



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, OCTOBER 23, 2018 – 7:00 P.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Regular Meeting on Tuesday, October 23, 2018 at 7:00 p.m. in the Town Hall Public Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem Mike Sullivan; Commissioners Pat Kwiatkowski, Joe Butler, John Fletcher and Peter Freer; Town Manager David W. Hewett; Town Clerk Heather Finnell; Assistant Town Manager Christy Ferguson; Planning Director Tim Evans; Public Works Director Chris Clemmons; Detective Jeremy Dixon; 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 Sullivan to adjust the agenda so that item #28, the Executive Session, instead of being near the conclusion will be after #14, and then immediately following the Executive Session we will have #21; second by Commissioner Fletcher.

Commissioner Freer said he hopes the Board will make the Executive Session as brief as possible.

The motion passed by unanimous vote.

APPROVAL OF MINUTES

Motion by Commissioner Kwiatkowski to approve a, b and c (minutes of the Special Meeting of August 6, 2018, the Regular Meeting of August 21, 2018 and the Special Meeting of August 30, 2018); second by Commissioner Butler; approved by unanimous vote.

PUBLIC COMMENTS ON AGENDA ITEMS

Elaine Jordan said she appreciates all the work the Board did in August to do a reset with the water and sewer fees. She asked that the Board include people in the real estate community in a formal way during the process to formalize the numbers. Ms. Jordan said she had a brief opportunity to review the second water tower report. She said it raises many questions in her mind and hopes the Board questions it. She added it is a very important and expensive item.

Ashley Royal stated he had the opportunity to attend the special meeting regarding Poyner Spruill today. He said three and a half years ago when they made their first presentation he was on the Board

that decided to take no action at that time. He said we have seen the impact of not soliciting the experts that can provide a service that can assist us in issues that are vitally important to the Town. They also shared their experience and success rates on grants. Mr. Royal encouraged the Board to seriously consider and approve the consulting services they can provide. He is convinced it would aid us in a lot of important decisions that need to be made and it will make our voice heard.

DISCUSSION AND POSSIBLE ACTION ON POYNER SPRUILL LLP PRESENTATION CONCERNING CONSULTING SERVICES

Mayor Holden said he found the presentation we had this afternoon at the meeting he called to be very worthwhile in listening to the multiple options of services they offer. Commissioner Kwiatkowski stated she found their depth and breadth to be very impressive. She said they have their network and in listening to them they know what they are doing and will be efficient. She thinks the question that needs to be addressed is the breadth of the work for the amount of the annual budget. Commissioner Kwiatkowski stated she thinks it is a firm that the Town could benefit from hiring. Commissioner Freer added he was very impressed with the breadth. He thinks what we need to focus on is what the Town is looking for, beach nourishment and beach activities. He said they are well qualified. He said he was a little disappointed that they were not provided with the list of potential activities earlier so they could be discussed at the meeting. Commissioner Freer said former Congressman, Mike McIntyre, expressed that the firm would work for the Board. He views this group as very strategic and he would like to understand tactically how they would work. Commissioner Freer is looking forward to the next speaker to see if they could possibly work together. He said he would like to pursue understanding how we could move forward with this consulting service. Commissioner Butler said he expressed some of his concerns this afternoon. The group is well qualified and have outstanding experience. He said his issue is that the Town is in the sand business. He said there is someone out there that made a decision from the Corps that the Town would lose the sand through a dredging process out of the Lockwood Folly Inlet. He talked about the importance of communication. Commissioner Butler said he appreciates Mr. Royal's comments. He said the Board needs to take some appropriate action that will defend our beach. Mayor Pro Tem Sullivan said he was sitting in the audience during the first presentation and guesses at the time he was naive. After listening to the presentation today he has completely changed his mind. He stated in order for the Town to have some representation we need someone who has the ear of the decision makers. He said if it is this firm or another that is fine, but the Town needs someone to speak on our behalf. Mayor Pro Tem Sullivan stated at the end of the day he is in favor of retaining a firm to do that. Commissioner Fletcher said he doesn't think there is any question that the firm is a powerhouse. It is a major firm with major reach, contacts and experience. They can do that job. He stated it is the Board's first time to hear from anyone on this issue. He asked what this would cost us. He would not be unhappy to have them do some major things for the Town and somebody else do local, state and county things for the Town. It is a major issue. He explained why we need the beach. Commissioner Fletcher would like to hear the next speaker and see if that is a possibility as well. He stated the final decision would be after we hear a cost. He stated he didn't understand the seriousness of this three years ago. He is willing to listen and see if they can progress forward.

Mr. McIntyre reviewed what they presented at the earlier special meeting. He introduced Glenn Dunn and Roger Gwinn. They provided background on what they do.

Mayor Holden begged the Board to give full consideration to this. He said we need somebody who knows people. Mayor Holden said it sounds like we have a consensus to look at the possibility of pursuing this. He asked how to proceed. Commissioner Kwiatkowski said she thinks the Board needs

a sit-down with what are the priority objectives, a rough game plan and a cost for the program. Having that in front of them will allow the Board to make a decision. Mr. McIntyre offered to develop a proposal. The Board agreed to work from that as a beginning point. Town Manager Hewett will solicit the Board's thoughts.

Commissioner Fletcher explained Mr. McIntyre was known for the 20 years he was in Congress as one of the best people for getting deals done across the board. Mayor Holden added he received an award for that. Commissioner Freer agreed they are highly qualified and that the Board could look at the return on investment once the Board knows the cost.

DISCUSSION AND POSSIBLE ACTION – ATTORNEY CLARK WRIGHT PRESENTING POTENTIAL IMPACTS TO HOLDEN BEACH SHORELINE PROTECTION EFFORTS DUE TO FEDERAL LITIGATION BETWEEN NATIONAL AUDUBON SOCIETY (SOUTHERN ENVIRONMENTAL LAW CENTER) AND OCEAN ISLE BEACH

Clark Wright talked about his background. He said he has known Mr. Dunn for a long time and that he could work well with that firm if there is a role for him. Mr. Wright provided information on the Ocean Isle Beach litigation that has been brought by the National Audubon Society represented by the Southern Environmental Law Center against the Corps. They also had to name Ocean Isle since they are the permit holder. The litigation has been stalled. He said the judge in that case is his former law partner, Judge Flannigan. He talked about the status of the litigation and said the bottom line is that under an expedited timeframe the parties need to submit their briefs and present their arguments to the court. The Southern Environmental Law Center brief is due November 20th. He spoke about the Town's position when the Board decided against having a terminal groin at Holden Beach. He said the impact area for Ocean Isle's terminal groin includes the west end of Holden Beach. Mr. Wright inquired if the Town wants to get involved in a formal or official way in the pending federal litigation. He would be happy to do it and would offer the Board as reduced of a rate that he could put together given the reality of a federal court litigation. He thinks the Town should give that serious consideration. One option would be to formally intervene as a party. The more streamlined and cost effective way to participate would be to file a friend of the court brief, an amicus brief, on behalf of the Town's position. That would be the course he would recommend if the Town is going to do anything.

Mr. Wright stated that having heard the presentation at 4:00 p.m. he wanted to make a couple of observations. He said you can't do any better than Poyner Spruill. He thinks it is important to take Town Manager Hewett's wish list and narrow it down to focus their expertise. He said their potential in the grant area is a big plus. Mr. Wright explained why the geography presents some additional challenges to cooperation in our area. He said it will be very important that the Town find ways to coordinate and cooperate with other smaller communities, the county, the state and the feds. He said he thinks Poyner Spruill presents some real opportunities and some potential problems. He thinks there should be discussion on how to avoid that. Mr. Wright talked about the Lockwood Folly Project. He stated if there was a way to mesh working together on regulatory issues with Poyner Spruill, he would be happy to try. He wanted to emphasize that he is not here to compete. Mr. Wright suggested the Board put together a focused list of what is important and present it to Poyner Spruill and possibly some others.

Mr. Wright stated he is here because there is a time sensitive decision point in the Ocean Isle Beach federal litigation, challenging the decision by the Corps to permit a terminal groin for Ocean Isle. He explained the west end of Holden Beach is part of the impact area. He said an estimate for filing a friend of the court brief and a motion to go with it by November 20th would cost in the range of \$9,000 - \$19,000.

BRUNSWICK AVENUE PAVING OPTIONS – SHANE LIPPARD, RIGHT ANGLE ENGINEERING

Town Manager Hewett explained he asked Right Angle Engineering to prepare some alternatives for Brunswick Avenue in anticipation of trying to get a running start for next year's budget. Shane Lippard said what is being discussed is from Rothschild to High Point. When you drive Brunswick Avenue the pavement is wavy. There was utility work that was done about 10 years ago. The settlement that has occurred over 10 years is hopefully maxed out. You would go from the level the asphalt is at today and wedge the asphalt from the center out so you are basically filling in waves and then do an overlay on the whole road. Commissioner Freer asked if there are options as far of what technology to use. Mr. Lippard thinks this approach is a reasonable approach. There are different kinds of geofabrics and things you can add that he doesn't think would really address the settlement issue. Commissioner Freer mentioned a section on Highway 211. He has been watching it for a year and it is still good. Mr. Lippard stated the question is do you look at allocating a portion of the overall budget and break this method up over a couple of years or do you try to address it all at once. He knows the Town currently operates at about \$100,000 a year for paving projects. Town Manager Hewett added you would want to add it to the priority listing. He explained why it was avoided in the past. With a couple of the most recent paving endeavors where we used the wedging technique it seemed to have worked well. Mr. Lippard stated it was done in the Jordan Boulevard area. Mayor Pro Tem Sullivan asked if we are convinced that all of the settling has taken place so we wouldn't be investing in something that will sink again. Mr. Lippard responded that he thinks ten years is a good measure. It is hard to say it will never settle more. Mayor Pro Tem Sullivan asked if we have been doing measurements to see if there has been any change. Town Manager Hewett replied no. Commissioner Butler asked if there is a guarantee associated with the process. Mr. Lippard answered that from a pavement repair process you would get a level of service that would be acceptable. He's not sure you would get a guarantee that it will never move again. Commissioner Butler said he just doesn't want to spend money if six months down the road we are no better off than we are now. Town Manager Hewett said that is one of the reasons why we wanted to run the whole cost by the Board and see if the Board would be interested in doing a test section. He added if you do several test sections the cumulative cost would be greater because of multiple mobilizations. Commissioner Freer stated he would be interested in seeing if this is taking place of being next on the ten-year plan. Commissioner Fletcher asked if this proposal takes all of the humps and bumps out. Mr. Lippard replied yes from Rothschild to High Point. Commissioner Fletcher asked if we could do half of the worst to test it and then later on finish the lesser ones. Mr. Lippard said you would pay a little more in mobilization costs and you never know what asphalt prices will be. Commissioner Freer said he supported that.

Town Manager Hewett said what he would propose would be to bring the Board back a profile that the Board could entertain during the budget process. Commissioner Freer confirmed that it would be done during the ten-year plan. Town Manager Hewett said so what he is hearing is to split it in two, pick the worst half and bring the proposal back. Commissioner Freer said whatever the one year cost is. Town Manager Hewett said it is one penny.

DISCUSSION AND CONSIDERATION OF PROFESSIONAL ENGINEERING REPORT FOR SECOND WATER TOWER – SHANE LIPPARD, RIGHT ANGLE ENGINEERING

Shane Lippard stated Right Angle Engineering was requested to study the need and potential cost of a second water tower on Holden Beach, mainly on the west end since there is a tower towards the center/ east end. They did some investigations and coordinated with the fire chief and the former

Brunswick County Utilities Director, Jerry Piece. Mr. Pierce helped with data collection and his knowledge with the county system. Mr. Lippard said the storage requirement is half of the annual daily average. On an average basis the Town is at 417,000 gallons a day. If you took half of that you would need 207,000 gallons per day for storage. That's an annual average. In the summertime, the Town is running 800,000 gallons per day. The second item in the water storage capacity amount is you would like to have that other half of the tank available for fire flow. In the summertime, if you are using 800,000 gallons per day, half of that is 400,000. You are not meeting half and you have no fire flow storage. Mr. Lippard explained the Town does have fire flow capacity that is coming from off the island. He said the Town is not meeting the numbers in the summertime.

Mr. Lippard said at the west end, if you look at the state fire marshal's recommendations it is 2,250 gallons per minute (GPM) available for the facility. The fire hydrant tested closest generates 1,300 GPM, so you are at a deficit of about 1,200 GPM of fire flow at that hydrant. He said there are some nuances to how the state fire marshal rates the accrual station that the fire chief may be able to talk about, but if you are not meeting the capacity at some fire hydrants it reduces your overall score. If you look at water storage for the future, in 2036 you would be looking at approximately 550,000 gallons average daily amount. If you look at your required amount of half of that you are barely at that amount and you certainly would not be getting enough storage for fire flow. If you project out 20 years, 546,000 gallons of storage is required. Mr. Lippard explained that based on those numbers it looks like a 300,000 gallon tank would meet the Town's needs. They looked at three different sites that the tank could be located at, Ocean Boulevard, Heron Landing and Sea Gull Drive. Of those three alternatives the least cost alternative is the Ocean Boulevard tank at \$1,754,000. Heron Landing is \$1.9 million and Sea Gull is just over \$2 million in total project costs.

Commissioner Fletcher asked if the water in the tank is in constant motion and being replaced. Mr. Lippard replied that it is and it fluctuates with water pressure in the system. The county has a system where they can regulate the pump flow and how much they are pumping. Commissioner Fletcher inquired if the tank affects the pressure at the hydrants. Mr. Lippard confirmed that if it is half full there is less pressure than if it was full. He also confirmed there is better flow on the east end than the west end. Public Works Director Clemmons explained how the SKADA system in the tank worked.

Commissioner Fletcher asked how the Town would pay for this. Mr. Lippard stated the state revolving water fund is a tool that municipalities go to for a loan. He also talked about USDA rates. Town Manager Hewett added there are a number of financial options available. Commissioner Freer stated engineering is a good start, but there are a lot of other things that need to be considered. He said you need to look at the whole thing, not just base it on an engineering report. He thinks the Planning & Zoning Board (P&Z) would be a good place to send this and get the decision points to move forward. Commissioner Kwiatkowski asked the impact on insurance if we are below the recommended flowrate. She lives on the west end and knows how much longer it takes to get to the west end. She said you have a longer time for people to get there if there is a fire and a potential of only half of the recommended flow rate. She thinks that insurance issues and the added risk are a key part of this. She asked what happens if we have another situation with broken pipes in the county's system. Even if we do the best we can to conserve water, if it happens in the summertime, the Town needs all of the help it could get. Commissioner Kwiatkowski said all of this needs to be thought through. There are a couple of months before we start budget. She said we need to see what proportion of the island we consider a higher risk than what the Town would like. Town Manager Hewett explained that this is a natural first step. Commissioner Butler asked if there was water in the tank when it was recently painted. Public Works Director Clemmons replied no. Mayor Pro Tem Sullivan asked how we go from

575 people to having to do our calculations based on 3,000 people. Mr. Lippard responded that there are 3,000 users/ meters. The state requirement is based on the number of connections, not your population.

Commissioner Freer stated he proposes to send this to P&Z to get into the details. Mr. Lippard suggested that Chief Todd from the Fire Department would be able to provide additional information.

Motion by Commissioner Freer to send this to P&Z for further analysis, second by Commissioner Butler; approved by unanimous vote.

COASTAL ENGINEERING PROPOSAL FOR MODELING AND REPORT ON OPTIMUM PLACEMENT OF DREDGE MATERIALS FROM NAVIGATION PROJECTS – FRAN WAY APPLIED TECHNOLOGY AND MANAGEMENT (ATM)

Assistant Town Manager Ferguson stated that after the recent activities with the inlet, several commissioners asked to see a proposal for additional modeling and analysis services. Fran Way was at the meeting several months ago with the Corps. This is about the East End Nourishment Project, which has kind of been the life blood of the east end for decades. About 10 years ago the Town proactively started piggybacking on the Corps' project and maximizing the amount of material that was being put on the beach. Mr. Way said that since then the east end has done very well. Now there is competition for that sand source. He stated that the east end is still a vulnerable area and needs nourishment every two years. In order for the Town to have a technical and scientific background as to why the east end is the best spot for the sand ATM prepared the proposal. Mr. Way said the first part is to update the numerical modeling. We would need to extend the grid a little to the east. Task 2 is about how the Corps goes about making their decisions. They would go through the same process. You have the least cost option that the Corps is required to do, but in this case if there are other complicating factors they can chose to put it elsewhere. It would go through that and the opinion that the east is the preferred option and that is where this material should go. Mr. Way confirmed that for Task 2 they know there is a process the Corps uses and they are trying to work within the technical steps. He agreed with Commissioner Freer's statement that they have done this before for the Environmental Impact Statement and that they are updating it.

Commissioner Butler asked for confirmation that the objective and the goal of the project is to clearly demonstrate that the best place to put the sand is on the east end of Holden Beach. Commissioner Freer clarified it is the engineering data that supports that objective. Commissioner Butler asked if this takes into consideration about making the channel deeper. Mr. Way responded that there are several different items in the Lockwood Folly. There is the inlet crossing project and that is the one we are talking about for this project. That is the project the Town really needs to hold onto in ATM's opinion. The county has said they will find sand somewhere else, they will dredge a big channel through the outer ebb shoal out in the ocean and put materials similar to what Shallotte does. Mr. Way said that is a completely different new project and it will definitely affect the east end. The county is still working through that. This effort is specific to the Lockwood Folly Inlet Crossing. Town Manager Hewett added that the widening, deepening of the channel in his opinion would require a further evolution of a permit. During the permitting process, he thinks the Town's position should be that we need to have some modeling done in terms of environmental assessment, but we shouldn't have to be the ones that pay for that. That should be the permit holder that does that work. Commissioner Butler asked if there is something in place so the Town is not blindsided again. Commissioner Kwiatkowski thinks the resolution ends with that; before they do something like that there needs to be modeling data that

shows there will not be a negative impact. Town Manager Hewett stated as the adjacent beach, part of the CAMA permitting process requires that the Town be notified. Mr. Way said it appears the county is more focused on navigation of the inlet. He said with the state dredging funding, it seems like everyone is trying to find a project that qualifies so that you could qualify for the 67% reduction in funding. Mayor Pro Tem Sullivan said one of the components was to also show that if you put the material on Oak Island, the natural drift would make it fill into the inlet quicker than it would if you put it on the east end of Holden Beach. He asked if that is part of the proposal. Mr. Way responded yes. Town Manager Hewett added it is in Task 2. Commissioner Butler said it is also less expensive to put it onto Holden Beach. Town Manager Hewett explained that the modeling is broader with the intent that the logic be perpetual in terms of what it tells us.

Mr. Way stated that the timing would be about two months. Town Manager Hewett said this is not budgeted. If the Board wants to move forward they would need to approve the proposal and also the associated budget amendment that appropriates fund balance of \$47,000. Commissioner Kwiatkowski said this is necessary and timely.

Motion by Commissioner Butler to approve this analysis and along with that Ordinance 18-14; second by Commissioner Kwiatkowski; approved by unanimous vote.

RESOLUTION 18-11, DESIGNATION OF APPLICANT'S AGENT (HURRICANE FLORENCE RESOLUTION)

Assistant Town Manager Ferguson said at the Hurricane Florence applicant briefing the Town was advised a resolution would need to be passed to appoint an applicant designee for the Town. It is a standard form from the state. The suggested motion is the BOC hereby designates Town Manager David Hewett as the primary applicant designee and Assistant Town Manager Ferguson and Fiscal Operations Clerk Lockner as secondary contacts on the FEMA Resolution.

Motion by Commissioner Freer to accept the suggested motion; second by Commissioner Butler; approved by unanimous vote.

RECEIPT OF INLET AND BEACH PROTECTION BOARD REPORT (IBPB)

Commissioner Freer stated the Board received a report from the IBPB. There are no issues. He thanked them for their hard work. It is in our ordinance that we get a report from this group.

POLICE REPORT – DETECTIVE JEREMY DIXON

- Recently graduated from the FBI National Academy. Thanked Chief Layne, Town Manager Hewett, the Board and the Town for the opportunity.
- Had a really good summer. Had a few break-ins. The numbers looked like they were down from the past.
- As we go into the winter season, more homes are sitting vacant. Keep an eye on your neighbors' houses. Do not hesitate to call the Police Department if you see anything suspicious. If you see something let them know immediately.

EXECUTIVE SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTE 143-318.11(A)(3), TO CONSULT WITH THE TOWN ATTORNEY

Town Clerk Finnell read the reason for Executive Session.

Motion by Commissioner Fletcher to go into Executive Session at 8:33 p.m.; second by Commissioner Kwiatkowski; approved by unanimous vote.

OPEN SESSION

Motion by Commissioner Fletcher to go back into Open Session at 9:22 p.m.; second by Commissioner Kwiatkowski; approved by unanimous vote.

DISCUSSION OF ACTIVITIES AND TIMELINES TO RE-CONDUCT THE DETERMINATION OF MAXIMUM SEWER AND WATER SYSTEM DEVELOPMENT FEES AND SUBSEQUENTLY SET "PERMANENT FEES" BEFORE THE END OF 2018

Motion by Commissioner Kwiatkowski that the current fees that have been adopted will remain in effect for 90 days after which we will reevaluate the status; second by Commissioner Fletcher; approved by unanimous vote.

DISCUSSION AND POSSIBLE ACTION – CONSTRUCTION MANAGEMENT SERVICES OF THE VACUUM SEWER SYSTEM #4 UPGRADE STATUS REPORT

Public Works Director Clemmons said since the last time we met, the upper level part of the structure is about 35% complete. It is almost dried in. It lacks some metal on the roof. The east wall has not been completed. We are scheduled for delivery of equipment tomorrow. When that happens we will be putting equipment in so there should be equipment inside by the end of the week. According to the engineer we are probably about 35% complete on the building itself and 40 - 45% complete on electrical. According to the engineer and the contractor there is a possibility we will start the equipment up by Christmas. That doesn't mean the project will be complete.

So far the project doesn't have any change orders or cost overruns from what was projected. Scheduled to have a meeting on October 30th. He may have a revised timeline by the next meeting. Public Works Director Clemmons doesn't think we are too behind, but we did lose a week and half due to Hurricane Florence. He thinks we are okay on the timeline, but he doesn't have anything etched in stone.

Commissioner Kwiatkowski asked when we will start the process for the next one. Public Works Director Clemmons said engineering was put in this year's budget. Town Manager Hewett said he thought the discussions were to finish the first one so we can accommodate for the lessons learned in the next. He assumed we would move into engineering services for the second one once the first one is completed.

DISCUSSION AND POSSIBLE ACTION – AS A FOLLOW-UP TO THE IMPLEMENTATION OF PARKING ACTION STEPS IDENTIFIED BY P&Z/ CITIZENS’ ADVISORY GROUP AND APPROVED BY THE COMMISSIONERS LAST DECEMBER THE FOLLOWING IS RECOMMENDED: 1) AFTER THE 2018 SUMMER SEASON, REVIEW THE PHASE 1 PROGRESS OF THE APPROVED ACTION STEPS OUTLINED ON PAGE 2 OF THE APRIL 17, 2018 REGULAR MEETING AGENDA AND 2) REQUEST P&Z TO REVIEW MID-YEAR 2018 – 2019 PARKING PROJECT ACTION STEPS AND REPORT BACK TO BOC

Commissioner Butler reviewed the items that the Board said would be put in place before the summer season. 1 – We have a visitor map; that is complete. 2 – Parking direction signage at the bottom of the bridge. The right sign at the base of the bridge needs to be fixed after the storm. He received positive feedback about the signs at the bridge. We need the “P” at the nine municipal locations. Public Works Director Clemmons said originally we proposed five of those, but he does see the need to put them at all of the locations. He discussed it with Town Manager Hewett and will work with another vendor to see if he can get a better price than from the last vendor. Commissioner Butler inquired about the no 2:00 a.m. – 5:00 a.m. parking signage. Building Official Evans said when he did his parking report, he provided information on the five locations for the parking signs. Two were at the bottom and the others were for the future. Those were the signs we needed to get permission from the DOT on. We purchased three 2:00 a.m. – 5:00 a.m. signs. Commissioner Butler asked that they be purchased. Commissioner Butler said we purchased the bumpers and have bumpers in a number of locations. He said the one thing we didn’t do is paint striping. Public Works Director Clemmons explained where he put the curb stops this summer. From what he saw people weren’t actually parking according to the curb stops. Commissioner Butler said it is there for people. We are trying to better utilize the parking we currently have. 4 – Has been taken care of. 5 – Develop a communications plan pertaining to parking revisions. Town Clerk Finnell explained the map and information on the app are on the website. We blasted the information a couple of times and put it on Facebook. The map was developed towards the end of summer so we will make sure to get it out there again next year. Town Manager Hewett added information was on the electronic sign too. 6 – Commissioner Butler thinks we already discussed Police enforcement over the last couple of months. Ordinance 18-07 is in place and 18-08 as well. The next area we were to look at was to identify if the phase worked and what is left to be done.

Commissioner Butler reviewed what was discussed in the past, which included with the support of a third party look to investigate the possibility of increasing parking on Jordan Boulevard and areas surrounding the Pavilion. This should also include investigating organizational options for boat and vehicle parking, which is currently having an impact on single car parking. Investigate other potential vacant land / properties that can support additional visitor parking on the island (If determined to be necessary). Conversion of Town owned properties into additional visitor parking if needed. Commissioner Butler said looking at the lack of funding and being creative in the future as far as generating additional revenue, he thinks the Town needs to keep their mind open. He thinks the Citizens’ Committee threw parking meters out the window, but he thinks that one should be kept on the table. He added maybe not parking meters, but kiosks. He suggested that for vacant land and determining other options he would like to pass this to P&Z and allow them to assess and evaluate it to get back to the Board on any additional recommendations they have. The Board talked about reinstating the Parking Committee.

Motion by Commissioner Butler to reinstate the parking commission through P&Z to address these future issues or topics; second by Commissioner Fletcher.

Town Manager Hewett stated that relevant to curb stops he wanted to make sure that everyone understands that for the festivals each year they need to take those up. Planning Director Evans said they would not have the same committee members.

Town Clerk Finnell read the motion. She talked about appointing new people to the committee.

Commissioner Butler, with Commissioner Fletcher, in agreement withdrew his motion.

Motion by Commissioner Butler to give P&Z the permission to authorize another citizen advisory committee pertaining to parking to address the future 2019 concerns or topics; second by Commissioner Fletcher.

Mayor Holden asked that the Attorney confirm the motion is fine. Attorney Fox repeated her understanding of the motion and said she thinks the motion is fine.

The motion passed by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON SOLID WASTE AGREEMENT AND ITEMS RELATING TO SOLID WASTE MANAGEMENT

Town Manager Hewett explained this is the amendment to the solid waste and recycling contract. It takes recycling to a weekly pickup in the summer season, remaining every other week during the months of October – May. It increases the subscription fee up to \$61.56. There is an associated budget amendment based on the estimated impact that would be required of \$9,893 and a corresponding revision to the fee schedule, increasing the annual fee we collect to \$67.56 per bin. The new bills will go out in January. Commissioner Butler talked about the section in the contract that says carts must be placed at the curb by 6:00 a.m. on the scheduled day of service. He said we are going to have more discussion on solid waste later. Town Manager Hewett said this is the amendment to the existing contract with Waste Industries. What is proposed later is an amendment to the ordinance.

Motion by Commissioner Kwiatkowski to accept both the amendment to the Solid Waste and Recyclable Collection Contract, as well as Ordinance 18-15, Amending Ordinance 18-10 and Resolution 18-12 (a, b & c); second by Commissioner Butler; approved by unanimous vote.

FIRST DRAFT OF REVISIONS TO TOWN OF HOLDEN BEACH CODE OF ORDINANCES, CHAPTER 50: SOLID WASTE

Commissioner Kwiatkowski explained the Board decided they needed to update their solid waste ordinance and what they have in front of them is what she put together as a first draft. When she puts things together she usually does it as rigid as possible in the beginning because it is easier to soften things. She was hoping to get some comments during the public comment, but we didn't. She would like a sit down with Public Works Director Clemmons and Town Clerk Finnell to make sure we are comfortable with things before it goes to the Town Attorney. Commissioner Kwiatkowski stated this is getting to be time is of an essence item because we wanted to communicate with rental management companies so they would have the information in their packets. She thinks we are right up to where the packets will start to be put together. Attorney Fox said she would be happy to meet with the group to facilitate the timeframe. Town Clerk Finnell will email the group for availability. The Board will email their comments.

STATUS OF INTERNAL CONTROL AUDIT

Town Manager Hewett stated the program manager from RSM has completed their fieldwork. We received a matrix back from them. It has been provided to the Audit Committee Chair. The staff has gone through the matrix and responded to the program manager with some administrative errors. They are far enough along that they sent us a bill for \$16,000. He anticipates the final draft will be prepared next month and there will be a review of the draft by the Manager, Audit Chair and an Audit member prior to it coming to the Board with a presentation.

RECOGNITION OF 2018 PELICAN AWARD FROM THE NORTH CAROLINA COASTAL FEDERATION TO THE TOWN OF HOLDEN BEACH COMMISSIONERS FOR OUTSTANDING LEADERSHIP AND DEDICATION TO KEEP OUR COAST ACCESSIBLE AND PUBLIC

Commissioner Freer presented the Pelican Award. There is an article that was presented along with the plaque. It is for the efforts of not building a hardened structure, the terminal groin.

DISCUSSION OF POSSIBLE RAMIFICATIONS OF STATE FUNDED DARE DREDGE AND ACTION PLAN FOR THE TOWN TO BEGIN THE PROCESS OF GETTING SERVICE

Commissioner Kwiatkowski said this topic is predicated by some things that came out last August. She would have liked to talk about it a little more timely, but we missed the September meeting. The General Assembly has outlined a plan for the state to acquire permanent dredging capacity for maintenance of the state shallow draft navigation channels, allocating \$15 million from the shallow draft navigation channel and dredging and aquatic relief fund to Dare County to provide a forgivable loan to a private partner for the purchase of a shallow draft hopper dredge under the direction of the Oregon Inlet Task Force “in accordance with the work plan negotiated under Subdivision 2 of Subsection e of this section for maintenance of shallow draft navigation channels located throughout the state.” The way she reads this is that this is under Dare County’s control, but it is supposed to be for maintenance for all of the channels throughout the state. It further specifies that the task force should coordinate the use of the dredge to ensure that dredging projects for all shallow draft navigation projects located in waters of the state are completed in an expeditious and timely manner, Section 13.7(b). Commissioner Kwiatkowski said the state appears to have taken an important step to ensure the state’s shallow draft inlets are properly managed. She has concerns after reading the coastal review article where it is stated the proposed hopper dredge will service Oregon Inlet, Hatteras Inlet and their surrounding waterways and when possible other waterways and other shallow draft inlets in North Carolina. She stated this doesn’t jive with what the legislation says. Later in the article it states that once the dredge starts in the Oregon Inlet that will open up and release the Corps’ dredge assets to operate in other coastal waterways.

Commissioner Kwiatkowski stated she is perplexed. She thinks it is really important that all of the counties and municipalities that have relied on and contributed monies to the Corps’ shallow draft navigation dredging programs have input into this task force planning process to ensure the necessary timing and frequency of dredging service for all inlets is understood and adequately accounted for in annual plans, whether by the state dredge or the Corps’ dredge assets. She thinks the Board needs to have a plan to get clarification. Commissioner Kwiatkowski suggested writing a letter to the appropriate parties in Raleigh to ask for clarification. It could be asked that the task force be expanded beyond just people who are on the current task force. Commissioner Freer said we have an Inlet and Beach

Protection Board that could start that. He added that the Board has a proposal from an environmental attorney that could help with that. Commissioner Kwiatkowski asked if the Board could agree to have Town Manager Hewett or Assistant Town Manager Ferguson approach whoever is appropriate in Raleigh to ask for clarification or if the Board wants to wait longer. Town Manager Hewett suggested asking Representative Frank Iler at the meeting he is attending tomorrow. Attorney Fox added there will be a broad spectrum of people involved with shoreline management at the NCBIWA conference. Commissioner Freer agreed Representative Iler would be a good first step. Commissioner Kwiatkowski said upon finding out more details the Board can discuss this next month to see if they need to turn something over to the IBPB.

RECOGNITION OF ASSISTANT TOWN MANAGER FERGUSON FOR EARNING CERTIFIED PARK & RECREATION EXECUTIVE STATUS

Town Manager Hewett recognized Assistant Town Manager Ferguson for earning her certified Park & Recreation Executive Status. She is one of 14 in the state who received these credentials and 1 of 251 in the nation.

TOWN MANAGER'S REPORT

- Veterans Day Luncheon is November 9th. It is free to veterans and one guest.
- Beach and Inlet Protection Board orientations are complete.
- Canal Dredging – King Dredging is partially mobilized onsite at Scotch Bonnet. The Dog Park is closed until further notice. It could be closed until Memorial Day. Dredging is scheduled to commence November 15th. Will be going east to west, Holden Beach Harbor, Heritage Harbor, Harbor Acres. It will probably be five to six weeks for each one. If you haven't made arrangements to move your dock or take care of your boat, now is the time to look at it so we can optimize the dredger's capability. Division of Water Resources' reimbursements process appears to be very responsive.
- 50-Year Project – The project has been inactive since 2013. It will take another \$550,000 to finish the General Revaluation Report. There has been \$8 million of federal money spent so far through fiscal year 2012 and there will be no federal money available until there is a cost sharing agreement to recoup the costs and also to pay the \$550,000. If there is interest in proceeding the ball is in our court. That is something the Board could talk about or send to the IBPB.
- Pointe West stormwater drainage work is complete.
- Annual audit has been delayed. Preliminaries were submitted timely by staff, but the fieldwork by the external auditor will not happen until mid-November. The positions have been coordinated with the Local Government Commission.
- We are now working three FEMA hurricane damages reimbursement programs simultaneously. We still have \$350,000 in reimbursements for Matthew pending. Had the numbers for Michael and Florence, but those numbers are being updated as we speak. Ignore the ones provided on the written report. For Florence the inlet to inlet calculation of erosion is 275,000 cubic yards. Of that amount 201,000 cubic yards is within the central reach area. The price tag is approximately \$8 million. Both of our generators (Emergency Operations Center and Town Hall) ran into issues. We have them temporarily band aided together, but we are going to need to look at how those generators are set up. On the sewer system there were minimal damages to the lift stations. We had some minor electrical damages. We were not prepared for the type of rain event we had. It is hadn't been for the Fire Department helping out with their pumper trucks and Planning Director Evans, Public Works Director Clemmons and the Public Works Department who converted our sewer

bypass pumps over to stormwater discharge pumps we would not have been able to pump the estimated 25 million gallons of stormwater off of our roads and vacuum sewer system. We would not have been able to reenergize those lines if we hadn't done that. The Fire Department was a God sent. They helped us out for over 72 hours. Our overtime budgets really took a beating during Florence. Those overtime expenses are reimbursable, but Florence wasn't normal. We will have to manage our way through those issues. Didn't have any apparent damages to any of the canals, maybe some bulkheads. Those types of things may not manifest themselves for a while. We didn't have any overwash into the canals, which means there isn't any extra material that we have to account for in the contract with the dredger. Planning Director Evans said there is about \$5 million in personal property damages. Initially it looked like we had more damage from Hurricane Michael because of the onshore wind flow, but preliminary assessments look like 136,000 cubic yards over and above the Florence inlet to inlet damages and about 90,000 cubic yards in the central reach area.

- Mosquitoes – looks like the county aerial bombardment and our daily truck efforts made some headway. Perhaps we are out of the mosquito season now that the cooler weather is here, but we are going to continue to keep monitoring.
- We received a \$57,000 sewer capacity reimbursement from the county. That is an unbudgeted, miscellaneous type revenue from the county in exchange for the capacity that we basically pass through to Southport. We are in year three of that reimbursement arrangement.
- The Holden Beach Bridge Rehab Project is getting ready to start. The contract schedule is soft at this time. They could begin by the 29th of October, but they haven't had the preconstruction meeting. We will have intermittent closures and work as much as possible at night.

Commissioner Freer asked if the beach strand reimbursements go directly into the sand fund. Town Manager Hewett said this is done on a reimbursement basis so for the damages we have you would need to do a repair project. You pay upfront and then get reimbursed. He believes it is a two year program. We stretched out the Irene one by getting a couple of extensions. Commissioner Freer said so it could potentially be used towards Central Reach 2. Town Manager Hewett said if you want to expedite the schedule for that.

MAYOR'S COMMENTS

- This weekend is festival weekend. Forecasting rain and wind.

BOARD OF COMMISSIONERS' COMMENTS

Mayor Pro Tem Sullivan

- Commended Mayor Holden for the terrific job he did during Hurricane Florence. Everyone was sitting someplace else and had no idea what was going on here except for the reports he posted. He did it in a timely manner and it was helpful for everybody. Read about other towns where people were upset that the last thing they heard from the town was to evacuate. Thinks the people in the Public Works Department worked hard. We should be so happy we were able to get back on this island in the timeframe we did. The only reason for that was the work of Public Works Director Clemmons and his crew. They are down two people. Planning Director Evans helped out. They deserve as much applause as Mayor Holden.
- Attended Boo at the Beach on Friday. The Town did a great job. Staff was there until 8:00 p.m. They volunteer their time to make the Town look good. Appreciates it.

- Have a Land Use Plan (LUP) being developed for Holden Beach. You have received a request to fill out a survey from the Town and the Holden Beach Property Owners Association. Thinks we got it twice. We have 600 people who responded. We want everyone's input. Only do it once. It would behoove everyone here to take the time to respond.
- Thanked everyone for coming and staying through the long meeting.

Mayor Holden talked about the good job the Police Department did during the storm, working 72 hours straight. Thanked Town Manager Hewett and staff.

Commissioner Kwiatkowski

- Echoed Mayor Pro Tem Sullivan. Thanked everyone for all they did during the storm and how rapidly after Michael the guys were out on the beach looking at erosion. At her end it was a whole lot worse than Florence.
- The deadline for returning the LUP survey is October 31st. Don't let it go too long if you haven't already done it.
- Thanked everyone for coming tonight and staying through this. We really do like your participation.

Commissioner Butler

- Thanked everyone for their patience and attendance.
- Congratulated Town staff involved in the storm. Great job. Told Mayor Holden he really appreciated knowing what was going on sitting in Pennsylvania.
- Congratulated Assistant Town Manager Ferguson.

Commissioner Fletcher

- Echoes the same. He thinks everyone knows now just how hard the staff works, appreciates it. Doesn't think we would be back near as quickly if they didn't do what they did. Working 72 hours, that is three days and nights. That is a long time to be out there and not in nice weather. Thanked everyone in the Town.

Commissioner Freer

- Added his thanks.

PUBLIC COMMENTS ON AGENDA ITEMS

No comments were made.

ADJOURNMNET

Motion to adjourn by Commissioner Kwiatkowski at 10:21 p.m.; second by Commissioner Freer; approved by unanimous vote.

ATTEST:

J. Alan Holden, Mayor

Heather Finnell, Town Clerk