



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
EMERGENCY MEETING
THURSDAY, APRIL 30, 2020 – 4:00 P.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for an Emergency Meeting on Thursday, April 30, 2020 at 4:00 p.m. in the Town Hall Public Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem Gerald Brown; Commissioners Woody Tyner; Brian Murdock, Mike Sullivan and Pat Kwiatkowski; Town Manager David W. Hewett; Town Clerk Heather Finnell; Assistant Town Manager Christy Ferguson; and Police Chief Jeremy Dixon. The meeting was streamed on the Town's Facebook page and opportunity for comments was provided prior to the meeting due to the restrictions in place for COVID-19.

PUBLIC COMMENT

Town Clerk Finnell and Assistant Town Manager Ferguson read the comments submitted by Jeremy Timco, Greg Johnson, Laura Throckmorton, Bob Brown, Catherine Clark, Beth and Bill DuVall and Irvin Woods.

REVIEW AND EVALUATE STATUS OF STATE OF EMERGENCY OPERATIONS OF THE TOWN

Mayor Holden explained it is time to evaluate the status of the State of Emergency. Commissioner Kwiatkowski said a lot of the things she has thought about were reflected in the different letters. She asked if at a county level the medical community has said they can handle ramped up populations. She inquired in terms of groceries, what kind of lead-time they need to say they are ready to start having the influx of renters. She was there yesterday and there were a lot of sections that were slim and empty, others were okay. Commissioner Kwiatkowski stated in terms of retail and services that would be allowed to open, after May 8th there will be what Governor Cooper is calling Phase 1. Social distancing is still part of it. There needs to be protocols for social distancing and cleaning. She asked how the social distancing protocols will be managed for restaurants. She doesn't know what cleaning protocols exist. She inquired about the local responsibility for monitoring and enforcing those. She asked if the Police Department will be able to patrol the beach to make sure social distancing is being followed. These are the areas that she would like some confidence that they have all been addressed before she would say the Town can open for Phase 1. She doesn't think the Town should open before May 8th, but even Phase 1 is being described as a modified Stay at Home Order.

Commissioner Murdock agreed with Commissioner Kwiatkowski. He doesn't see how we could go against the governor's order of May 8th. The rental companies will have a tough go of assuring people the houses will be clean and safe. He doesn't know how we will make the turnaround times of years before. It's May, it's one of our shoulder seasons and not usually that busy. Commissioner Murdock said he thinks families all over the country are taking this seriously. Some people are careless and he doesn't think anyone up here can fix that. We don't have high rises or big hotels, so he thinks we are in a little bit better shape of

dealing with it. He encouraged rental companies to look at longer turnaround times to ensure the safety of people coming to the island. He doesn't see enforcement on social distancing. He thinks if the Town is able to open up after May 8th, we should consider doing that in some fashion. Our grocery stores are bad. He suggested rental companies tell people to bring their own groceries. People are going to do things different for a long time. Commissioner Murdock said we should at least wait until May 8th and see what comes out of that. He would be supportive of some type of relaxation of the rules after that.

Mayor Pro Tem Brown stated at the end of the day this isn't NYC, Chicago or Los Angeles. He would guess the vast majority come from within the state of North Carolina. Everyone has been made aware of social distancing. People will push the envelope. As far as short-term rentals, sometime the cure is worse than what we are suffering now. If we say we are going to keep it closed down, it will hurt a lot of people. We know what we need to do social distancing wise. People who are vacationing are not going to bring someone who is sick. His vote would be to go ahead and open the short-term rentals. He would be fine with coinciding with the governor. Mayor Pro Tem Brown said he knows we all have reservations about this. He feels for Mayor Holden, any way he turns, he catches it. He thanked him for the job he is doing. People are aware of the situation. People that are coming here are families. Mayor Pro Tem Brown said go easy, let the governor say what he is going to say. If it gets bad and something comes up, we can look at it. He feels like by May 8th we should be ready to open short-term rentals. He heard about food, but if you drive into Shallotte it is completely different. A lot of folks will bring the basics. He doesn't want to bring any harm to anyone. If we start to get into a situation, we can close it.

Commissioner Tyner echoed what Mayor Pro Tem Brown said about Mayor Holden. They all received a lot of feedback. Truly, it is 50/50. He appreciates Mayor Holden's leadership and willingness to ask the Board what they think. This is a hard decision. It was hard to close and now it is hard to decide to open. He is mindful of a quote from Winston Churchill, he feels like we are at the end of the beginning. The curve is starting to flatten. People are aware of what they need to do. 85% of the people will do the right thing because it is the right thing. 15% of the people are what most of the rules are about. This is not a big city. People are doing the right thing. In looking at what is in the best interest of all of Holden Beach, his recommendation is to go along with the governor and start short-term rentals May 8th. He suggested opening parking and public accesses Saturday morning. Commissioner Tyner said he would still focus on no groups over 10 and maintaining social distancing. He would keep the parks closed right now. The beach is fairly wide and you can social distance pretty easily there, unlike the basketball court.

Commissioner Sullivan thinks it is beneficial for everyone to have the input from the commissioners, as well as the mayor. He likes to deal in facts and not just his feelings. When he looks out and sees his neighbors who go back and forth between their homes, he doesn't think people are following rules. He agreed when you walk down Ocean Boulevard people are very cognizant of social distancing, but he believes that people are oblivious to the dangers of coming from Charlotte, Mecklenburg, Durham or Raleigh and the possibility of them bringing the virus to this community. He said we sat here four weeks ago and decided to close the beach down. Nothing has changed. In North Carolina we haven't hit the plateau. In North Carolina on March 28th there were 944 cases, with four deaths. On April 4th there were 2,402 cases and 24 deaths. Today, four weeks later, there are 10,529 cases, an increase of 438% in North Carolina in the last four weeks. The deaths have climbed from 24 to 378. Mecklenburg County has 1,627, Wake County has 821, Durham has 728, Wayne has 655 and Rowan has 381 cases. Commissioner Sullivan said if the Town lifts the rental ban, we will be inviting those people and the people from the states that have the high-rise buildings, the congestion and the Coronavirus running rampant. We know now that at least 25% of the people who have the virus don't even know it so we will have well intentioned people

coming from hotspots to this location. He said 40% of the people who have contracted the virus in North Carolina are 25 – 49 years old. Four percent of those people have died. 50% over the people over 50 have contracted the virus and 96% of the deaths in North Carolina are people over 50 years of age. We have a median age of 61.4 years at Holden Beach. Commissioner Sullivan said in looking at these figures, it has not flattened here and we are going to invite people from places with high instances. He stated it doesn't make sense. He thinks that everyone has more or less agreed that the Town shouldn't lift the ban until May 8th because that is what the governor has said. His guidelines say in order to properly make a determination and do it in a reasonable safe fashion, we need to have testing, training and trends. If you look at the trends in North Carolina, we do not meet the minimum criteria. He has five children and seven grandchildren and he would like nothing more than to have them visit. He won't invite them because they are not supposed to travel and it doesn't make sense. There is nothing in his point of view that has changed for the better in the four weeks from when the Board first met to discuss this that would warrant the Town to lift the ban. We penalized the people who live here when we closed the strand. He said we shouldn't penalize them any further when it comes to using the beach. He said the Town shouldn't open parking. He thinks what has been done has done a good job of protecting people. Commissioner Sullivan said there were 10 cases of people coming into the county during the Stay at Home Order that tested positive. If we take away the rental ban, will have people coming from places with higher cases. He stated we might know more in two to three weeks, where we could lift the ban and make some changes that would be done based on facts. He said what happens at FoodLion is a different issue. What he is concerned about is the health and safety of the people who live here. He feels for the people who are not getting the income they anticipated. He said he will always err on the side of caution to protect the people who live here. He stated it is not fair to say to them if you want to avoid this, you can stay in your house. Commissioner Sullivan said he is strongly in favor of keeping the rental ban in place. He said based on the facts, the Town should consider expanding the ban until we are comfortable that other places that come here have flattened the curve.

Commissioner Kwiatkowski is in agreement with Commissioner Sullivan. She doesn't think May 8th is the magical date. She said her feeling is as long as there is a Phase 1, which is a modified Stay at Home Order, we need to consider that as a spell of time that we should not be open for short-term rentals. Governor Cooper said that would be two or three weeks if it went well, which would put us at Memorial Day or the beginning of June. She said she thinks the last thing anyone wants to see happen is that the Town open in May and then need to close again in July and August. She said she isn't just talking about Holden Beach, but the whole area. She inquired about opening the restrooms in terms of keeping up the cleanliness and supplies. She said it is hard for her to envision opening things and then bathrooms aren't available. She thinks Phase 1 should be a period of time that we need to hold back.

Commissioner Murdock asked what happened to the days when people are actually responsible for themselves. He knows the rental load in May is not much. He also knows people will be here no matter what and they will invite their friends and family from other places. He said if you are worried and don't want to come out of the house, if you don't want to walk past people, he is pretty sure you can take precautions to make that happen. He thinks people for the most part in the whole country are taking this seriously. He would hate to lose anyone to this. He doesn't know when this will go away, if it will ever go away. He said we are under the thumb of an unknown enemy. Commissioner Murdock said his opinion is if you want to take care of yourself you can. People are going to the grocery store, Walmart, appointments, pumping gas and everywhere else people go and they live here. Don't think people are not coming and going. He stated opening up short-term rentals in May at some point is not a big influx of people. People know times are different. In another week we will know what is happening in Ocean Isle. We will have

data so the Board can look at that. The residents are hurting and the people who own property here are hurting. He is getting pressure from everywhere to do something. Commissioner Murdock feels for each and every person on this island and in the world. He feels that everyone has the opportunity to take care of themselves. He said it is an unknown and he knows any decision they will make will be wrong for someone.

Commissioner Sullivan said the idea that someone who follows the rules has to be the one to quarantine themselves to make sure they are safe goes against what he thinks is fair. He stated it is not right that someone who violates the Stay at Home Order should be given equal footing to someone who stays here. He said he shouldn't have to make accommodations because people have come here who should be at their own home. Commissioner Murdock said he agrees with that. He said it is happening anyways. Commissioner Sullivan asked why the beach needs to be open if people aren't going to come. The reason he would lift the ban, would be for people to come. He said they won't know what will happen in Ocean Isle Beach for at least two weeks. We would need more time in order to evaluate what is going on. If we don't open, it is terrible economically for so many people. If we do open up, it is better economically, but it could affect the health of the people. There is no right answer.

Commissioner Kwiatkowski asked if clinics and hospitals have indicated on the county level if they can handle beaches reopening. Mayor Holden said on the county conference call today, Novant Hospital's report is that they are resuming elective operations Monday. They have space and are in good shape. It was just a few days ago they were considering ordering refrigerated vehicles and now they are returning to more normal and elective operations. As he understands what was said this morning, the hospital is fine. Commissioner Kwiatkowski said they have six intensive care unit rooms and 100 hospital beds. She is assuming New Hanover is in reasonable shape. She said if Doshier, New Hanover and Novant feel comfortable with the beaches opening, it is an encouragement for taking things forward. Mayor Holden stated New Hanover is not on that call. Doshier Hospital didn't share. Nor did Novant share any conversation of assurance of being able to handle a change if the islands open. That was not discussed. Commissioner Tyner said he has a friend who is having surgery in Raleigh on May 15th. They did call to confirm they are opening for elective surgeries in Raleigh.

Commissioner Tyner said he agrees with Commissioner Murdock; there is a certain amount of personal responsibility that folks need to look at. He thinks for the most part, they have. The reality is we will never get to 100% compliance. He said he thinks folks have normalized what we have been doing for the last 30 days. He thinks you will see that continue and you will see people trying to protect themselves 90%. He doesn't know if you can ever get to 100%. Ideally, he would like statistics and facts to be the driver for all of this, but we are dealing with some unknowns. We are not a big city, we have a lot of individual residences. He thinks the Town can take the risk of opening. We can remind people to do social distancing. Commissioner Tyner said if we see that things are not going how they should, we could always change our mind. He stated we need to think about everybody, not just the permanent residents. We have a lot of people who pay taxes and keep the Town running. There is not a perfect answer. He wished Mayor Holden good luck and said they will support the decision he makes.

Commissioner Kwiatkowski said she forgot who mentioned it will be easy to keep social distancing at the beach, but it would be better to keep parks closed. She asked for feedback on that. Town Manager Hewett responded that he thinks the Town should keep parks closed. Our situation is that you cannot sequester the basketball court from the pavilion. He said that should dovetail into some of the governor's future protocols. That would include the boat dock. He explained we don't have staff and there is actually a

shortage of cleaning crews that can do that kind of janitorial services. Town Manager Hewett said to the point of having the Police be the social distancing police; that is not their business. Whatever type of instruction comes out, you are asking people to voluntarily impose upon themselves the restrictions. There was a managers' teleconference yesterday. The general theme is to keep an eye on the governor's date of May 8th and as far as possible try to mimic that. Each community has a different prospective on how to do that. New Hanover County let some of their restrictions expire Wednesday night. He would like to point out that Columbus County seemed to explode yesterday. They went from 80 cases to 143 cases. It's a 30-minute drive from Whiteville to Ocean Isle Beach. It is a little bit longer to Holden Beach. Mayor Pro Tem Brown asked if lot of that was tied to nursing homes. Town Manager Hewett agreed and said a lot has to do with a family gathering also.

Assistant Town Manager Ferguson said she and Town Manager Hewett spoke about parks this morning. She is in agreement with what he said. The county kept their parks open, but closed playgrounds. She believes they had staff cleaning them every three hours. We don't have the ability to do that. It is an issue finding cleaners. If the park were to open, that is a huge amount of public parking. All it is, is a walk to the beach. If other things are not coinciding with that, it is not a good idea.

Chief Dixon agreed with what Town Manager Hewett said about social distancing. They encourage it and want to see people follow it. They are still enforcing parking and will continue to as long as the order is in place. He sees both sides of the argument on opening the beach. Commissioner Kwiatkowski asked if the Town is able to not allow weddings on the beach at this time because most are over 10 people. Chief Dixon replied he would need to read the governor's order again. Commissioner Kwiatkowski went over what Phase 1 is.

Commissioner Tyner asked if the mayor has talked with representatives from other nearby areas. Mayor Holden said Myrtle Beach is going to open so they have reversed their position. He has not spoken with Sunset Beach or Oak Island recently. They have been on the conference calls and he doesn't believe they have made a decision yet.

Mayor Holden stated this is an extremely tough issue. In talking with the chief today in regard to the tickets that were given for the parking violations in the Town's rights-of-way (ROW), it has been brought to his attention that some of our permanent residents have received tickets for parking in the ROWs. He provided information on some of the phone calls he received. Some of the calls are from elderly residents who can't park near the beach. We are hurting some of our own residents who feel like they are being punished. He realizes it is a problem if the restrooms are closed. He is offended for the thought that county parks are open and ours are closed. He said he thinks the consensus of the Board is that we all recognize there is a need to support our rental business on the island. It is worth \$2 million a year to the Town. That's \$2 million our taxpayers do not need to pick up on the property tax side to operate the Town. Some say they don't care and some say they didn't realize that. Mayor Holden said he thinks the timing of opening the rentals and timing of parking is what he expects to come out of this gathering today. The governor has put his guidelines in place and hopes people will adhere to his guidelines. A majority of the people will do the best they can to comply. He said he thinks it is important to look at our neighbors. Each one is unique. We have approximately 2,200 – 2,300 homes on Holden Beach. We are 2/3 built out. We are not anything other than a residential beach, with no high rises. We are pretty much widespread from one end of the island to the other, which helps us in this decision. Mayor Holden stated he has been in the rental business for over four decades and grew up in it over two more decades. The month of May, as pointed out, is not a large occupancy month. He had his staff pull the numbers for him to look at this

morning to see how many reservations they had for the month of May. He was surprised and disappointed; the number was very little. He would say it is fair to say that there are more owners and occupants approved by the owners in the properties than the rentals that his company will generate in the houses that they manage. There are a lot of people already here. If we were to go with May 8th, that would give us several days to make it known and give homeowners an opportunity to get their properties ready. Mayor Holden said he does think it is time to agree to that date as the beginning of the rentals reopening. He doesn't agree with an immediate opening of rentals. He has a lot of pressure to do that, but he doesn't think it is the right thing for the whole of the island. He is going to say that the Town will begin short-term rentals on May 8th. Commissioner Sullivan asked if that will be effective even should the governor extend his Stay at Home Order beyond May 8th. Mayor Holden replied yes, with the current information we have. If things turn bad, we could always stop things just as we did in the beginning. If it looks like he made the wrong decision, his pride will not keep him from changing it.

Mayor Holden said before the discussion today he had assumed it was okay to open the parks. Having heard the discussion, he would say to keep the parks and restrooms closed.

Mayor Holden asked how he can tell residents they can't park, with the information the chief provided this morning about hurting our own residents. Some of the calls are tough. He is going to allow parking. He said if anyone feels that is mistake, he will give them the name of the next person that calls and cries because they can't get to the beach and let them tell them they can't go to the beach. He stated don't think that a lot of thought doesn't go into these decisions. Commissioner Kwiatkowski asked if there is a way to designate one of parking areas as disabled parking only. Town Manager Hewett said the Quinton Street parking area is all handicap parking and has a handicap ramp. There are others that are ramped. Mayor Holden said there are accessways that are private for subdivisions that people want to park near and go to their private accessways. The idea of a special area is helpful, but doesn't solve all of the issues. He had a bunch of calls from people on the mainland that share the same feelings. One was a former resident of Holden Beach, but they couldn't afford to live here anymore so they moved to the mainland. They paid taxes over here for 30 years. He explained it's tough.

Mayor Holden said he thought about putting guidelines on rentals, but it gets so complicated and confusing that he would rather keep it simple. All of the decisions that are made today can be revisited at any time. He would hope that the public, elected officials and staff would share information if they find the Town is astray so they can review and adjust to it.

Mayor Holden stated in summary short-term rentals will return May 8th. Bathrooms, parks and the boat dock are closed. Public accesses and public parking is open. Town Manager Hewett asked if parking at the parks are included. Mayor Holden said he has no problem closing the parking lot around the water tower. Mayor Pro Tem Brown said he thinks the wise choice is to keep parking by the basketball closed, but he thinks other parking should be allowed. He said they are trying to do what's best for everyone. He stated this is still a public beach; let them use it. Commissioner Murdock agreed. Commissioner Tyner said he is 50/50. There will be enough parking right now. If they can't park at the park they can go somewhere else. Commissioner Tyner said the governor's order expires May 8th, he is assuming Mayor Holden means rentals can start May 9th. Mayor Holden answered that he believes a majority of the agencies have a three-day minimum so if they rented for Mother's Day, it would include May 8th. Commissioner Tyner said he sees his point.

Mayor Holden stated the Town will adjust as needed. He will not do something crazy without the Board gathering and sharing thoughts. He thinks they have done a great job of being cohesive in our efforts. We are under a state of emergency status. He had another call this morning about Town Hall being closed when other things are open. Town Manager Hewett said Town operations are continuing, we are just not doing them the way we have traditionally.

Mayor Holden said the Holden Beach Chapel renovations have been completed. They look forward to being reopened, but with the gathering rule from the governor it will remain closed until further notice.

ADJOURNMENT

Motion by Mayor Pro Tem Brown to adjourn at 5:39 p.m.; second by Commissioner Tyner; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk