher in agreement withdrew his motion.

Motion by Mayor Pro Tem Royal that the Board of Commissioners develop performance objectives for the town manager for the year 2017 and that those objectives be developed by our December regular Board meeting; second by Commissioner Freer.

Mayor Pro Tem Royal stated that the Board's responsibility is defined in the ordinance. He started his motion with the town manager submitting the objectives, but he changed that based on feedback. He would be happy to draft those for the Board's review at the next meeting. Commissioner Isenhour stated she doesn't think it would be reinventing the wheel. The Board talked about having Town Manager Hewett review the proposed objectives at the same time the Board does. Commissioner Fletcher said he is in favor of developing the objectives, but is not in favor of delaying the review until the end of 2017. He would like to have a performance appraisal early in the next year. Town Clerk Finnell read the motion.

The motion passed by unanimous vote.

Mayor Pro Tem Royal said he would be happy to draft the objectives. He would like to confer with Town Manager Hewett. The Board agreed by consensus.

REPORT, DISCUSSION AND POSSIBLE ACTION ON THE UPDATING OF PROHIBITED FIRES ORDINANCE

Commissioner Freer explained at the last meeting the Board talked about the Town's open burning ordinance and using Ocean Isle Beach's updated ordinance as a guide to update ours.

Building Official Evans provided information on the Contractors' Meeting his department recently held.

Building Official Evans explained he spoke with Police Chief Wally Layne and David Ward from the Fire Department. They came up with language that if the Board agrees to can be put into an ordinance. He believes it would be up to the Board to decide who they want to enforce the ordinance. He reviewed the proposed language. He said you could simplify it to say you can have no gas grills, no charcoal open flame grills or temporary or stationary open flame devices of any kind within five feet of the structures. He stated he can bring an ordinance back to the Board for approval after Attorney Fox reviews it.

Commissioner Freer asked if people have outside kitchens with gas grills under the deck. Building Official Evans stated he has seen some put in that are not legal. There shouldn't be any kind of a device below the BFE. Commissioner Freer stated he thinks charcoal grills have more of a tendency to be misused. He is not comfortable with the regulations on the gas grill. Mayor Pro Tem Royal agreed. He thinks the risk of fire from a gas grill is far less than with the charcoal grill. He asked about propane devices that heat water. Building Official Evans stated he thinks that would be considered an open flame device. Building Official Evans stated he talked about that with the Fire Department. They really want open flame devices to be removed from under houses and on decks in the ordinance. Mayor Pro Tem Royal suggested a way to differentiate would be to limit it based on the source of the flame. He said the Town had multiple fires caused from improper use of a stove. It comes down to what is the responsibility of the user versus what the Board will enact to prevent people from being irresponsible. Mayor Pro Tem Royal stated he thinks the Board needs to also look at the impact of their decision on the island. The Board discussed different options. Commissioner Kyser stated he agrees with Mayor Pro Tem Royal that you have to hold people responsible for their actions. He said the Board should be addressing irresponsible use. Commissioner Freer said his opinion is to not include propane. The Board talked about different types of grills and opened the discussion to the audience for input.

Building Official Evans will get with Attorney Fox and come back with an ordinance for the Board's review.

DISCUSSION AND POSSIBLE ACTION ON THE BUDGET CALENDAR AND PROCESS

Commissioner Freer provided copies of the previous year's budget calendar. He would like to do the goals and capital programs as soon as possible. He suggested January or February. Commissioner Freer would also like to have the Board be more involved in the process. He recommended that a workshop be held for the Board in the process. Commissioner Isenhour inquired at what point a workshop would be held. Commissioner Freer stated he would like Town Manager Hewett to update the schedule with the two things mentioned; start earlier and include a workshop with the Board. His suggestion for the workshop would be to do it after the revenues discussion, before the message.

Mayor Holden asked if the consensus of the Board is to follow Commissioner Freer's directive. The Board agreed.

Mayor Pro Tem Royal asked how much earlier the goals and capital programs should be developed. Commissioner Freer replied January or February, preferably January. Commissioner Fletcher asked if he would be correct in thinking the revenues would be earlier than May 17th. Commissioner Freer said he would expect the whole schedule would be pushed up. Mayor Pro Tem Royal stated the Town is operating on a fiscal year. He asked how early you can get the revenue input. He thinks that is the challenge. Town Manager Hewett replied normally February is good for ad valorem taxes, but several of the revenues come in differently. The later you go, the better you know what they are. You can do it any time, but there is a greater degree of variability when you do it early. Town Manager Hewett stated that the goals are commissioner goals, so one step would be how early the Board would like to do that. The other piece that needs to be plugged in is the Board's calendars. He can come back with approximate times, but we need Board availability to pinpoint dates, times certain.

TOWN MANAGER HEWETT'S REPORT

- Received correspondence from the NC Department of Public Safety that all issues resulting from our last Community Assistance visit have been closed out. Those were unauthorized violations of our Flood Damage Prevention ordinance. That is very important because it goes to our Community Rating System, which means it affects your flood insurance capabilities. We have 1,900 policies in place and are paying almost \$4 million in premiums annually. We don't have any different information on the effective date of the new flood maps. Mayor Pro Tem Royal inquired about the candy canes. Town Manager Hewett replied the candy canes were not captured as part of the site visit.
- We are painting the water tower. We held off while we were in an emergency situation with the water. They have one communication pole up and will be adding another one to the east side. They will be spraying over the next couple of months and will hopefully be finished around Easter. At this time, we are unsure if there will be any impact to park use and the facilities.

- Went to another FEMA Hurricane Matthew briefing today. Submitted our draft working numbers. Thinks we lost about 1 million cubic yards of sand. That is an estimate at this time. No declaration has been made for any categories other than A and B.
- Central Reach Project – mobilization will begin around November 20th, with the dredge plant being in operation around December 1st. Dredge plant will be operating 24/7 barring bad weather and breakdowns. Have a preconstruction meeting scheduled tomorrow. Will pass information along to the community after that. There will be danger zones on the beach.
- The Grand Strand Area Transportation Study 2040 Long Range Plan has been initiated. Everyone is invited to a series of meetings. The process is where the programs and priorities are decided. Encouraged everyone to get involved. The local meeting is tomorrow at Shallotte Town Hall.
- We now can take reservations for the Bridgeview Dock facility by credit card.
- The Turkey Trot is scheduled for Thanksgiving morning. Will be collecting canned goods for Brunswick Family Assistance.
- Tree lighting is December 1st at 6:00 p.m., with entertainment prior.
- Mayor Pro Tem Royal said at the last meeting they discussed the possible update to the CAMA Land Use Plan. Asked if anything was done on that. Town Manager Hewett replied he will put it on the staff docket to take a look at.

MAYOR'S COMMENTS

- Yesterday and today were the NCBIWA Annual Meeting. Discussion was concentrated in regards to terminal groins and jetties, an updated report on what is going on along the North Carolina coast. A couple of the reports were the most enlightening he has heard in a long time. That was encouraging. Also, there was a report on the possibility of windmills offshore. That seems to be losing favor. Seems to not be as popular of an idea as it once was. Another hot topic was the sounding of the bottom offshore, looking for petroleum products. Big controversy continues in regards to the damage it could be doing to the fish, whales, etc. There was a great turnout and it was a very good event.
- Happy Thanksgiving.

BOARD OF COMMISSIONERS' COMMENTS

Mayor Pro Tem Royal

- Thanked Town Manager Hewett and staff for their work on the After Action Report. It was very detailed. Encouraged staff to take action on the items learned. Thought it was a well prepared document.

Commissioner Freer

- Agreed with Mayor Pro Tem Royal. Thanked Town Manager Hewett and the employees for all their hard work and dedication, especially with the report.
- Thanked everyone for coming.

Commissioner Isenhour

- Happy Thanksgiving. Thanked everyone for coming,
- Thanked Town staff for continuing to clean up after Hurricane Matthew. Thanked Tom Myers and the Holden Beach Property Owners Association for updating their Facebook page to give people information after the storm.

Commissioner Fletcher

- Happy Thanksgiving. Wished we had more people here tonight. Thanked people for coming and participating. Also hopes we get more people to participate on boards and studies. The Board appreciates it.

Commissioner Kyser

- Thanked everyone for coming. Wished everyone a Happy Thanksgiving.
- Asked if there has been any talk in the county about developing a secondary water source. If that happens again and it is in peak season, all of the islands could need to shut down. Public Works Director Clemmons talked about the interbasin agreement. There is talk about doing a plant expansion in the next few years. They have a bypass in place and should be having a meeting in the next few weeks once the repairs are done. Public Works Director Clemmons will make sure to express the Town's feelings. He said they did an outstanding job with what they are dealing with. Mayor Holden talked about the upcoming need of a second water tank on the island.

PUBLIC COMMENTS ON GENERAL ITEMS

No comments were made.

ADJOURNMENT

Motion by Commissioner Fletcher to adjourn at 9:27 p.m.; second by Commissioner Freer; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk