



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
EMERGENCY MEETING
MONDAY, MARCH 23, 2020 – 10:00 A.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for an Emergency Meeting on Monday, March 23, 2020 at 10:00 a.m. Present were Mayor J. Alan Holden; Mayor Pro Tem Gerald Brown; Commissioners Woody Tyner, Brian Murdock and Mike Sullivan; Town Manager David W. Hewett; Town Clerk Heather Finnell; Public Works Director Chris Clemmons; Assistant Town Manager Christy Ferguson; Inspections Director Tim Evans; Fiscal Operations Supervisor Margaret Lancaster; Police Chief Jeremy Dixon; Lieutenant Frank Dilworth; and Attorney Jennifer Carpenter. Commissioner Pat Kwiatkowski participated via telephone.

Mayor Holden called the meeting to order.

PUBLIC COMMENT

Robby Cohen said he is a general contractor. It is his understanding that the Board is closing the island to that work. It would be terrible for him. He said in their trade they are able to keep social distance.

Elaine Jordan stated we are a huge country and every location is different. Actions should be different for each location. She said the Holden Beach economy is based on real estate and tourism. She said if you shut down rentals, you are talking about shutting down an entire economy. Ms. Jordan said Holden Beach government is based on occupancy taxes and real estate sales. She stated rentals are down and urged the Board not to act out of fear. She added there are many alternatives available.

CONSIDER ACTION THAT MAY BE NECESSARY DUE TO THE CORONAVIRUS THREAT

Commissioner Tyner explained he and Commissioner Sullivan wanted to meet earlier than 4:00 p.m. to start discussing options. He said he knows the Board received over 100 emails. He said in 99% of the emails people are asking to stop short-term rentals and limit the beach to property owners only for at least two weeks. He wanted to call the meeting so the Board could discuss the issues and provide input to Mayor Holden. Commissioner Sullivan said he received a ton of emails. You can tell where a person resides by the information in the email. The vast majority of people who live on the beach say close it down. The people who live on the mainland want the beach to remain open. People who own property are appalled at the idea that the Board may close the bridge and not let people on. Commissioner Sullivan said a lot of people have lost sight of the reason. Nobody is saying that anyone is less hygienic. The larger the population, the greater the chance that they are exposed to the virus. They can be asymptomatic and could spread the virus. The concern is to do what we can to limit the spread of the virus by taking the most reasonable, safe steps that we can. He inquired if Mayor Holden still intends to have the meeting at 4:00 p.m. He also asked if Mayor Holden intends to implement what the majority of the Board thinks is the

right policy or if he will maintain the ability to make the decision on his own as the Emergency Management Director (EMD). Mayor Holden replied yes, the Board will have the meeting. For the second question, as they gather information today, they will make the decision this afternoon. Mayor Holden said he doesn't know what will be decided yet. He doesn't know what the governor or state or local people will say today. That will all be taken into consideration.

Commissioner Sullivan asked what Mayor Holden's recommendation would be as of right now, with his experience as EMD. Mayor Holden said he is planning to gather information and make the decision later today. Right now, he is concerned with the statement that 99% of people want rentals banned. That means if you received 100 emails, you only had one person that is in favor of not closing the rentals. Commissioner Tyner said 98%, one email and one call. Mayor Holden stated the decision would be made later today. His office just delivered him another stack of emails. If he starts reading now, it will take until the middle of the afternoon to read them all. Commissioner Sullivan stated he understands that. He has read all of the emails he received. Like he said, the position of the email depends on where they are from. It gives a flavor, but he doesn't think we will get much more new data. Commissioner Sullivan stated we all have a certain amount of information with which we can rely upon and try to make a decision. He doesn't know how much more information he will get other than if the county or governor declare a State of Emergency. He doesn't know if he wants to wait. Mayor Holden stated he is not disagreeing with anything the others are saying. Some of the answers that need to be brought forth before a good educated decision could be made are things like: how are we going to enforce it; he thinks we need to hear from the attorney and police chief. His company has 35 homes that are occupied that are rental houses. He thinks we need to identify how many people we have and are potentially going to have. Also, how we will notify them and who will get them out. There are so many answers to be found. He said we need to sort through what is real information and what is rumor. Mayor Holden is communicating with the neighboring mayors to see what they are doing. There are also towns like Southport and St. James. He asked why it is just the coast, not the mountains. The reality is the pressure is on the coastal people.

Town Manager Hewett said Commissioner Kwiatkowski has provided information on her thoughts and there have been emails about different actions. He thinks the first thing the commissioners should realize before they can do anything is that a State of Emergency needs to be declared. He provided information on establishing a State of Emergency. The Emergency Plan is irrelevant in these circumstances. He thinks there is a common misperception that putting an officer at the bridge would control access. That would not work due to logistics. That works in a hurricane when there is nobody on the island, but the scenario does not work when the island is occupied. Once a State of Emergency is declared it will limit how staff would interact with the public.

Chief Dixon said his biggest concern is with the bridge closure. During hurricanes, it is a logistical nightmare. During this, it is impossible. He has run the numbers and can't figure out how to make it work. During a hurricane, we have an eight-officer department and are here 24/7, with everyone on staff. They eat and sleep here and nobody goes home. With our situation now, we are down two officers. We have a vacancy and one on light duty, so we currently would have six officers. Patrol shift is 12-hour shifts. To work the bridge, it takes two officers and eight-hour shifts. It would take six officers to cover the bridge, leaving nobody to cover patrol. That wouldn't be sending them home either. It's one thing for five days during a hurricane. We don't know how long this will be. Chief Dixon said we would need 12 officers to just cover the bridge and need the six to eight to keep up with regular shiftwork. He wants to work together and agrees we need to do something, but he can't figure out how to close the ingress and egress.

Mayor Holden said the most common question he gets from people about that is why the sheriff can't provide the Town with help. Chief Dixon said the Sheriff's Department has its own jurisdiction and provided some statistics. He has more than his hands full. This will be our situation to deal with. Commissioner Sullivan stated he understands the logistical problems. He inquired if Chief Dixon is saying the Town will never have the opportunity to close the bridge if it comes to a point where Brunswick County is like New York or Washington. Commissioner Tyner asked what other options there are. Chief Dixon responded he thinks it would take the governor activating the National Guard. He thinks there are options for closure, but the bridge is not one of them. The other option for closing the bridge is to close it to everyone with the backhoe. If you are letting people go back and forth, they have the potential to bring the virus back too. Commissioner Tyner said they are trying to flatten the curve. Commissioner Kwiatkowski said she took into account everything Chief Dixon was saying. Everything she tried to put together in her thoughts was based upon what other parts of the country are doing, without closing the bridge, but by stopping rentals and policing what is happening on the ocean strand. Some states have said the strand is open for only exercise and walking dogs. All of the things she suggested have to do with what others are doing and trying to take into account our limited resources to make it as feasible as possible, to do something meaningful to reduce people's exposure. People do need to act responsibly. She doesn't want to stop everything. She wants the construction and service people to still be able to operate. Commissioner Kwiatkowski said the Town can't close the island totally because we don't have food and medicine on our island. It's minimizing exposure and reinforcing what responsible behavior is.

Town Manager Hewett explained once you declare a State of Emergency you are making it official this is a threat to public health. That has implications for the workforce in the field. Facilities and services will need to be truncated. Inspections Director Evans said there is a directive from the Department of Insurance. Last week he had contact with over 250 people. If the Board is going to say it is that big of a hazard, he hopes they say it is a hazard to employees too. He talked about the directive from the Department of Insurance. He said they need to make a decision on the threat level. He talked about his experiences last week. Commissioner Tyner stated he understands the concerns. He thinks they are all trying to make the best decisions for the public. A majority of the public is asking the Board to take action now.

Mayor Pro Tem Brown said the vast majority of people that live here are in the age group where it would be hard if the virus comes here. He talked about the situation in Italy. He said he thinks we are in uncharted waters. Mayor Pro Tem Brown said if we need to man the bridge, we need to do it. He has a trauma surgeon and a doctor as neighbors. They said if you can't do anything else, cut the short-term rentals out. He stated get the crowds down. He said if you keep bringing people in, it will be just like it was in Florida. It will be by the thousands, that is what we are trying to avoid. Two weeks will not kill any construction job over here. Mayor Pro Tem Brown said if you shut the bridge down, you will need to close it for everyone. If they took a vote on it, he would vote to shut it down. He is listening to his neighbors. He said we may go into an emergency and it may be extended for weeks. He stated be proactive, forget about the dollars and think about the health.

Commissioner Murdock said he is not ready to make any kind of decision. He understands it is a public health crisis. If you are going to stay on the island if it is closed, he is with you. He asked what the point is if you are going to leave to go to the store. Mayor Pro Tem Brown said if it turns out to be a two week deal to start with, you would have 48 hours for the renters to leave and for people to go get the supplies they need. He is saying what a bulk of his neighbors are telling him. Commissioner Tyner asked if most of the

feedback has been to limit it to property owners. Mayor Pro Tem Brown agreed. Commissioner Kwiatkowski asked if he is saying if you leave the island you can't come back. Mayor Pro Tem Brown responded that he is saying the property owners need to be smart. You can give them enough time to stock up. Commissioner Kwiatkowski said she is in South Carolina with a brother dying of cancer. She asked if he is saying if she leaves the island, she cannot come back when the time comes. Mayor Pro Tem Brown answered he is saying use common sense. If you have to go, fine, but don't go to the grocery store every day. He said have your sticker or some form of identification.

Town Manager Hewett advised the Board there is a Brunswick County conference call at 11:00 a.m. The Board discussed recessing.

Motion by Commissioner Sullivan at 10:53 a.m. to recess until 12:00 p.m., second by Mayor Pro Tem Brown; approved by unanimous vote.

Mayor Holden reconvened the meeting at 12:00 p.m., gave an update from the conference call and provided information about Governor Cooper's conferences scheduled for later today. He said this afternoon the Board will do something that will be determined by the input gathered between now and the 4:00 p.m. meeting. He said it is his clear understanding that all five commissioners are asking him to call a state of emergency. The Board all agreed.

Attorney Carpenter explained there are options to restrict government facilities if a State of Emergency is not declared. If you do declare one, it opens up additional powers and regulations for the public health. We need to assess the threat level for Holden Beach and tailor the response to that threat. To her knowledge there are not any confirmed cases of the Coronavirus on Holden Beach. She suggested the Board will need to decide the level of tolerance of the threat to the Town. The concern from what she is hearing is to try and prevent the Coronavirus from coming on the beach. She is not sure that is a realistic goal, but she thinks the guidance is to slow the curve. With that in mind, she thinks certain measures that would limit the gathering of a lot of people would deter your typical nonresident tourist travel to the area. Attorney Carpenter suggested if you close the beaches for a public health crisis, they are closed. They are not closed to certain people and not others. Parking restrictions would also restrict travel. As far as closing the bridge, she hasn't heard a reason to do that which would override what the town manager and police chief are telling the Board about logistical challenges. The Police Department is small, when you put them in the position of regulating the cars to the Town you are subjecting them to additional exposure. Commissioner Tyner questioned if there is anything to legally prevent the bridge from being closed. Attorney Carpenter responded that for a State of Emergency you probably could close the bridge. Since it is a state road, she would reach out to them. She thinks the first step is to see if a State of Emergency is what the mayor wants to do.

Commissioner Kwiatkowski encouraged everyone to look at the Ocean Isle Beach resolution. It gives some good ways of describing things. Commissioner Tyner said it looks like what they have done as a first step is reasonable and he would be favorable of taking that approach. Mayor Holden said other entities have made similar restrictions. He would like to consider everyone's. Commissioner Kwiatkowski said she sent everyone an overview of what different counties and places in North Carolina have done. Mayor Holden added that some of the South Carolina beaches had some interesting concepts as well.

Inspections Director Evans said he just received three pages from the Office of the State Fire Marshal. It is specific stuff that he needs to go over with Town Manager Hewett.

Mayor Holden said hearing the wishes of the commissioners and listening to the legal suggestions and guidance offered, as the EMD he is ready to call for the emergency status and the verbiage that goes along with that and put that into effect immediately. He would not like to go beyond calling a State of Emergency at this time, then gather information from the 1:00 p.m. press conference call, the 2:00 p.m. phone call and other sources. When the Board comes to the 4:00 p.m. meeting, they can hash through that. Before the end of the day, his intent is to follow through beyond just a declaration of the emergency. Mayor Holden is directing the declaration of an emergency to immediately be put in place.

Attorney Carpenter said after the calls they should be able to put together some proposed steps.

ADJOURNMENT

Motion by Mayor Pro Tem Brown to adjourn at 12:15 p.m.; second by Commissioner Murdock; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk