



**Town of Holden Beach
Board of Commissioners
Regular Meeting**

**Tuesday, November 17, 2020
5:00 PM**

**Holden Beach Town Hall
Public Assembly**



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS' REGULAR MEETING
HOLDEN BEACH TOWN HALL – PUBLIC ASSEMBLY
TUESDAY, NOVEMBER 17, 2020 - 5:00 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 October 20, 2020 (Pages 1 - 9)
6. Public Comments on Agenda/General Items
7. Presentation of Fiscal Year 2019 - 2020 Audit Results - Elsa Watts, Martin Starnes and Associates (Town Manager Hewett) (Separate Packet)
8. Police Report - Chief Dixon (Page 10)
9. Discussion and Possible Action on Employee Health Benefits - Commissioner Sullivan (Pages 11 - 13)
10. Discussion and Possible Action on Legal Services Proposals - Town Clerk Finnell (Pages 14 - 17, Separate Packet)
11. Discussion and Possible Action on Resolution 20-13, Designation of Applicant Agent for Isaias - Assistant Town Manager Ferguson (Pages 18 - 19)
12. Discussion and Possible Action on a Request for a New Audit on Trash Can Numbers at Rental Properties - Commissioner Kwiatkowski (Page 20)
13. Discussion and Possible Action to Approve the Formation of Parking Work Group - Commissioners Tyner and Murdock (Pages 21 - 25)
14. Town Manager's Report

15. Mayor's Comments

16. Board of Commissioners' Comments

17. 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 3:00 p.m. on November 17, 2020.**



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, OCTOBER 20, 2020 – 5:00 P.M**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Regular Meeting on Tuesday, October 20, 2020 at 5:00 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; Assistant Town Manager Christy Ferguson; and Police Chief Jeremy Dixon. 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 called the meeting to order.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

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

APPROVAL OF MINUTES

Motion by Commissioner Sullivan to approve the minutes (Special Meeting of September 3, 2020, Public Hearing/Regular Meeting of September 15, 2020 and the Public Hearing/Regular Meeting of September 18, 2020, Recessed from September 15, 2020); second by Commissioner Murdock; approved by unanimous vote.

PUBLIC COMMENTS ON AGENDA/GENERAL ITEMS

No comments were received.

ANNUAL MONITORING REPORT – FRAN WAY, APPLIED TECHNOLOGY AND MANAGEMENT

Assistant Town Manager Ferguson introduced Fran Way. Mr. Way showed a slide with the transects taken. There are a few new ones in Shallotte that will be taken from now on. For the annual monitoring analysis, they look at volume and shoreline change. They look back to about 2001, when the beach nourishment activity in the Town really stepped up. The monitoring is done for nourishment, planning and for FEMA. The annual monitoring includes the last hurricane season. Since Isaias was so early, they were able to

calculate that as well. For Dorian, they calculated about 550,000 cubic yards of material lost. Isaias was about 67,000 cubic yards. Mr. Way explained the volume analysis slide and showed volume change. The beach lost volume over the last year. The east end gained because of the Lockwood Folly nourishment. On the west end the beach is wide, but we are seeing a little more erosion there. It was accretional before. They are watching the west end. Mr. Way showed central reach volumes since 2017. He said the beach is doing well and the Town's nourishment system is keeping up with erosion and hurricanes. For ongoing beach activities, they have submitted the permit application for the next major nourishment. That is the Florence/Michael mitigation. He explained we may be able to group Dorian in there. He is not sure about Isaias. They are continuing to follow the Lockwood Folly Inlet and bend widener projects and the Lockwood Folly outer channel dredging and navigation.

Mayor Holden said the old cut through between Monk Island and the extreme west end is reopening. He asked how it is impacting the west end. He said it appears Ocean Isle seems to be migrating eastward towards Holden Beach. Mr. Way replied it is something to keep an eye on. It usually takes a lot of energy to open an inlet permanently versus having a washout and having to heal itself. He said they have noticed there is a long-term migration of the shorelines over there and that is one of the reasons for extra surveys in the area to quantitatively look at what is going on. Mayor Holden said it appears to him that the channel is getting closer to the Town than Ocean Isle. It wasn't long ago that Ocean Isle did a major borrowing event in that inlet. Mr. Way answered in 2001 or 2002, Ocean Isle took about 1.8 million cubic yards of material from that area. There were some detrimental effects to Holden Beach's shoreline at that time. Now they are taking about 600,000 cubic yards every four or five years. When they take a permit application out, we want to make sure they stay a significant distance from the shoreline. Mayor Holden said in Holden Beach West, it is not unusual to see water going back and forth to the ocean. Mr. Way stated he thinks all the nourishment activity will end up on the west end in a few years. He would love to get the dunes higher and more robust from inlet to inlet. The dune system is nice and wide, but it is not high. They are going to try and work on that.

Commissioner Sullivan said when we did the Central Reach Project (CRP) four years ago, roughly 1.3 million cubic yards of sand was put on the beach. He asked on average how far that extended the beach at that point. Mr. Way answered about 100 to 125 feet. Commissioner Sullivan said since the end of that we lost 20 – 25%. He asked on average how much of the 100 to 125 feet we lost. Mr. Way answered conservatively about half of it. Commissioner Sullivan said we could have another 1.5 million cubic yards from the upcoming projects. From where we are today, we are going to put out the same amount of sand, but we are going to start from 50 – 70% further out. Mr. Way agreed. Commissioner Sullivan said we are in better shape now than we were four years ago. When we finish the project, we will be in even better shape than we were at the end of the CRP.

DISCUSSION AND POSSIBLE ACTION ON EMPLOYEE HEALTH BENEFITS

Commissioner Sullivan explained the Town had a classification and pay study done. The Board incorporated a lot of the recommendations of the study. They didn't address the Town's insurance coverage. He said if you look at the study, we are in line with most towns for the insurance for the employee; when it comes to family coverage we afford more of a benefit to our employees. He questioned if the Town wants to continue or make an adjustment to the benefits.

The Board came to a consensus to put this on the agenda for the next meeting to make a decision.

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 20-10, RESOLUTION AUTHORIZING THE TOWN MANAGER TO COMMUNICATE THE TOWN'S OPPOSITION TO FEMA'S CURRENT POLICIES FOR DISASTER DEBRIS IN GATED COMMUNITIES

Town Manager Hewett explained at the last meeting, developing a policy that would attempt to put forth the Town's position on picking up disaster debris in gated communities was proposed. This resolution attempts to do that. He needs more time for the second resolution which is to develop a policy for the Town that we would pick it up regardless of if there are reimbursements. He reviewed the proposed resolution.

Motion by Commissioner Sullivan to approve Resolution 20-10; second by Commissioner Tyner.

Commissioner Kwiatkowski proposed that the Board work economics in for the last whereas. When she looks at FEMA information, they talk about threats to life, public health or safety or to the economic recovery to the community at large. She suggested that everything they talk about be put into the one line.

Commissioner Sullivan changed his motion to approve it as amended; second by Commissioner Tyner; approved by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 20-11, RESOLUTION AMENDING THE TOWN OF HOLDEN BEACH CAPITAL IMPROVEMENT PLAN BY ESTABLISHING A FIRE HYDRANT POLICY

Town Manager Hewett said at the Goals' Workshop the Board requested we develop a fire hydrant replacement policy. That is what this resolution does. It establishes a target of funding and repairing 10 fire hydrants a year. This year's budget has enough money to do five. This resolution modifies the Capital Improvement Plan. There are 150 hydrants on the island.

Motion by Mayor Pro Tem Brown to approve the resolution.

Commissioner Murdock said there are more than 10 currently that need attention. Town Manager Hewett stated we are only going to do five between now and June 30th. This says 10 is the target. The Board will control that by what is put in the budget. If 12 need to be done, the Board will put that in the budget.

The motion was seconded by Commissioner Murdock; and approved by unanimous vote.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 20-12, RESOLUTION OF THE TOWN OF HOLDEN BEACH DECLARING THE INTENT TO REIMBURSE ITSELF FOR CAPITAL EXPENDITURES FROM THE PROCEEDS OF CERTAIN TAX-EXEMPT OBLIGATIONS

Town Manager Hewett said this resolution allows the Town to reimburse ourselves for expenses that we will incur for the improvement of lift stations 3 and 2 and also the potential reimbursement of expenses associated for the second water tower. This is not the finance package that the Board will have to approve in order to go to the Local Government Commission and borrow money from the bank. This is just saying you will reimburse for the cash expenses that are already laid out. Commissioner Kwiatkowski inquired

about the wording of the water tower portion of the resolution. Town Manager Hewett explained the water tower is in the Capital Improvement Plan. The water tower and the lift station upgrades will be pieces that will go into the Raftelis development fee analysis. Town Manager Hewett explained adopting this resolution does not mean the Town will finance the three facilities.

Motion by Commissioner Kwiatkowski to adopt Resolution 20-12 as written; second by Commissioner Tyner; approved by unanimous vote.

DISCUSSION AND POSSIBLE SCHEDULING OF A DATE TO HOLD A PUBLIC HEARING TO HEAR PROPOSED COMMENTS ON THE LAND USE PLAN

Inspections Director Evans explained the background of this item. After the hearing, the Board will be able to approve the document. The Land Use Plan will be the driving document for all new development.

The Board came to a consensus to hold the public hearing on December 15th at 5:00 p.m.

DISCUSSION AND POSSIBLE ACTION ON PROPOSED LEASE OF 796 OCEAN BOULEVARD WEST

Assistant Town Manager Ferguson said the Town purchased 796 Ocean Boulevard West for sound attenuation with the sewer lift station upgrade. It has been vacant since that time excluding serving as a laydown yard for the contractor. We were approached by David Wright in the Public Works Department about the possibility of renting the structure. That would place a Public Works' employee next door to the lift station. The lease in the packet is for six months, with an option for continuing on a monthly basis. Staff did check with the North Carolina League of Municipalities (NCLM) as far as our insurance. Under item 20, we would need to make sure he purchases personal property insurance. Town Manager Hewett confirmed Mr. Wright does work on the sewer system.

Commissioner Tyner asked about exposure to the Town. Town Manager Hewett said currently the facility costs the Town \$1,000 a year for property and liability insurance. Having someone live there increases the cost by \$300. The exposure to the Town is the same as other facilities' exposure. Commissioner Sullivan asked if the NCLM recommended personal injury insurance as well. Town Manager Hewett replied the NCLM's only advice was to get renter's insurance before entering into a lease. Commissioner Sullivan suggested the renter's insurance includes personal injury protection. Commissioner Tyner said he thinks the concern is that if something happens at the house, the Town is not exposed. Mayor Holden asked if the Board would be satisfied if the staff reviewed the insurance requirements with the NCLM. They agreed.

The Board discussed if the house is in the condition to be rented and if it should be inspected before renting it. The Board talked about determining what the long-term use for the house will be.

Motion by Commissioner Tyner to at least have it inspected so we know if there is something major and we need to stop this, if not let it go. No second was made.

Motion by Mayor Pro Tem Brown to put this on the agenda next month. The motion was not seconded.

Motion by Commissioner Sullivan that pending the potential renter's continued interest in renting the property, we can have an inspection done to make sure that the house is habitable and reasonably safe prior to entering into any agreement; second by Commissioner Murdock.

Inspections Director Evans suggested that if the concern is the safety of the house, he can give a report to the Board on the condition of the structure and then a decision can be made.

Commissioner Sullivan withdrew his motion, with Commissioner Murdock in agreement.

Motion by Commissioner Sullivan that the Town inspector inspect the premise to see if it is reasonably safe and habitable and contingent upon his report, we would approve leasing it to the intended tenant; second by Commissioner Murdock; approved by unanimous vote.

Town Manager Hewett asked if the Board would like the report to come back or if they are delegating it to him. The Board agreed that if the report comes back that it is safe, Town Manager Hewett can enter into the lease. The additional insurance will also be added to the lease agreement.

REQUEST TO CHANGE DELIVERABLE DATE FOR THE POLICE COMMITTEE

Commissioner Sullivan explained in June, the Board set up an advisory committee having to do with the hiring of seasonal law enforcement. At that point, a date to report back to the Board was set for December.

Motion by Commissioner Sullivan to ask the Board to extend the time to submit the report to the full Board to March 2021 as opposed to the current date in the tasker of December 2020; second by Commissioner Kwiatkowski.

Commissioner Tyner inquired if it would be too late to hire seasonal workers for next year if the Board gets the report in March. Chief Dixon replied it would be difficult but agreed with the request so the Board could have all the facts before making a decision.

The motion passed by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON THE CRITERIA, QUALIFICATIONS AND SERVICE ARRANGEMENT FOR A LEGAL SERVICES PROVIDER FOR THE BOARD OF COMMISSIONERS

Commissioner Tyner provided background. As we are approaching a year of service, he thought the Board should discuss what they are looking for from a legal services provider. The next item is to see if the current provider meets the criteria. Commissioner Tyner provided some examples. Commissioner Murdock said he has seen the bills and thinks an attorney on an as needed basis would be great. He mentioned travel time. He thinks a knowledgeable local attorney would be sufficient. Mayor Pro Tem Brown and Commissioner Murdock agreed that the attorney should only be at meetings the Board requests they attend. Commissioner Sullivan said from the time he was on the Board, they always had an attorney present. You never know when an issue will arise. He agrees a majority of the time they are not needed, but when they are it helps to have them here. He said the issue is the cost to have someone here for each meeting. If it is a reasonable cost, it is doing business. Commissioner Kwiatkowski agreed it is good to have them at the meeting and that the Board needs to look at the cost. Commissioner Tyner said from what he

heard, the Board would like an experienced attorney; would like to look at the cost; and they are 50/50 on attendance. He thinks the cost and travel time would help decide that. Commissioner Sullivan said as a Town we need an attorney who is familiar with municipal corporations and land use.

DISCUSSION AND POSSIBLE ACTION ON THE BOARD OF COMMISSIONERS' RELATIONSHIP WITH THE LAW OFFICE OF G. GRADY RICHARDSON JR.

Commissioner Tyner said the Town is approaching the one-year anniversary with the current firm. He asked if the current relationship matches the criteria from item 15. He thinks there is some concerns on the amount of money the Town is spending on legal services. Some of the current charges relate to the distance they have to travel to get here. Some of the charges have to do with that the attorney has to consult with a more experienced attorney.

Motion by Commissioner Tyner to terminate our relationship with the Law Offices of G. Grady Richardson Jr., second by Mayor Pro Tem Brown.

Commissioner Sullivan commented that in fairness to the firm, they billed the Town and did exactly what they said they would do in the RFP. In the meetings we had with the firm, Mr. Richardson has indicated that he was willing to discuss the travel fee. Commissioner Murdock said the Board will establish new criteria for the Town's needs and they will have the opportunity to come back if they choose. Commissioner Tyner agreed.

The motion passed by unanimous vote.

Commissioner Tyner asked Mayor Holden to send a letter to the firm. The Board would like Town Manager Hewett to solicit for new legal services. Town Manager Hewett said those are pretty straight forward. He said he thinks the Board would have one put out and as the Board selects firms for an interview, they would refine the criteria. He will try to get the responses in time for the next meeting.

TOWN MANAGER'S REPORT

Town Manager Hewett included slides as part of the end of the first quarter report. The report is as of October 5th. Highlights from the four operational funds were included. This is the time of the year when we run in the red. We don't take a lot of revenue in, but it exemplifies why you need to have a strong fund balance. The revenues in the General Fund that are collected like a tax (ad valorem, sewer capital and canal dredging funds) are goose eggs. The tax bills are going out soon. The major NC distributed revenues are down somewhat. Sales tax is at 21% and the utilities franchise tax is at 17%. Building Inspections revenues holds steady at 35%. We are seeing the "COVID Refugees Syndrome". Our water and sewer use charges are at 38% which is about right for this time of year. Occupancy tax is way ahead of what was budgeted. That is probably because we only budgeted half of a normal year. The 150% as compared to last year is ahead, but it is not 150% as compared to last year. Town Manager Hewett reviewed a chart of actual and encumbered expenses versus budget amounts. The slide shows the cash position being ahead. We are deficit spending this time of year. The delta doesn't include interfund transfers or fund balances being used. The monthly budget to actual is posted to the website.

- Tuesday, November 3rd is voting day. The Emergency Operations Center is a polling site.

- New Town Hall generator is installed and inspected. It is in service. Now just need to add it into our Emergency Preparedness Plan actions.
- Central Reach Permit Status – the application has been made. CAMA has let us know we will need to have a scoping meeting. The meeting will be held this Friday.
- Hurricane Isaias had a federal declaration made. Our engineered beach estimate is in the neighborhood of 67,000 cubic yards. \$5 million is represented by a standalone mobilization cost. The Turkey Trap debris muster site had all debris removed. Haven't seen the bill yet.
- Hurricane Matthew – It has been four years and the state is going to come down to inspect some of the improvements that we made on our closeouts.
- Lockwood Folly Inlet Status – buoys still an issue. The Corps is supposedly developing the cost of a quarterly dredging schedule for local government and the state's amounts of contributions. County has fronted the money for the most recent upcoming Lockwood Folly Merritt effort that will happen in November. The Town appropriated money in the budget for this one cycle.
- Federal Advocacy – Mike McIntyre has changed law firms from Poyner Spruill to Ward and Smith. Executed the change of agent forms accordingly. In the process of scheduling virtual Capital Hill visits for November.
- NC Division of Water Resources has made Coastal Storm Damage Mitigation Grant notification to us in the amount of \$106,000. That is for sand fence and vegetation to build dunes. It is subject to contract execution between the Town and state. Assistant Town Manager Ferguson applied for the grant.
- Lift Station 3 – cut in/startup is underway. Not aware of any issues at this time. Still anticipating completion ahead of schedule.
- COVID – received first expense reimbursement in the amount of almost \$40,000 for initial supplies. It continues to impact operations across all Town services. Adapting the best we can. Staff will be doubling down on precautions. Have an emergency management meeting with the county tomorrow.
- Scott Cunningham received his Wastewater Collection II Operator certificate.
- Our new Personnel Policy says if you have over 30 days of vacation, on January 1st you lose half the balance. Does not intend to penalize people who have been marooned to their job because of COVID. He asked the Board to tell him if they have a problem with that. Commissioner Kwiatkowski explained the intent was to allow staff to bank all of their excess as sick leave the first year and then follow the policy. Town Manager Hewett said he believes we can get everyone to how the policy is written, we just need another year.
- Street Petition Status – Letters went out with a December 5th return by date. On Seagull there are seven yes and one no response, on Deal four yes and one no and on Canal one yes. Urged people to get their petitions in so action can be taken if that is what people desire to happen.
- Water Contract with Brunswick County – it has expired this year, after 40 years. The county is developing a draft proposal. Looks like it will be coming forward at the first of the year and possibly be effective at the beginning of the fiscal year.
- Development Fees Revision Effort – staff met with Raftelis and provided them with administrative documents and background. They are aiming for an early January deliverable to the Board.
- Information Technology – changed our cloud provider. New cameras have been added in the Bridgeview Park/Town Hall/water tower area.

Commissioner Sullivan asked about the adjustment to the Town's CRS rating. Inspections Director Evans responded that the Town received a new rating from the CRS evaluators. We have a reduction of one

point. He provided information on the process. We have implemented changes that have culminated in a reduction. We are now entitled to a 15% reduction in our flood insurance premiums.

MAYOR'S COMMENTS

- The island is extremely busy. Doesn't remember it being this busy in October, so late in the season. Rentals continue to be strong. The boat dock seems to be used more than before.
- Looks like will make it through the hurricane season. Keep your fingers crossed. Pray for the people in the Golf Coast who had more than their share of activity this year.

BOARD OF COMMISSIONERS' COMMENTS

Mayor Pro Tem Brown

- Stay safe, wear your mask and vote.

Commissioner Tyner

- Been out for about a month with health challenges. Appreciates all the calls. You don't know what life will bring. Appreciates the thoughts and prayers.
- Thanked staff for all the hard work. Congratulated Assistant Town Manager Ferguson on the grant. Appreciates the efforts.

Commissioner Murdock

- Glad to have Commissioner Tyner back. Glad everything went well.
- Thanks to the staff for the continued hard work and facing the challenges we still face.
- Wants to be of service to the citizens of the Town. Wants input from people on things people would like to see on the agenda. Feel free to contact him.
- Asked residents to return the paving petitions as soon as possible. You have until December 5th.
- Stay safe. We have a good crowd here still. Holiday season is approaching; everybody have a good time.

Commissioner Sullivan

- Echoed everyone's sentiment to wear your mask and stay safe. It's pretty crowded down here so you want to take care of yourself. Enjoy the good weather we've had down here.

Commissioner Kwiatkowski

- Two years ago, she and Town Manager Hewett looked into how to participate in the NCLM advocacy efforts at a state level and discovered there is a way that you can enter into the prioritization process for setting goals. Last Friday she, along with Town Manager Hewett participated in a NCLM zoom meeting. They were directed to focus on goals shared across municipalities, either statewide or regionally. The meeting went into smaller groups. Each municipality put forward proposed goals. They addressed disaster aid, debris pickup in gated communities, tax revenue disbursements to small municipalities, unfunded mandates and their impacts on small municipalities, shoreline maintenance, intercoastal waterway inlet maintenance and federal stimulus aid. NCLM advocacy goals for the upcoming 2021 session will be finalized in early 2021. There is a prioritization committee. Town Manager Hewett is a member of that. They will review and discuss the objectives from all the

meetings and will put together a proposal for the NCLM board to consider. Town Manager Hewett will keep us informed.

- Thanked everyone for listening in. Stay well.

ADJOURNMENT

Motion by Mayor Pro Tem Brown to adjourn at 6:52 p.m.; second by Commissioner Murdock; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk

Activity Log Event Summary (Totals)

HOLDEN BEACH POLICE DEPT.

(10/01/2020 - 10/31/2020)

911 Hang Up/Open Line	2	Alarm Activation	17
Assist Other Agency	8	Attempt to Locate-ATL	6
Business Check	106	Disturbance/Fight	2
EMS/Medical Call	6	Incident Report	18
Keep Check	16	Lost/Found Property	1
Motor Vehicle Crash	1	Open Door	2
Ordinance Complaint	9	Public Assist	29
Public Works/Water Leak	1	Special Assignment	8
Suspicious Activity	13	Traffic Stop	17
Welfare Check	1	Wildlife Complaint	4

Total Number Of Events: 267

	Rate Town Pay Dependents Current	Town Pay 60% Dependent	Town Pay 40% Dependent	Town Pay 20% Dependent)
Family Coverage	\$31,004.52	\$23,253.34	\$15,502.22	\$7,751.11
Employee & Spouse Coverage	\$31,351.92	\$23,513.98	\$15,675.98	\$7,837.99
Employee & Child Coverage	\$26,248.68	\$19,686.53	\$13,124.35	\$6,562.18
Total	\$88,605.12	\$66,453.84	\$44,302.56	\$22,151.28

Holder, Beach
Benefits Survey Summary

Organizations	Insurance Life	Number of Holidays	Health Insurance % Employee % Family	Dental Insurance % Employee % Family	PT Pro Rated Benefits	401 K Non-Law Enforcement	On Call Call Back
Bald Head Island 171	1X Salary	12	90% 68%	Yes Yes	Yes	5.00%	7 hr/wk 3 hr min
Leland 17,154	\$50,000	12	100% 50%	100% 50%	No	5.00%	1-2 hrs/day 2 hr min
Oak Island 8,783	1.5 x salary	11 to 12	90% 40%	100% 0%	Yes	3.00%	1 hr/day 2 hr min
Ocean Isle Beach 550	1X Salary	12	100% 0%	100% 0%	No	5.00%	5 hr/wk 2 hr min
Shallotte 4,303	1X Salary	12	97% 0%	100% 0%	No	5.00%	1 hr/day 2 hr min
Southport 3,304	\$20,000	12	100% 30%	100% 0%	Yes	5.00%	7 hr/wk 2 hr min
Sunset Beach 4,010	1x salary	12	100% 45%	100% 100%	Yes	5.00%	None 2 hr min
Wrightsville Beach 2,477	\$25,000	11 to 12	100% 40%	100% 40%	Yes	5.00%	7 hrs/wk 2 hr min
Brunswick County	\$24,500	12	100% 0%	100% 0%	Yes	5.00%	1 hr/day None
Holden Beach Current	1X Salary up to \$50,000	11 to 12	100% 80%	100% 0%	Health Ins	5.00%	8 hr/wk 2 hr min
Proposed	1X Salary	12	100% 80%	100% 0%	Yes	5.00%	8 hr/wk 2 hr min

Holden Beach

Vacation and Longevity

VACATION

Bald Head Island	Leland	Oak Island	Ocean Isle Beach	Shallotte	Southport
Yrs of Service/Amount	Yrs of Service/Amount	Yrs of Service/Amount	Yrs of Service/Amount	Yrs of Service/Amount	Yrs of Service/Amount
0 - 3 years 11 days	0 - 2 years 10 days	0 - 2 years 10 days	0 - 5 years 12 days	0 - 5 years 12 days	0 - 1 years 10 days
3 - 5 years 13 days	3 - 5 years 13 days	2 - 4 years 12 days	5 - 10 years 15 days	5 - 10 years 15 days	1 - 5 years 12 days
5 - 10 years 14 days	6 - 9 years 15 days	5 - 9 years 15 days	10 - 15 years 18 days	10 - 15 years 18 days	5 - 10 years 15 days
10 - 15 years 16 days	10 - 14 years 18 days	10 - 14 years 18 days	15 - 20 years 20 days	15 - 20 years 20 days	10 - 15 years 18 days
15 - 20 years 21 days	15 - 19 years 21 days	15 + years 20 days	20 + years 22 days	20 + years 22 days	15 - 20 years 24 days
20 - 25 years 23 days	20 + years 24 days				20 + years 30 days
25 + years 26 days					

Sunset Beach

Yrs of Service/Amount
0 - 3 years 10 days
3 - 10 years 12 days
10 - 15 years 15 days
15 - 25 years 20 days
25 + years 25 days

Wrightsville Beach

Yrs of Service/Amount
0 - 3 years 13 days
3 - 5 years 15 days
5 - 10 years 18 days
10 - 15 years 21 days
15 - 20 years 24 days
20 - 25 years 27 days
25 + years 30 days

Brunswick County

Yrs of Service/Amount
0 - 5 years 12 days
5 - 10 years 15 days
10 - 15 years 18 days
15 + years 21 days

LONGEVITY

Bald Head Island

Yrs of Service/Amount
1 - 3 years \$100
3 - 5 years \$150
5 - 10 years \$250
10 - 15 years \$350
15 - 20 years \$500
20 + years \$750

Leland

Yrs of Service/Amount
1 - 3 years \$325
3 - 5 years \$375
5 - 8 years \$425
8 - 10 years \$500
10 - 15 years \$550
15 - 20 years \$675
20 - 25 years \$800
25 - 30 years \$925
30 + years \$1,050

Oak Island

Yrs of Service/Amount
None

Ocean Isle Beach

Yrs of Service/Amount
1 - 5 years 0.5%
5 - 10 years 1.0%
10 - 15 years 1.5%
15 - 20 years 2.25%
20 - 25 years 3.25%
25 + years 4.5%

Shallotte

Yrs of Service/Amount
0 - 3 years \$50
3 - 5 years \$100
5 - 10 years \$250
10 - 15 years \$350
15 - 20 years \$500
20 + years \$750

Southport

Yrs of Service/Amount
0 - 1 years \$75
1 - 2 years \$150
2 - 4 years \$250
4 - 6 years \$300
6 - 8 years \$350
8 - 10 years \$400
10 - 12 years \$450
12 - 14 years 500
14 - 16 years \$600
16 - 18 years \$700
18 - 20 years \$900
20 + years \$1,000

Sunset Beach

None

Wrightsville Beach

Yrs of Service/Amount
5 - 9 years \$300
10 - 14 years \$500
15 - 19 years \$600
20 - 24 years \$700
25 - 29 years \$800
30+ years \$900

Brunswick County

Yrs of Service/Amount
5 - 9 years 1.00%
10 - 14 years 1.50%
15 - 19 years 2.25%
20 - 24 years 3.25%
25+ years 4.50%

Holden Beach Current

Yrs of Service/Amount
None

Holden Beach Proposed

Yrs of Service/Amount
0 - 3 years \$100
3 - 5 years \$150
5 - 10 years \$250
10 - 15 years \$350
15 - 20 years \$500
20 + years \$750



Date: November 12, 2020
To: Commissioners and Mayor Holden
From: Heather Finnell, Town Clerk HF
Re: Request for Proposals - Legal Services

A Request for Proposals (RFP) for Legal Services was advertised in the local paper and was placed on the North Carolina League of Municipalities' website. In response to the RFP, the Town received two proposals.

The firms who are interested in providing legal services to the Town are the Law Firm of Richard F. Green, PLLC and The Brough Law Firm, PLLC.

The proposals are included in the Board's meeting information for review (separate packet).

Attachment 1: Request for Proposals

REQUEST FOR PROPOSALS (RFP) FOR LEGAL SERVICES

Purpose of RFP

The Town of Holden Beach, North Carolina invites the submittal of responses to this Request for Proposals (RFP) from qualified Firm(s) interested in providing legal services as the Town Attorney. The Town intends to consider Firms and/or individuals who possess the professional and administrative capabilities to provide the scope of services detailed below.

Scope of Work

The Town is seeking the firm/individual to dedicate 10 hours per month dependent on the issues facing the Town and its various departments. In addition to providing legal representation for the Board of Commissioners, Staff and Boards and Committees of the Town, the Town Attorney shall perform the following functions:

1. Performs legal research, fieldwork and other work and communicates the results to the appropriate person.
2. Negotiates, reviews and prepares contracts, agreements and conveyances, such as service agreements, lease agreements, franchise agreements, easements, purchase contracts and other legal documents on behalf of the Town.
3. Reviews, analyzes, drafts and revises ordinances, policies, manuals and other memoranda for the Town and its various departments to ensure they are coherent, enforceable and consistent with State and Federal law; advises the Board of Commissioners, the Town Manager and Town departments when revisions and changes need to be made.
4. Researches, interprets and applies laws, court decisions and other legal authority in the preparation of opinions and briefs; prepares formal legal opinions upon request of the Board of Commissioners and the Town Manager.
5. Drafts or reviews Staff's drafting of ordinances and resolutions for the Board of Commissioners, explains the foregoing to the Board of Commissioners and answers questions related thereto.
6. Analyzes legislation including proposed State and Federal legislation affecting the Town.
7. Engages in litigation-related matters including drafting, discovery, court attendance, mediation, investigation, hearings and trials and similar activities.
8. Prepares for and attends the Board of Commissioners' meetings and other boards and committee meetings of the Town as requested.
9. Supervises acquisition of real property interests for the Town to include title review, interdepartmental communications, negotiations and litigation.
10. Performs other such duties as may be required by virtue of this position as Town Attorney and as directed by the Board of Commissioners.

Selection Process

From a review of the proposals received, the Town may invite several Firms to be interviewed before making a final selection. If the Town desires to interview a Firm, that Firm will receive notification of the date and time of the interview. The selected Firm will negotiate with the Town on fee and contract conditions. If in the sole opinion of the Town, an agreement cannot be achieved with the first respondent of choice, negotiations will proceed with the second or subsequent choice respondents until a mutually agreed contract can be negotiated.

Submittal Requirements

Interested parties should submit the following items in packet form to the Town for consideration. Electronic submissions will be accepted, however we ask that you provide this information in a single PDF file:

1. Statement of Qualifications and resources of the firm/individual, including governmental experience to include description of areas of expertise or relevant experience that may benefit the Town.
2. Statement of Interest in providing service to the Town.
3. Indication of ability to provide timely and efficient service to the Town, including a specification of how many hours per week could be devoted solely to Town business.
4. Suggested contractual terms to include hourly rates.
5. Other factors or information thought to be important to the Town in considering the proposal.

While the Town Attorney is expected to perform the primary legal service functions for the Town, the Town may hire specialized legal counsel to represent the Town in various matters considered outside the normal scope of work. In the event the Board of Commissioners hires outside counsel, the Town Attorney is expected to represent the Town's interest and coordinate the use of outside counsel to include keeping the Board of Commissioners aware of the fees charged by outside counsel.

Evaluation Criteria

The criteria used to evaluate the RFP responses will include, but not be limited to, the following (items listed below are not listed in order of importance):

1. Qualifications of Firm, specifically as they relate to local government experience.
2. Available resources to complete required work.
3. Responsiveness to the RFP, including any additional documents submitted.
4. Professional references.

Additional Instructions, Notifications and Information

No Gratuities – Respondents will not offer any gratuities, favors or anything of monetary value to any official or employee of the Town for the purpose of influencing this selection. Any attempt by a Respondent to influence the selection process by any means, other than disclosure of qualifications and credentials through the proper channels, will be grounds for exclusion from the selection process.

All Information True – By submitting a response, Respondents represent and warrant to the Town that all information provided in the response submitted shall be true, correct and complete. Respondents who provide false, misleading or incomplete information, whether intentional or not, in any of the documents presented to the Town for consideration in the selection process may be excluded.

Interviews – After the initial evaluation of the statements of qualifications, Respondents will be notified of their status in the selection process.

Inquiries – Do not contact the Town Manager, Mayor, or Board of Commissioners to make inquiries about the progress of the selection process. Respondents will be contacted when it is appropriate to do so. Process inquiries may be directed to Heather Finnell, Town Clerk.

Cost of Responses – The Town will not be responsible for the costs incurred by anyone in the submittal of responses.

Contract Negotiations – This RFP is not to be construed as a contract or as a commitment of any kind. If this RFP results in a contract offer by the Town, the specific scope of work, associated fees and other contractual matters will be determined during contract negotiations.

No Obligation – The Town reserves the right to: (1) evaluate the responses submitted; (2) waive any irregularities therein; (3) select candidates for the submittal of more detailed or alternate proposals; (4) waive interviews of any kind before accepting a proposal; (5) accept any submittal or portion of submittal; (6) reject any or all Respondents submitting responses, should it be deemed in the Town's best interest; or (7) cancel the entire process. Proposals will be reviewed and forwarded to the Board of Commissioners for further consideration. The Board of Commissioners reserves the right to select the proposal that best meets the needs of the Town and to proceed in any fashion that it deems appropriate in making such selection so long as such process complies with all applicable laws.

Professional Liability Insurance – The Respondent shall have the appropriate liability insurance written by an insurer authorized to transact insurance in the State of North Carolina.

Submittal Instructions

The Town will receive responses to this RFP at the address set forth below until 12:00 p.m. on Thursday, November 12. Responses should be directed to:

Heather Finnell, Town Clerk
Town of Holden Beach
110 Rothschild Street
Holden Beach, NC 28462
E-Mail: heather@hbtownhall.com

Electronic submissions will be accepted; however, such information must be provided in a single PDF file.



Date: November 5, 2020

To: Mayor Holden and Board of Commissioners
Town Manager-IN TURN *DH*

From: Christy Ferguson, Assistant Town Manager *CF*

Re: FEMA Applicant Designee Resolution

Through recent communication, the NC Department of Public Safety informed the Town of Holden Beach that an applicant designee would need to be appointed for Hurricane Isaias (DR-4568-NC). The resolution form from the state is attached. The applicant designee will be responsible as signatory for the FEMA application process and formation of project worksheets. A primary and secondary designee is required. This memo requests the BOC designate Town Manager David Hewett as the primary contact and Assistant Town Manager Ferguson as the secondary contact on the FEMA Resolution.

Suggested motion: The BOC hereby designates Town Manager David Hewett as the primary applicant agent and Assistant Town Manager Ferguson as secondary agent on the FEMA Resolution.

Attachment 1: Resolution/Designation of Applicant Form

Discussion and possible action on a request for a new audit on trash can numbers at rental properties

Rental properties must have at least a specified number of waste bins depending on bedroom count. Two years ago an audit of rental property compliance was conducted, finding a significant number of properties with too few waste bins. Letters were sent to out of compliance properties and the situation improved.

This past summer there were properties observed with too few and frequently overflowing trash bins. There has been a relatively high rate of home sales over the past year, and new property owners may not be aware of the town ordinance. In addition, bins have been reported lost in the August hurricane and may not have been replaced.

In order to start next season with adequate waste bins at all rental properties, a new audit of waste bins at rental properties should be conducted and letters sent to out of compliance properties by the end of February, 2021 so there are adequate bins at rental properties before May 1.

From: Commissioners Murdock and Tyner
To: Holden Beach Board of Commissioners
Subject: Request to Form a Parking Work Group

Commissioners Murdock and Tyner are requesting approval by the Holden Beach Board of Commissioners to form a working group composed of two Commissioners (Murdock and Tyner) and the appropriate Town staff members to evaluate the below parking-related items:

- ✓ **Paid parking opportunities:** investigate paid parking including the use of new technology used by other communities.
- ✓ **Jordan Boulevard:** investigate organizing Jordan Boulevard to improve aesthetics and allow more parking
- ✓ **Boat trailer parking:** investigate opportunities to provide parking for boat trailers utilizing the NC Wildlife boat ramp in anticipation Block Q may be sold and developed for housing.
- ✓ **Avenue A:** investigate alternatives to make Avenue A an one-way street with angled parking spaces

At the November 2018 meeting of the Town of Holden Beach Board of Commissioners, the Planning & Zoning Board was tasked with forming a Community Advisory Committee (CAC) to study and make recommendations on the following parking items:

- **Jordan Boulevard:** investigate organizing Jordan Boulevard to improve aesthetics and allow more parking
- **Visitor Parking:** If additional parking is needed, investigate property the Town does not own which could be utilized
- **Town Owned Properties:** If additional parking is needed, develop a list of properties owned by the Town that could be used and the cost to develop
- **Paid Parking:** investigate paid parking including the use of new technology used by other communities.

The recommendations from the CAC and approved by P&Z included:

1. **Jordan Boulevard:** Investigate completing a similar project to the one proposed by NC State many years ago.
2. **Visitor Parking:** It was felt that at the time that there was adequate parking except on a few days each year, and even on busy days parking spots were still available. Several suggestions were made to improve parking that included increased police enforcement of parking rules, better signage and maps, and implementation of bumpers. It was further suggested that parking continued to be monitored and the issue revisited in the fall (2019). It was also recommended there was no reason to look for Town owned or other sites for increased parking because it was determined that more parking was not needed at the time.
3. **Paid Parking:** The CAC felt that paid parking should be investigated further and recommended that the Town issue an RFP for vendors. Reasons for this recommendation included:
 - a) Surrounding towns already have or are moving to paid parking
 - b) Paid parking has been identified as a source of funding for the Town and could be used to help cover expenses incurred as a result of visitors such as portable toilets and extra trash pickups.

- c) Extra funds could be used to enhance the visitor experience with improved amenities
- d) An informal poll of East End residents showed they were in favor of paid parking.

The CAC & P&Z felt it would be impossible to get a true sense of the potential revenue or potential issues without proposals from vendors and felt that a RFP should come from the Town at the direction of the BOC.

Since the P&Z/CAC report in early 2019, several events have occurred which have prompted the need to re-visit these parking issues:

- Two large RV parks are being developed off-island that may significantly increase the demand for more visitor parking.
- More daily visitors are coming to Holden Beach due to travel limitations imposed by the current COVID-19 virus.
- The owner of Block Q has communicated his desire to sell these properties for future housing development thereby negatively impacting boat trailer parking using these properties. Boat trailer parking may negatively impact visitor parking near the bridge if the current parking options are eliminated.
- The owner of the Holden Beach Pier has communicated his desire to be included in a public-private venture for paid parking if the Town decides to evaluate and implement paid parking.
- There is a recognition that seasonal police officers are potentially needed to handle visitor traffic. Paid parking could help offset these costs and other daily visitor-related costs.
- Other surrounding beach communities continue to implement paid-parking as an option to offset costs associated with daily visitors. Please see attached article about Kure Beach.

Commissioners Murdock and Tyner believe it is in the best interest of Holden Beach for the Board of Commissioners to urgently move forward with investigating these parking challenges and opportunities before the Town is faced with significant negative impacts.

Kure Beach takes next step toward paid parking system, aims for 2020 start date

portcitydaily.com/local-news/2020/08/18/kure-beach-takes-next-step-toward-paid-parking-system-starts-2020-start-date/

August 18, 2020



Directly north of Kure Beach, the town of Carolina Beach enforces paid parking from the beginning of March through the end of October. (Port City Daily photo/Mark Darrough)

KURE BEACH — When the tourism season begins next spring, Kure Beach may no longer hold the title as Hanover County’s last remaining beach town to offer free parking.

Town Council voted on Monday night to send out a Request for Proposal (RFP) to a list of parking management firms as it further explores switching over to a paid parking program for the 632 municipal spaces that are currently free to use for visitors and residents. The RFP is still in draft form and is subject to procurement requirements, which will identify a list of candidates who could compete for the contract.

RELATED: Wrightsville Beach increases parking rates, violation fees

The councilmen unanimously approved Mayor Craig Bloszinsky's proposal to send out the RFP to five parking management firms within the month. He said a timeline will be approved at the next council meeting so a final decision can be made by the end of the year, "so we can execute next year, if we so deem to execute; if it makes sense."

Another councilman said he was familiar with an independent study conducted several years ago finding that a three-year contract would cost the town \$100,000 per year.

"And we would have not made a great deal of money off of that," he said.

Bloszinsky said the "backbone of the current request essentially has this going to a type of app payment so that we don't have meters sticking out at every parking space." He explained how the town had been exploring the idea for several years.

"Now I think we're at a point in time that we should see if the town will have any benefits associated with some type of parking program," he said.

Further south and to the east along the southern Brunswick County coastline, most coastal towns offer some form of free municipal parking spaces, including Southport and Oak Island. Meanwhile, the two other New Hanover beach towns — Carolina Beach and Wrightsville Beach — make millions off parking revenue paid largely by tourists.

One point of confusion in the drafted RFP was mentioned: it says parking enforcement under the contract would start March 15 and end September 30 every year, but on a different page it says the season duration is from May 15 to September 30. The mayor did not clarify which date range was correct.

The RFP states that the town wishes to "explore the viability of paid parking" because the town's population spikes to roughly 8,000 people during the warm (and then hot) tourism season, and its tourism industry is "extremely important to its economic base and it is important to consider the parking needs of the community in the height of the tourist season."

"The town must balance the parking needs of property owners with the competing needs of residents, businesses and beach visitors. Sound parking management practices and enforcement are crucial to striking a balance between these interests," according to the RFP.

Details of the paid parking structure are listed as:

- Parking enforcement under this contract will begin on March 15 and end on September 30 each year.
- Enforcement hours are from 8 a.m. to 6 p.m.

- Town property owners can receive a parking pass that will allow unlimited free access to paid parking spaces. The cost of the pass shall be nominal.

Types of parking are listed as:

- Beach accesses
- Fort Fisher Blvd.
- Designated avenues
- Private lot option to partner with the town
- Long-term parking allowed at all beach access points on Atlantic Ave. and Northside K. Ave.
- Short-term spots designated at 3 hours on south side of K Ave.
- Reduced parking cost all day and hourly on 6th St. and 7th St.
- Locals park free with paid decal.
- Sunday parking on 3rd Ave. and 6th Ave. is free from 8 a.m. to 1 p.m. for worship services.

Read the full drafted proposal below:

[Kure Beach RFP for Paid Parking](#)

Send tips and comments to the reporter at mark@localdailymedia.com or (970) 413-3815