



Town of Holden Beach
Board of Commissioners
Regular Meeting

Tuesday, August 18, 2020
7:00 PM

Holden Beach Town Hall
Public Assembly



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS' REGULAR MEETING
HOLDEN BEACH TOWN HALL – PUBLIC ASSEMBLY
TUESDAY, AUGUST 18, 2020 - 7:00 P.M.**

1. Invocation
2. Call to Order/ Welcome
3. Pledge of Allegiance
4. Agenda Approval
5. Approval of Minutes
 - a. Minutes of the Regular Meeting of July 21, 2020 (Pages 1 – 12)
6. Public Comments on Agenda/General Items
7. Engineer's Report on Potential Paving Costs for Sea Gull Street, Deal Street and Canal Street – Shane Lippard, Right Angle Engineering (Town Manager Hewett)
8. Update on Current Recovery Operations – Mayor Holden
9. Discussion and Possible Action on Ordinance 20-04, An Ordinance Amending the Holden Beach Code of Ordinances, Chapter 157: Zoning Code – Inspections Director Evans (Pages 13 – 20)
10. Discussion and Possible Action on Ordinance 20-11, An Ordinance Amending the Holden Beach Code of Ordinance Title XV: Land Usage (Ordinance cannot be adopted until after 24 hours from the time of the public hearing) – Inspections Director Evans (Pages 21 – 24)
11. Discussion and Possible Selection of a Firm to Perform a System Development Fee Study – Town Manager Hewett (Pages 25 – 27, Separate Packets)
12. Discussion and Possible Approval of Resolution 20-06, Resolution Regarding the GFWC of Holden Beach's Recognition of the 100th Anniversary of the Passage of the 19th Amendment Providing Women the Right to Vote – Town Manager Hewett (Page 28)
13. Discussion and Possible Approval or Resolution 20-07, Resolution Approving BB&T Signature Card – Town Manager Hewett (Page 29)
14. Clarification of Storm Debris Pickup for Gated Neighborhoods – Commissioner Kwiatkowski

15. Town Manager's Report

16. Mayor's Comments

17. Board of Commissioners' Comments

18. Executive Session Pursuant to N.C.G.S. 143-318.11(A)(6) to Discuss Qualifications, Competence, Performance of a Public Officer or Employee – Commissioners Sullivan

19. Adjournment

*** Due to the Town of Holden Beach's State of Emergency Restrictions and Governor Cooper's Safer at Home Order, in person public attendance is prohibited. The meeting will be livestreamed on the Town's Facebook page. Visit <https://www.facebook.com/holdenbeachtownhall/> to watch the livestream. Public comments can be submitted to heather@hbtownhall.com or deposited in the Town's drop box at Town Hall prior to 5:00 p.m. on August 18, 2020.**



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, JULY 21, 2020 – 7:00 P.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Regular Meeting on Tuesday, July 21, 2020 at 7:00 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; Inspections Director Tim Evans; Police Chief Jeremy Dixon; Assistant Town Manager Christy Ferguson; and Budget & Fiscal Analyst Daniel McRaney. The meeting was streamed on the Town's Facebook page and an opportunity for comments was provided prior to the meeting due to the restrictions in place for COVID-19.

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

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Town Manager Hewett asked to add a request from the county to approve or deny the apportionment of the CARES Act 2 funding to the county. It will require Board action to accept the money. He would like to add it as Item 11a. Commissioner Murdock would like to add Canal Drive to Item 8. He received a couple of emails requesting the addition.

Motion by Mayor Pro Tem Brown to approve the amended agenda; second by Commissioner Tyner; approved by unanimous vote.

APPROVAL OF MINUTES

Motion by Commissioner Tyner to approve the minutes of the Regular Meeting of June 16, 2020 and the Reconvened Meeting of June 18, 2020 (recessed from June 16th); second by Mayor Pro Tem Brown; approved by unanimous vote.

PUBLIC COMMENTS ON AGENDA/GENERAL ITEMS

Town Clerk Finnell and Assistant Town Manager Ferguson read the comments submitted by the public (hereby incorporated into the minutes).

DISCUSSION AND POSSIBLE ACTION ON MEMBERSHIP TO TOWN BOARDS AND COMMITTEES

Motion by Commissioner Sullivan that we re-nominate the people currently on the Parks & Recreation Advisory Board, the Inlet and Beach Protection Board and the Planning & Zoning Board and that we vote to fill the available spots on the Board of Adjustment; second by Commissioner Tyner; approved by unanimous vote.

The votes for Board of Adjustment were tallied. Anne Arnold and Phil Caldwell were selected to serve as regular members. There was a tie between MaryLou Lahren and Jack Lohman for the third regular member vacancy. Votes were as follows: Anne Arnold – unanimous, Phil Caldwell – Mayor Pro Tem Brown and Commissioners Tyner, Sullivan and Kwiatkowski, MaryLou Lahren – Mayor Pro Tem Brown and Commissioners Tyner and Murdock and Jack Lohman – Commissioners Murdock, Sullivan and Kwiatkowski. The Board voted and MaryLou Lahren was selected to fill the vacancy. Jack Lohman was selected to serve as the Alternate Member. The votes for the regular member position were as follows: MaryLou Lahren - Mayor Pro Tem Brown and Commissioners Tyner and Murdock and Jack Lohman – Commissioners Sullivan and Kwiatkowski.

DISCUSSION AND POSSIBLE DIRECTION TO STAFF TO OBTAIN PROBABLE COSTS FOR THE PAVING OF SEA GULL STREET, DEAL STREET AND CANAL DRIVE

Commissioner Murdock explained that after the agenda was released, he received a request to add Canal Drive to the original streets of Sea Gull Street and Deal Street. He thinks there are a couple more roads that are not paved. He does not mean to leave those out, but was not formally tasked with asking for that. Commissioner Murdock said the Board may want to consider doing them all. He said there is substantial Town effort in keeping these dirt roads maintained. Commissioner Murdock explained he is asking for a drive-by estimate of how much someone thinks it will cost to pave or gravel these streets. The estimate can be given to the residents on these streets so they can make a decision. At that point a petition needs to be done and it is up to the residents if it gets improvement.

Motion by Commissioner Murdock that we proceed to get an engineering cost estimate to improve specifically Deal, Sea Gull and Canal.

Mayor Pro Tem Brown asked about the cost. Town Manager Hewett said if you want to include Canal Drive it will probably cost about \$1,500. Commissioner Murdock asked if the engineering cost is passed along if the residents petition to pave the street. Town Manager Hewett answered that all programmatic costs become part of the project. Mayor Holden asked if it is the appropriate time to discuss the last 300/400 yards of the east end. He explained the last few hundred yards of the east end are terrible. He said he is sure the Police Department would concur. Town Manager Hewett said that is not only a road. It is also parking. Parking is probably the main driver for impacting that road. If the Board wants to do a holistic review of all unpaved streets, he is not sure of the cost. Mayor Holden asked that the Board keep that in mind.

The motion was seconded by Commissioner Kwiatkowski.

Commissioner Sullivan asked for clarification of the motion. Mayor Holden replied that the motion is that the three streets named will have an engineering report on projected costs to do a project.

The motion passed by unanimous vote.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-04, RESOLUTION AMENDING THE HOLDEN BEACH FEE SCHEDULE

Assistant Town Manager Ferguson explained it has been quite a few years since an update has been done to the Parks & Recreation fees. Prior to COVID-19, the Parks & Recreation Board had discussion on this. The proposed fees are in the memo.

Motion by Commissioner Tyner to approve Resolution 20-04 and the fees outlined in the schedule; second by Commissioner Murdock.

Commissioner Kwiatkowski asked if the resident versus non-resident fees are comparable to other islands. She thought there would be a larger differential in the fees. Assistant Town Manager Ferguson responded that she did look at other municipalities. Typically, it is around a \$10 difference. Commissioner Sullivan asked if a resident is any property owner, whether they live on the island. Assistant Town Manager Ferguson answered it is for all Holden Beach property owners.

The motion passed by unanimous vote.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-05, RESOLUTION ESTABLISHING CRITERIA FOR ENGINEERING FIRM SELECTION FOR FEMA PROJECTS

Assistant Town Manager Ferguson said Applied Technology & Management has been our engineering firm for coastal projects for many years. We have large FEMA projects coming up. The procurement requirements under the Federal Uniform Guidance requires a competitive proposal procedure for contracts for architectural and engineering services. The size and scope of the upcoming projects necessitates the need to engage in this process. In order to comply with the Uniform Guidance, the Town will need to send out an RFQ to solicit competitive proposals from qualified firms. The RFQ must contain a written method for conducting technical evaluations of proposals with evaluation criteria and relative importance identified.

Commissioner Tyner said in the resolution it states price is not a factor in the initial selection. He asked if there is a final selection. Assistant Town Manager Ferguson replied for engineers you ask for qualifications, then price would be considered. Commissioner Sullivan inquired about the proposed criteria. Assistant Town Manager Ferguson responded that staff looked at templates for other FEMA projects. In working on the RFQ, she would like for the Board to add to the motion for FEMA projects and coastal projects. We are looking for something that is all inclusive.

Motion by Commissioner Tyner that we approve Resolution 20-05 as amended; second by Commissioner Sullivan; approved by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON REQUEST BY AT&T TO RENEGOTIATE THE TERMS OF THE WATER TOWER LEASE

Budget & Fiscal Analyst McRainey explained that AT&T is requesting a rent reduction. Staff thinks it is in the Town's best interest to deny the request based on improvements that were recently made to the water tower. The request is to decrease from \$154,116 to \$114,000. Town Manager Hewett said several other firms are on the water tower to include Verizon and AT&T. Collectively, on an annual basis the rent on the tower is in excess of \$100,000. Commissioner Tyner asked what improvements were made to the water tower that would be of benefit to AT&T. Town Manager Hewett said we painted it. It was a two-year process that required that the cabling and antenna farm on the top had to be reworked. Mayor Pro Tem Brown asked if other companies asked for a reduction. Budget & Fiscal Analyst McRainey answered not at this time and that their rent is not the highest.

Motion by Commissioner Tyner to decline AT&T's request; second by Commissioner Murdock; approved by unanimous vote.

CARES ACT 2 FUNDING

Town Manager Hewett said the county has received a second apportionment of the CARES ACT funding. That distribution has been made to the county in the amount of \$2.77 million. The county is subsequently making the distributions to the towns, based on the same methodology that the sales tax distribution is made. In order to receive the funds, about \$9,000 to the Town, we need to turn down the distribution of the CARES Act funding that was mandated by Session Law 2020-80 (HB 1023). The Town can turn down the money so the county can receive it and subsequently disperse it to the Town. He asked the Board to approve the sample turndown letter.

Motion by Commissioner Tyner that we approve the declination letter as outlined here and recommended by the town manager; second by Mayor Pro Tem Brown.

Commissioner Sullivan asked for an explanation for the reason the Town is declining this. Town Manager Hewett responded that the Town spent about \$70,000 for things we will or have submitted for FEMA reimbursements. We do not know if we will be approved for any or all of those. We cannot double dip, but this money is more generic in nature.

The motion passed by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON SUGGESTED CHANGES TO DRAFT LAND USE PLAN

Commissioner Kwiatkowski said she thought it would be good if the Board could approve the Land Use Plan (LUP) changes while it is still fresh in everyone's minds. She put the suggested changes into the document. The Board was going to vote on the changes in March, but that changed due to COVID-19. She knows the Board still needs to have a public meeting. That can happen when it is appropriate.

Motion by Commissioner Sullivan that we accept the amended LUP except for Goal 4.2.B, which according to our advisor, Wes Macleod, would go against the state's 7B planning guidelines, which to his knowledge we have to follow the 7B guidelines.

Commissioner Kwiatkowski said her understanding is that he recommends it, but she is not under the impression that the change would be unacceptable, it might need a review. Inspections Director Evans agreed.

The motion was seconded by Commissioner Murdock.

Commissioner Kwiatkowski explained the changes the Board put in went to Mr. Macleod. He made the recommendation not to change Goal 4.2.B for simplicity moving forward. She is fine with leaving that goal as it originally was. Commissioner Tyner said on page 32 - 33 it talks about the Lockwood Folly Inlet. He asked if the least cost policy of sand placement is still in effect. Town Manager Hewett said that is their existing policy, whether they follow it is another thing. Commissioner Sullivan added he believes in the last couple of months they amended it so they don't have to use that. He said the Board is still in favor of that policy.

The motion passed by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 20-04, AN ORDINANCE AMENDING THE HOLDEN BEACH CODE OF ORDINANCES, CHAPTER 157: ZONING CODE

Commissioner Kwiatkowski explained she had questions from a couple of residents and a commissioner on whether the designation of a structure by square feet is heated or total. She suggested clarifying that. Inspections Director Evans explained it would include the impervious items. It is basically the footprint. He said he would go back and look to see how it is worded now. He explained why it says square feet. Commissioner Tyner said on page 44 it says transient occupancy not consisting of at least two overnight stays. Inspections Director Evans explained that is not being changed. If the ordinance was written any other way it would classify rentals as commercial. It was written in a way that we can build structures and rent them. Commissioner Kwiatkowski said on page 47 under section h, she doesn't think he needs the word *over*. Inspections Director Evans agreed to come back with the final language on square footage next month.

DISCUSSION AND POSSIBLE ACTION ON TEXT AMENDMENTS FOR ORDINANCES PERTAINING TO CONSTRUCTION AND FLOOD MANAGEMENT

Inspections Director Evans said his department often finds discrepancies in the ordinance that are either violations of state law, are problematic in their application, have no practical purpose or are not in the best interest of the Town or the wellbeing of the citizens. The reasons for this can be internal, external or simply outdated application. One of the proposed changes is elevators. NFIP guidelines recommend hardened structures for elevator shafts. Inspections Director Evans said he thinks it will be in the Town's interest not to have hardened structures on our beach. It won't affect the Town's CRS rating. The proposed change is to make an exception that would allow elevators to be built with breakaway walls.

Inspections Director Evans explained that §154.21(D) was better written in our old ordinance. The way it is written now, it is hard to understand. He said elevators were exempted, but the stairs were not. He would like to clarify and add the proposed exception.

Marsh or wetlands needs to be clarified by adding who has the responsibility in the ordinance.

The fee of \$25 wasn't covering what the Town needed to do.

In §158.09 he is proposing to take out the section about the County Health Department.

Inspections Director Evans said they researched and can't find a reasonable explanation why a pile should be seven feet from a bulkhead. It may have had something to do with septic systems. Mayor Pro Tem Brown asked if there is a number. Inspections Director Evans replied no.

Commissioner Kwiatkowski suggested in §158.09(B) the word either needs to go away. Inspections Director Evans agreed that this section would be after the stormwater plan was approved in response to Commissioner Murdock's question.

Motion by Mayor Pro Tem Brown to hold a public hearing at 6:45 p.m. at the next monthly meeting; second by Commissioner Tyner; approved by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON CHAPTER 160D REQUIREMENTS FOR LOCAL GOVERNMENTS

Inspections Director Evans explained the new regulations in Chapter 160D will require us to do a review of our ordinances. It is his recommendation that the Board allow the staff to go through the Town's ordinances line by line and compare our ordinances to these changes. From a regulatory standpoint, these changes will not be subject to review or criticism because they are state law already. Planning staff will need to enforce it and we need to make sure it is in line. Staff can then work with the Town attorney to get the changes made. He provided an example of what needs to be done.

Motion by Mayor Pro Tem Brown that we accept the building inspector's request; second by Commissioner Tyner; approved by unanimous vote.

Inspections Director Evans stated this does have to be done before January.

DISCUSSION ON DESIGNATING BACK-UP EMERGENCY MANAGERS IN CASE OF UNAVAILABILTY OR INCAPACITY OF THE EMERGENCY MANAGER DURING A STATE OF EMERGENCY

Commissioner Kwiatkowski reviewed the ordinance that talks about a line of succession at least three deep for the emergency management director position (EMD), which is the mayor. She thinks the Board should have two designated backups for the mayor in place. She asked Mayor Holden's opinion on how to address this. Mayor Holden explained it is important to make sure the person is knowledgeable of the subject. He doesn't have a solution that would cover all the complications he can think of. He thinks what would be critically important is on an anniversary date look to appoint the second and third person as backups. We have different people with different backgrounds and talents. Mayor Holden asked what's wrong with the Board meeting and appointing someone if a situation comes up. He said he could provide different scenarios. Commissioner Tyner talked about the separation of the EMD and mayor positions. Commissioner Sullivan said the way the ordinance reads now is that mayor pro tem will assume all duties and responsibilities if the mayor is not capable. That includes being emergency management director. Town Manager Hewett agreed that is how the ordinance reads. The ordinance also describes how to elect

a provisional mayor pro tem in the absence of the mayor and mayor pro tem. After discussion the Board agreed, that in the event the mayor and mayor pro tem cannot perform their duties, the Board would meet to decide the next in line.

DISCUSSION ON THE PRACTICES THAT COULD BE TAKEN TO REDUCE RESIDENT AND EMPLOYEE EXPOSURE TO COVID-19 IF THERE IS A RETURN TO A MORE RESTRICTIVE STATE OR COUNTY DIRECTIVES BASED ON THE TOWN'S EXPERIENCE OF STEPS CONSIDERED AND/OR TAKEN BETWEEN MARCH AND JULY OF THIS YEAR

Commissioner Kwiatkowski asked if it would be worthwhile to put together a plan based on the Town's recent experience of actions that we would have available if we go back to Phase 1 or a complete shutdown. Mayor Holden said he thinks we all can agree we don't know what is coming. The Board talked about its experience so far. Commissioner Sullivan said he thinks the Town would benefit from lessons learned. He thinks we can follow the same procedure that has been done for hurricanes. Commissioner Tyner stated in the corporate world you need to have plans in place for different scenarios. After they occurred, you went back and looked at lessons learned. The Board talked about using a lessons learned concept to approach this topic. Town Manager Hewett said this approach seems to be looking in the rear-view mirror as if this emergency is over. We are still in an emergency. Commissioner Kwiatkowski said there is no guarantee we won't go backwards. Lessons learned would capture what the Town did in different phases.

Motion by Commissioner Kwiatkowski that we ask that the town manager have a lessons learned on the Town's response to the different phases for COVID to be put together.

Town Manager Hewett said he is covered up. We are in operations now. We need to deal with the things being served up by the governor. If the Board would like him to do that he will need to put some things down. We are in the middle of an audit and it is the height of the tourist season. We don't have insight into the North Carolina Department of Public Safety and are forced into scenarios that we have to react to the best way we can. Commissioner Tyner suggested circling back after tourist season is over. Mayor Pro Tem Brown said or after we have a vaccine. Commissioner Kwiatkowski said at some point things may get more restrictive. She wanted to capture what has worked. Commissioner Tyner said he doesn't disagree with anything other than the timing. He suggested waiting until after Labor Day.

DISCUSSION AND POSSIBLE DIRECTION CONCERNING PROPERTY OWNERS DESIRE FOR A DOG PARK TO REPLACE THE ONE PREVIOUSLY LOCATED ON SCOTCH BONNET DRIVE

Commissioner Tyner stated that there are a lot of folks who want a dog park. He reviewed options to move forward.

Motion by Commissioner Tyner to request the Parks & Recreation Advisory Board to include a new dog park in their upcoming Master Plan developmental efforts and recommend a possible site; second by Commissioner Kwiatkowski; approved by unanimous vote.

Commissioner Kwiatkowski said she doesn't think opening a dog park at this point would be straight forward if we are trying to follow the governor's guidance under Phase 2.

The motion passed by unanimous vote.

DISCUSSION AND POSSIBLE DIRECTION CONCERNING THE SPEED LIMIT ON OCEAN BOULEVARD

Commissioner Tyner provided history on this topic. Chief Dixon's research was provided in the packet.

Motion by Commissioner Tyner that we take the discussion and possible action on the speed limit west of the Holden Beach Pier off the table and have the discussion tonight; second by Commissioner Kwiatkowski. The motion passed by a 4 – 1 vote with Commissioners Tyner, Murdock, Sullivan and Kwiatkowski voting for the motion and Mayor Pro Tem Brown voting in the negative.

Mayor Holden asked if the state controls the speed limit on the boulevard. Chief Dixon reviewed state law. Inside municipal limits the speed limit is 35 MPH on a state highway. The exception is the speed can be raised or lowered, but it has to be based on a traffic and engineering study done by the DOT. We are not able to locate that a study was ever done. He has contacted the DOT and is waiting for a response. Mayor Pro Tem Brown thinks the state needs to be involved before the Board votes on anything. Mayor Holden stated he remembers that when the speed limit was changed to 45 MPH, the state blessed what the Town did. Commissioner Sullivan suggested tabling the item again. There is an issue of if there is an engineering report. He questioned if there is a grandfather clause that would allow an existing speed limit to remain. Those two issues should be clarified before the Board moves forward.

Motion by Commissioner Sullivan to table the item; second by Commissioner Tyner; approved by unanimous vote.

DISCUSSION AND POSSIBLE DIRECTION CONCERNING THE PETITION BY WILD DUNES NEIGHBORHOOD RESIDENTS TO INSTALL SPEED BUMPS AT SPECIFIC STREET LOCATIONS

Commissioner Tyner reviewed his meeting with a group of property owners that has concerns in the Wild Dunes section. The group presented him with a petition of 52 of the 60 property owners saying they would like the Town to approve speed humps at stop signs in the area or if that can't be done have the Town provide an alternative solution. Commissioner Tyner provided information on the owners' concerns. In addition to speed humps, they are interested in converting the intersections at Halstead/Carolina and Halstead/Brunswick Avenue East into four-way stops.

Motion by Commissioner Tyner to recommend that Police Chief Dixon and other Town employees as needed review the situation and come back to the August Board meeting with their evaluation and any recommendation to address the residents' concerns; second by Commissioner Murdock.

Mayor Pro Tem Brown asked if there are any legalities with speed humps. Town Manager Hewett replied he doesn't know and would need to find out. Mayor Pro Tem Brown thinks that would be a good first step before voting. Commissioner Sullivan stated this is an enforcement question. This is something where an officer sits there and gives out some tickets and it stops people from doing what they are doing. Speed humps won't be effective if people are rolling through the stop sign. Speed humps could expose the Town to civil liability if an accident occurs. Commissioner Murdock agreed enforcement may be a good solution, but there is weekly turnover. Maybe more police presence is the answer, but they are asking for something to be done.

The motion passed with a 3 -2 vote with Commissioners Murdock, Tyner and Kwiatkowski voting for the motion and Mayor Pro Tem Brown and Commissioner Sullivan voting in the negative.

TOWN MANAGER'S REPORT

- Beach Strand Solid Waste Hauling Service – the contractor has withdrawn. Public Works is managing with a substitute provider.
- Seasonal Police/Beach Ranger Committee – had a meeting on July 2nd. The committee set its schedule as the first Thursday of each month. They organized the initial approaches and have some undertakings.
- Lift Station 3 Status – Construction period is 270 calendar days, beginning March 23rd and ending the week before Christmas. To-date the contractor is just under 50% complete, based on time. Four payment applications in the amount of \$331,000 have been processed, plus payments of \$161,000 to the Aqseptence Group for the vacuum pump skid and \$9,400 to Custom Controls for the SCADA equipment. Major work items completed to date: the temporary shoaring of the lower level ceiling while waiting for fabrication of permanent structural support columns has taken place; constructed concrete columns and second floor slab and beams; vacuum pump skid has been placed on the second floor slab; installed light-gage metal frame for vacuum pump room; and all electrical rough-in and underground service has been completed. Ongoing work includes a continuation of the building rough-in, including exterior sheathing and electrical and placement of the roof trusses, sheathing and metal roofing. Based on the contractor's construction schedule and the work completed to date, the project is on schedule to be completed prior to the contract completion date.
- End-of-Year Budget Status Report – The accounts show that everything is in the black. Required interfund transfers have been made. Property tax collections are 100.4% above what was budgeted. Major NC distributed revenues are good. Sales tax are 7% over what the budget is. The franchise tax is 5% over what was budgeted. Building inspections revenues came in at 30% above what was budgeted. Water and sewer charges were about 5% over what was budgeted. Accommodations tax collections are over 7% of what was budgeted. We ended up about \$540,000 ahead in the General Fund and \$139,000 ahead in the Water and Sewer Fund. That includes the work done to date on the sewer lift station, without the appropriation from fund balance. The numbers are subject to the final year ending entries and the audit. The budget to actual is posted online monthly.
- Auditor's schedule – the staff's end of year bank recs have been finalized. Our trial balances have been struck. We provided those to the auditor. There are a few housekeeping items that are due by the end of the week to the auditor. Next week is the auditor's final field work. We are on schedule, if not ahead of schedule.
- Internal Controls – Budget & Fiscal Analyst McRainey's addition to staff will facilitate financial reporting and the compartmentalization of the Finance Department. In addition, we obtained assistance from Thompson Price. They will assist in the review of the financial drafts and preparation of the AFIR. We have reviewed the appropriateness of the segregation of duties. That was facilitated by the implementation of the classification plan. We implemented a few new procedures. Salary system changes are now restricted to the town clerk. That is separate from the person that prepares payroll. Financial system password changes are now required quarterly. Debt covenants are reviewed quarterly and reported in the AFIR. It is decreed by the Local Government Commission on how much debt you can have. That report stated that is up to the manager to decide what that is. That is not up

to the manager. The governing body has the authority to make those decisions. Debt loads are decided by the Board.

- Genset Status – on a dock in Brazil as of last week. Looking at the end of August for installation.
- Holden Beach Bridge Safety Rail – contractor is about a third done and they ran out of parts. Supplier production has been curtailed due to COVID-19. DOT is awaiting a revised schedule from the contractor. Expects late August/early September finish.
- FEMA Matthew – Received \$136,000 from FEMA. That closes out the FEMA Project and the Central Reach Project from 2016. We just closed out Irene a couple of months ago.
- FEMA Florence/Michael – Sand search and surveys have been done. Engineer is reviewing. Looks like the permit will be submitted in August.
- FEMA Dorian is still in the environmental review stage.
- NC Department of Public Safety has implemented an Emergency Management Grant system. They have contacted HB staff to assist with their efforts.
- COVID Challenges – had four staff members that have been contacted, two of those were positives. When the Personnel Policy was adopted, part of that was a use it or lose it policy for leave. Will forecast the need to continue accumulation of leave. Doesn't think it is fair to employees to penalize them with the demands COVID-19 is placing on the staff.
- Deal Street Beach Access Deed has been finalized. It is a gift from an estate. Previously it was an easement.
- Recreation Programs – concerts will be impacted by the governor announcing continuation of Phase 2. Will keep evaluating concerts as the season progresses. Had over \$1,500 in t-shirt sales from the Tide Dye Program. Outdoor yoga class is going well.

MAYOR'S COMMENTS

- Summarized a thank you note from Dr. MacGyver and his wife about the Public Works Department working on the storm drains.
- Hurricanes – as usual the weather people are predicting a potential severe season. Get your plans together.
- HB Chapel is running one service per Sunday at 11:00 a.m.
- There was a mention in correspondence and tonight about the 800 block house that referred to a broker's fee. The listing broker got the commission. He was the buyer's agent for the Town and donated the buyer's agent fee to the Town.
- Highway 130 paving and Ocean Boulevard Report - for two years we have been saying we are going to get the boulevard resurfaced. If you are following DOT news, they basically don't have money. That money we were hoping to have to resurface the boulevard has been extended out to the future because no money is available. The paving of 130 to Shallotte to the end of 130 at the south end of the bridge was one project. At the last meeting with the DOT group, they have divided that into two segments to reduce project costs. The half that will be sent forward for consideration of approval is from the causeway to where you turn left on the way to Shallotte.
- Beach strand – the extreme west end continues to have considerable change. Ocean Isle Beach continues to come towards Holden Beach. In many ways similar to the east end right now. The high tide continues to come more into the bushes, which means the very tip end of the east end continues to erode. The inlet is still far to the west of where it normally is. Something is going on at both our inlets.

- People on the beach strand seem to be well behaved and more spaced out than in previous years trying to adhere to the governor's restrictions. Overall behavior patterns are extremely good.
- Thanked everybody for what they are doing. Such a pleasure to come to a Town meeting and have cohesiveness and sharing of ideas. Appreciates it.

BOARD OF COMMISSIONERS' COMMENTS

Mayor Pro Tem Brown

- Wished good luck to Budget & Fiscal Analyst McRaney. Hope you find it very nice here and plan to stay for a while.
- Sat here during these meetings and looked outside. The one thing he hasn't seen is masks. They say one of the best things you can do is wear a mask. Parked at Food Lion; the vast majority of those folks have a mask. Need to continue our diligence and be very careful. All the statistics are pointing that it could get worse before it gets better.
- Wants everyone listening to remember that white lives are important also. Wishes people would turn media off for 30 days. We are taking our heritage and letting a few people destroy it. Heritage is what made this great nation.
- Speed issues are a tough call for the Police Department. Probably be the best bet; a couple of tickets would slow people down. Need to remember we are still in a crisis mode. The less we bring to the Board and put off for a while would be better.

Commissioner Tyner

- Wife ran across a visitor from a foreign country who was lost and confused. She flagged Officer Robinson down. They took the visitor to the Fire Department and checked her out to make sure she was okay. Officer Robinson then helped her find her family. His wife was very impressed with the hospitality and he is sure the visitors were also.

Commissioner Murdock

- Thanked staff for their continuing hard work. For the public that is listening, the only way he can explain the people sitting in front of him is tired. They have put a lot of hard work and effort in. We are all taxed. They really push through, especially the building department. They have been very busy.
- Continue to stay safe and hope we all fair well through this thing.

Commissioner Sullivan

- In addition to the officer, there are a couple of comments on the rangers being ambassadors and helping people out. Goes to show how open and friendly this town is. There was lots of criticism when we were trying to protect the people who live here. Hasn't seen one person in the last six weeks write anything about how they are treated or accepted.
- It is fact that in the last six weeks the number of COVID-19 cases has increased by almost 700% in Brunswick County. Even though we have been very fortunate and had limited exposure here, be careful. Wear your masks.

Commissioner Kwiatkowski

- Thanked everyone who is listening and the staff for what seemed like a long meeting. Appreciates everyone's patience as we try to get through some of the business that can be put behind us. Thinks August will be a little easier.

- Let's all work hard to stay well. Wear your masks and self-distance. We will get through this.

ADJOURNMENT

Motion to adjourn by Mayor Pro Tem Brown at 9:35 p.m.; second by Commissioner Murdock; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk



Date: August 11, 2020

To: Commissioners and Mayor Holden

From: Heather Finnell, Town Clerk HF

Re: Ordinance 20-04, An Ordinance Amending the Holden Beach Code of Ordinances, Chapter 157: Zoning Code

At the July Board of Commissioners' meeting, Inspections Director Evans agreed to report back to the Board at the August meeting with his suggestion on final language for Ordinance 20-04. He will provide information for the Board's discussion at the meeting. Before the ordinance can be approved, a public hearing would need to be scheduled.

**TOWN OF HOLDEN BEACH
ORDINANCE 20-04**

**AN ORDINANCE AMENDING THE HOLDEN BEACH CODE OF ORDINANCES, CHAPTER 157:
ZONING CODE**

BE IT ORDAINED BY the Mayor and Board of Commissioners of the Town of Holden Beach, North Carolina that the Holden Beach Code of Ordinances, Chapter 157: Zoning Code be amended as follows:

Section One: Amend Sections 157.060 and 157.075 to read as follows:

§ 157.060 RESIDENTIAL DISTRICT (R-1).

(A) The R-1 Residential District is established as a district in which the principal use of land is for one- and two-family dwellings. The regulations of this district permit intensive development ~~provided the necessary public and/or community water and sewer systems are available.~~

(1) A dwelling is a residence where people live for domestic purposes. Domestic use is defined as devoted to home duties and activities, nothing in this section shall preclude one- and two-family homes from being used as a vacation rental home consisting of a minimum of two overnight stays.

(2) Transient occupancy not consisting of at least two overnight stays shall be considered to be inconsistent with domestic residential usage and is not allowed. This would include persistent usage for group gatherings for the purpose of short-term social or recreational activities. This would include use as a clubhouse, lodge, public or private clubs, cabana clubs and property owner association facilities except when contiguous, owned by and within the borders of an on-island residential subdivision.

(B) Permitted uses are set forth in the Table of Permitted Uses, § 157.054.

(C) **Parking Requirements See Section 157.075 (B), 1 & 2**

(D) Dimensional requirements R-1.

(1) Lot area. Minimum required:

(a) For a one-family dwelling, 5,000 square feet.

(b) For a two-family dwelling, 7,500 square feet.

(2) Lot width. Minimum required: 50 feet.

~~(3) Front yard. Minimum required: 25 feet.~~

(3) Front Yard Setbacks per structure size:

<4000 Square Feet Minimum Required: 25 Feet

4000 < 5000 Square Feet Minimum Required: 30 Feet

5000 > 6000 Square Feet Minimum Required: 35 Feet

~~(4) Side yard. Minimum required: five feet. Open porches, steps, or overhangs shall not be within five feet of the property line.~~

(4) Side Yard Setbacks per Structure Size:

4000 Square Feet Minimum Required: 5 feet

4000 < 5000 Square Feet Minimum Required: 7 Feet

5000 > 6000 Square Feet Minimum Required: 10 Feet

(a) Open porches, decks, or overhangs shall not extend into minimum setbacks.

~~(5) Rear yard. Minimum required: 20 feet.~~

(5) Rear Yard Setbacks per Structure Size

<4000 Square Feet Minimum Required: 20 Feet

4000 < 5000 Square Feet Minimum Required: 25 Feet

5000 > 6000 Square Feet Minimum Required: 30 Feet

(6) Building height. No building shall exceed a maximum height of 31 feet measured from Design Flood Elevation to the highest point of the structure, with the exception that a building in an X Zone when measured from the finished grade should have a maximum height of 35 feet.

(7) Lot coverage.

(a) Lot coverage of main structure shall not exceed 30% of the platted lot. If structure is 4000 square feet or greater then lot coverage cannot be greater than 25 percent. If structure coverage is 5000 square feet or greater lot coverage is limited to 20 percent. All impervious structures outside of main structure shall not exceed 30% of buildable land less area of the main structure. All Health Department and CAMA requirements must also be met. Open decks are not considered in the 30% lot coverage of the main structure, but they must meet all setback requirements. Gravel, sand and grassed areas are considered pervious. An approved pervious product shall be allowed to cover 30% of the platted lot in addition to the allowable impervious area. (See definition of APPROVED PERVIOUS PRODUCT.)

(b) Driveways, parking lots, parking spaces, parking areas, patios and other similar areas and surfaces located in the front yard setback, rear yard setback and side yard setbacks adjacent to a street right-of-way shall be gravel, grass or of an approved pervious product.

(8) Off-street parking. Off-street parking shall be provided as required in §§ 157.075 through 157.077 of this chapter.

(9) Corner visibility. On a corner lot, nothing shall be erected, planted, or allowed to grow in such a manner as to impede vision over a height of three feet above the centerline grades of the intersecting streets within the triangular area bounded on two sides by the two street centerlines and on the third side by a straight line connecting points on the street centerlines located one-half the street right-of-way width plus 40 feet measured from the intersection of the centerlines.

(10) Location of accessory buildings. Accessory buildings shall be located not less than five feet from property line.

~~(11) Minimum floor space per dwelling unit. 750 square feet.~~ Reserved

~~(12) Minimum floor area of building 784 square feet of heated space.~~

(12) Maximum Structure Size of any dwelling shall be 6000 Square Feet

(13) Open uncovered stairs, not including any deck or landing at porch level, may project up to ten feet into the required front or rear yards of structures <4000 Square Feet, but not both.

(14) A heating and air stand may project into the front or rear yards setback but not both. The stand shall be no larger than is needed to accommodate and service the equipment and subject to the Building Inspector's approval.

(E) Erosion threatened ocean front lots.

(1) In the event that it becomes necessary to relocate a structure that has become threatened by erosion, per below, a Special Use Permit may be authorized to establish the front yard building setback at a distance no less than ten feet from the property line. However if the structure to be relocated can meet CAMA ocean side setback rules (per CAMA guidelines for new construction) and meet remain within the 25 foot street side required setbacks then no further relief can be given. Each case will be reviewed on its own merits. The conditions specified by the Town Planning and Zoning Board in the granting of this Special Use Permit shall be recorded at the County Register of Deeds Office prior to the execution of this permit.

(2) The following criteria applies:

(a) The erosion escarpment must have advanced to a point within 20 feet of the foundation of the roofed area of the structure.

(b) No portion of the structure shall be permitted to encroach into the setback allowed by this section. Exceptions are – steps and HVAC platforms may encroach no more than five feet into the ten feet setback area.

(c) The structure shall remain on the lot it occupies at the time that it becomes erosion threatened.

(d) The size of the structure shall not be increased in any way, shape or form except as allowed by this section.

(e) The front (northern) property lines of lots subject to this section shall be contiguous with the southern boundary of a city, state or private street.

(f) All off street parking requirements shall remain in effect.

(g) Building placement on all lots (corner and non-corner) and required parking areas shall comply with the setback requirement of § 157.081 in order to ascertain that no encroachment into an area required for view of oncoming vehicular traffic shall occur.

(h) No ground level enclosure shall be permitted within the 25-foot front setback lines. A ground level enclosure shall not exceed 144 square feet per dwelling unit.

(i) This section shall not limit nor repeal any and all applicable local, state and federal statutes.

('85 Code, § 15-5.7) (Ord. 33, passed 10-5-81; Am. Ord. 93-20, passed 11-1-93; Am. Ord. 95-05, passed 2-22-95; Am. Ord. 96-02, passed 5-20-96; Am. Ord. 00-17, passed 7-10-99; Am. Ord. 01-01, passed 1-22-01; Am. Ord. 01-08, passed 7-23-01; Am. Ord. 02-12, passed 10-14-02; Am. Ord. 06-01, passed 1-9-06; Am. Ord. 06-07, passed 6-12-06; Am. Ord. 06-13, passed 11-14-06; Am. Ord. 07-05, passed 6-12-07; Am. Ord. 15-01, passed 1-13-15) Penalty, see § 157.999

§ 157.075 OFF-STREET PARKING REGULATIONS.

(A) **Scope.** Parking spaces shall be provided for the number of vehicles that would ordinarily be attracted to a use or development in accordance with this section. The following lists conditions for which parking shall be provided. The list includes but is not limited to: all developments; all redevelopments; all increases or enlargements of any building by adding dwelling units, guest rooms, seats, or floor area; and all conversions from one type use or occupancy to another.

(B) **Parking plan.** All applications for a building permit shall include a parking plan to show conformity with this section. The plan shall indicate the layout of the parking facility, including dimensions, number of spaces, maneuvering space, aisles and access to a public right-of-way.

(C) **Minimum size.**

(A) **Commercial:** All required parking spaces required by this section shall maintain the following minimum dimension.

(1) **Width:** All parking spaces shall measure a minimum width of nine feet along the entire required length of the parking space.

(2) **Length:** All Parking spaces shall measure a minimum length of 20 feet, Exception: Parallel parking shall have a minimum length of 28 feet

(B) **R2 and R1:** All required parking shall maintain the following minimum dimensions.

(1) **Width:** All parking spaces shall measure a minimum width of ten feet along the entire required length of the parking space.

(2) **Length:** All Parking spaces shall measure a minimum length of 20 feet,

(D) **Parking requirements.**

(1) On premises private parking spaces shall be provided so that no spaces are a distance greater than 300 feet from the center point of the front of the lot.

(2) All required parking spaces shall be permanently marked or identified. The preferred method of marking for pervious surfaces shall be header ground monuments. Exception: Single-family dwellings.

(3) No parking space shall be so configured or arranged as to block or impede the flow in and out of another parking space. Exception: Single-family dwellings.

(4) Reserved accessible parking spaces shall be provided in accordance with the North Carolina Accessibility Code.

(E) **Parking layout.** The following table indicates the minimum width of the aisle or drive used to access the parking spaces based upon the angle of the parking spaces. Where there is no parking, interior aisle or drive widths shall be at least ten feet wide for one-way traffic and 20 feet wide for two-way traffic.

Parking Angle (in Degrees)						
0°	30°	45°	60°	90°		
One-way traffic			13'	11'	13'	26'
Two-way traffic			19'	20'	21'	26'

(F) **Table of required off-street parking.**

(1) The Building Inspector shall determine the required off-street parking after reviewing building plans and the parking plan and shall make the final determination for required parking based upon the reasonable expected use of the property.

(2) All commercial businesses shall provide a minimum of one parking space per two employees on shift. In the event of an odd number of employees, the business shall round up to one additional parking space.

Uses Required Off-Street Parking

Residential (one- and two-family dwellings, multi-family and condominiums) Minimum of 2 parking spaces per dwelling unit or 1 parking space per bedroom, whichever is greater.

Auditorium or theater One space for each 4 seats in the largest assembly area.

Auto wash Shall provide spaces equal to 3 times the capacity of the car wash.

Bowling alley Three spaces per alley plus requirements for any other use associated with the establishment such as restaurant, and the like.

Churches One parking space for each 4 seats in the sanctuary.

Clinics, medical Four parking spaces for each doctor plus 1 parking space for each employee.

Fishing piers Six spaces for each 100 feet of pier length plus requirements for any other use associated with the support and operation of the pier.

General or professional offices One parking space for each 300 square feet of gross floor space.

Home occupations (except medical doctors, and dentist offices) Two parking spaces in addition to the residential parking requirements.

Home occupations: medical doctors and dentist offices in residence Three parking spaces in addition to the residential parking requirements.

Hotels and motels One and one-half spaces for each guest room, suite, or unit.

Kindergarten or nursery Four spaces for drive-in off-street drop-off and pickup.

Nursing home One parking space for each 4 beds intended for patient use.

Public or private clubs and/or clubhouses One parking space for each 80 square feet of gross floor space.

Restaurant, snack bar One parking space for each 5 seats.

Retail One parking space for each 300 square feet of gross floor area.

Other uses not specified in the section Sufficient spaces to accommodate the number of vehicles that would ordinarily be attracted to the use in question, as determined by the Planning and Inspections Department.

(3) In the Central Commercial District bounded by Rothschild and Quinton Streets, the on-premises parking requirements of non-residential uses will be reduced by 50% from those specified in the preceding table, except for public or private clubs and/or clubhouses.

(G) Combination of required parking spaces. The required parking spaces for any number of separate uses located on the same parcel may be combined in one lot.

Section Two: The Town Clerk is directed to forward this ordinance to American Legal Publishing for inclusion in the next published supplement to the Holden Beach Code of Ordinances.

Section Three: This ordinance shall be effective the 18th day of March, 2020.

Adopted this the 17th day of March, 2020.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk



Date: August 11, 2020
To: Commissioners and Mayor Holden
From: Heather Finnell, Town Clerk *HF*
Re: Ordinance 20-11, An Ordinance Amending the Holden Beach Code of Ordinances, Title XV: Land Usage

As previously discussed, new regulations on remote meetings include a provision to allow public hearings to be held during an authorized remote meeting, but there is an added requirement for written public comment. A local board may conduct any public hearing required or authorized by law during a remote meeting, but the board must allow written comments on the subject of the public hearing to be submitted between publication of the notice and 24 hours after the public hearing.

The Town is not technically meeting remotely since the Board is in attendance at Town Hall, but since the public is not, we should abide by the new regulation. I recommend the Board recess to a date/time certain or wait until the next meeting to vote on the ordinance in order to accommodate this new regulation.

**TOWN OF HOLDEN BEACH
ORDINANCE 20-11**

**AN ORDINANCE AMENDING THE HOLDEN BEACH CODE OF ORDINANCES, TITLE XV: LAND
USAGE**

BE IT ORDAINED BY the Mayor and Board of Commissioners of the Town of Holden Beach, North Carolina that the Holden Beach Code of Ordinances, Title XV: Land Usage be amended as follows:

Section One: Amend Title XV: Land Usage as follows:

Replace all areas within the town ordinances that read Assistant Building Inspector with Development Services Officer.

Section Two: Amend Chapter 154. Flood Damage Prevention as follows:

§ 154.21 SPECIFIC STANDARDS.

(D) Elevated buildings. Fully enclosed areas of new construction and substantially improved structures, which are below the lowest floor:

- (1) Shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose storage areas;

Exception: Elevators and accessible interior stairs may be finished if approved floodproof materials are used below the RFPE.

§ 154.23 COASTAL HIGH HAZARD AREAS (ZONES VE).

(G)(4) Elevator shafts/enclosures that extend below the RFPE shall be constructed of ~~reinforced masonry block or reinforced concrete walls and located on the landward side of the building to provide increased protection from flood damage. Drainage must be provided for the elevator pit.~~ *with breakaway walls and flood vents installed.*

Section Three: Amend Chapter 157. Zoning Code as follows:

§ 157.025 BULKHEADS ON CANAL LOTS.

(A) No structure shall be erected on a canal lot prior to bulkheading; bulkheading to be on a line established by the Corps of Engineers ~~or~~ and CAMA staff. Any lot on a canal

with depth of less than 75 feet between the established bulkhead line and the front property line shall be unbuildable. Canal lots which have a minimum depth of 75 feet may be developed. This depth shall be the average depth of the lot measured from front to back at ten-foot intervals across the width of the lot. This provision does not affect the yard requirements. ~~Neither the principal structure nor uncovered steps may extend closer than six feet from the bulkhead and no piles shall be placed closer than six feet from any bulkhead.~~

§ 157.027 LOTS CONTAINING MARSH OR WETLANDS.

Platted lots containing marsh or wetlands as defined by CAMA, *Town of Holden Beach Code Administrator* or the Corps of Engineers may be developed provided:

(A) Yard requirements are met.

~~(B) The piles supporting the structure are located no closer than seven feet from an existing bulkhead, the COE line, or CAMA line, whichever is closer.~~

~~(C)~~ (B) Fill material placed landward of the marsh line is not allowed to slip or wash into the marsh.

§ 157.130 AMENDING THE CHAPTER.

(C) Fees. A fee of ~~\$35~~ *\$250.00* shall be paid to the town for each application for an amendment to cover the costs of advertising and other administrative expense involved.

Section Four: Amend Chapter 158. Stormwater Management as follows:

§ 158.09 DEVELOPMENTS THAT DO NOT REQUIRE STATE CERTIFICATION.

(B) The amount of any fill materials to be placed for whatever purpose (height above existing grades) shall be limited to either 12 inches above the average centerline of the road adjacent to the property ~~the height required by the County Health Department for approval of a septic system permit. After any parcel of land has been filled to the subject height as required by the County Health Department, if a septic tank permit is not obtained within 60 days, the fill materials placed shall be removed and the parcel of land returned to its original condition. If it is proposed to place fill materials on the property outside of the area of the septic tank and drain field, the additional area capable for building a structure shall be treated as an impervious surface for stormwater management purposes.~~

§ 158.09 DEVELOPMENTS THAT DO NOT REQUIRE STATE CERTIFICATION.

(7) In those cases where the property in question (~~with the Health Department approved soil added~~) is lower than adjacent property, additional fill materials may be added to bring the property up to the existing grade of adjacent properties, so long as ~~that addition is approved by the County Health Department.~~ *an engineered stormwater plan is approved.*

Section Five: The Town Clerk is directed to forward this ordinance to American Legal Publishing for inclusion in the next published supplement to the Holden Beach Code of Ordinances.

Section Six: This ordinance shall be effective the _____ day of _____, 2020.

Adopted this the _____ day of _____, 2020.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk



Date: August 11, 2020
To: Commissioners and Mayor Holden
From: David W. Hewett, Town Manager
Re: Water & Sewer System Development Fee Analysis

The Town solicited proposals from qualified professionals to update our Water & Sewer System Development Fee Analysis. Two firms submitted proposals: The Wooten Company, an engineering firm and Raftelis, financial professionals.

The proposals are included in the Board's packets for your review. Staff seeks guidance on the Board's preferred firm.

**TOWN OF HOLDEN BEACH
REQUEST FOR PROPOSALS
COST-JUSTIFIED WATER & WASTEWATER SYSTEM DEVELOPEMNT FEES
WRITTEN ANALYSIS**

The Town of Holden Beach, North Carolina is in the process of reviewing our system development fees for water and wastewater services and seeks qualified individuals to perform a cost-justified water and wastewater system development fees written analysis in accordance with House Bill 436. The North Carolina General Assembly passed House Bill 436 in July 2017, amending Chapter 162A of the North Carolina General Statutes by adding Article 8, System Development Fees. The written analysis shall review and make recommendations for revisions as necessary to the Town's water and sewer system development fees to conform with House Bill 436 and any applicable supplements thereto. The overall result of the written analysis will establish the maximum cost-justified system development fees allowable under House Bill 436.

The written analysis needs to be prepared by a financial professional or licensed professional engineer qualified by experience and training or education to employ generally accepted accounting, engineering and planning methodologies to calculate system development fees for public water and sewer systems.

The written analysis must:

- Document in reasonable detail the facts and data used in the analysis and their sufficiency and reliability.
- Employ generally accepted accounting, engineering and planning methodologies, including the buy-in, incremental cost or marginal cost and combined cost methods for each service, setting forth appropriate analysis as to the consideration and selection of a method appropriate to the circumstances and adapted as necessary to satisfy all requirements of Article 8, System Development Fees.
- Document and demonstrate the reliable application of the methodologies to the facts and data, including all reasoning, analysis and interim calculations underlying each identifiable component of the system development fee and the aggregate thereof.
- Identify all assumptions and limiting conditions affecting the analysis and demonstrate that they do not materially undermine the reliability of conclusions reached.
- Calculate a final system development fee per service unit of new development and include an equivalency or conversion table for use in determining the fees applicable for various categories of demand.
- Cover a planning horizon of not less than 5 years, nor more than 20 years.

The selected party will assist the Town in adopting the written analysis in compliance with Article 8.

Proposals must be submitted no later than 5:00 p.m. on August 7, 2020. Interested parties must submit ten (10) completed hard copies and one digital copy in a sealed envelope clearly marked "Proposals for Development Fee Study." Proposals shall be mailed or hand delivered to:

Town of Holden Beach
Attn: Heather Finnell
110 Rothschild Street
Holden Beach, NC 28462

All proposals received after the submittal time will be rejected and returned unopened. The Town reserves the right to reject any or all proposals.

Questions or clarifications need to be submitted to the Town via email to heather@btownhall.com by August 3, 2020 at 5:00 p.m.

RESOLUTION 20-06
RESOLUTION REGARDING THE GFWC OF HOLDEN BEACH'S RECOGNITION OF
THE 100TH ANNIVERSARY OF THE PASSAGE OF THE 19TH AMENDMENT
PROVIDING WOMEN THE RIGHT TO VOTE

LET IT BE KNOWN THAT:

WHEREAS, The 19th Amendment recognized the significance of women's suffrage, which when ratified in 1920, affirmed the citizenship of more than 26 million women and granted them a mechanism to empower themselves, their families, and their communities; and

WHEREAS, The 19th Amendment was ratified on August 18, 1920; and

WHEREAS, The year 2020 marks the 100th anniversary of the passage of the 19th Amendment and offers an unparalleled opportunity to commemorate a milestone of democracy.

NOW THEREFORE BE IT RESOLVED, that the Town of Holden Beach is proud to recognize that the ratification of the 19th Amendment marked the end of a three-generation struggle to win the right to vote, for women; and

BE IT ALSO RESOLVED, that the Town of Holden Beach supports GFWC (General Federation of Women's Clubs) of Holden Beach's celebration of the 100th Anniversary of women winning the right to vote.

This is the 18th day of August, 2020.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk

**RESOLUTION 20-07
RESOLUTION APPROVING BB&T SIGNATURE CARD**

WHEREAS, the Town of Holden Beach currently holds accounts with BB&T; and

WHEREAS, the Town of Holden Beach and BB&T requires approval of the signatures to be placed on the BB&T Signature Card.

NOW THEREFORE, BE IT RESOLVED by the Holden Beach Board of Commissioners that Mayor J. Alan Holden, Mayor Pro Tem Gerald Brown, Town Manager David W. Hewett and Budget & Fiscal Analyst Daniel McRainey be designated as the official signatories for the Town of Holden Beach’s BB&T account.

BE IT FURTHER RESOLVED that the official signatories selected visit the Holden Beach branch of BB&T to sign the necessary official paperwork.

This the 18th of August, 2020.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk