

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Steven H. Foster  
Interim Town Manager

Carin Z. Faulkner, MPA  
Asst. Town Manager/Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Special Meeting Minutes Thursday, January 11, 2018 6:30 P.M.**

**PRESENT:** Mayor Daniel Tuman, Mayor Pro Tem Joann McDermon, Aldermen Mike Benson, Tom Leonard, Richard Peters, and Walt Yurek, Interim Town Manager Steve Foster, Town Attorney Brian Edes and Deputy Town Clerk Terrie Woodle.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **APPROVAL OF AGENDA:**
  - Alderman Peters made a motion to approve the agenda as presented. Alderman Leonard seconded the motion.
  - The motion passed unanimously.
- III. **OPEN FORUM:** No came forward.
- IV. **PRESENTATION – Employee Recognition:** Alderman Tom Leonard and Deputy Fire Chief Bill Poe recognized Jim Van Emburgh for his service to the Town. He was presented a plaque in appreciation for his performance as a volunteer firefighter to the North Topsail Beach Fire Department, from January 2017 to January 2018. He was a very active member and served with dedication and pride and was recognized for a job well done. Alderman Leonard related a story that as United States Marine Corps lieutenants he and Jim Van Emburgh had served together many years ago, and as fate would have it, they were brought together again in service to our Town.
- V. **MANAGER'S REPORT:**

Mr. Foster gave the following report:

1. **Town Hall HVAC Renovation and Police Department Mold Abatement:** After staff inspection of the work, it has been determined that there may still existing issues with the HVAC that could result in mold infestation in the future. I have asked our building inspector to go over these potential problems with the contractor, and have these issues assessed and remedied. I plan on withholding final payment until these issues are addressed and after the Department has had an opportunity after to determine if the issues have been remedied.

2. **Complete FY16-17 Town Audit:** We requested an expedited audit from our auditor and this has not been forthcoming. In anticipation of needing the audit for an LGC application for the FEMA Phase Storm Damage Repair project in January and were promised a December 15 delivery. Last year, when our Finance Officer died, the Town requested more assistance. Instead the audit arrived in March, 3 months late. Something appears to be happening with Carr Riggs from a corporate merger, where staff are overworked and over-extended. Carr Riggs must file a contract extension with us and LGC to go beyond the contracted delivery date. It is to recommend of Town Auditor after this year's audit is complete.

**3. Internal Financial Control Issues:**

Policies Staff is working on:

- I. Purchasing
- II. Credit card
- III. Performance review- timing of
- IV. Travel
- V. Cash management
- VI. Internal control

4. **North End Permissible Driving Area:** I met yesterday with the contractors S&T Parking Systems to go over the financials from the Kiosk that the Town installed this past year. The system on most accounts has been working in the fashion that was intended, to bring some essence of control over the North end parking situation. The year, unaudited cost revealed that there was a (\$6,000 +/-) deficit. However, the system was not started until after July 4<sup>th</sup> holiday weekend. The contractor will deduct the \$6,000 +/- from revenues in 2018. Since the system is expected to generate significantly more revenue in 2018 due a full year cycle, the Town should see a great deal better cash flow in the new year.

5. **Beach Project Fiscal Review:** Staff, Manager will be meeting on January 17<sup>th</sup> at Town Hall to review current and future beach project funding options, how various funds can be used for which projects, what funds may be available, and how much at 9:00 AM.

6. **FY18-19 Budget Process:** I have directed all the department heads to begin work on their and to have their request completed by January 31<sup>st</sup>. This should help to decrease the time needed for budget preparation.

Mayor Tuman requested that the retreat items be discussed at the next January meeting of the Board.

**VI. CONSENT AGENDA:**

**A. Request to Approve Tax Refund**

**B. Request to Appoint Alternate Members to the Planning Board and Board of Adjustment**

- Alderman Peters made a motion to approve the Consent Agenda as presented. Alderman Yurek seconded the motion.
- The motion passed unanimously.

**VII. OLD BUSINESS:**

**A. Rescue Tube Program:**

- Ms. Beth Jones made a presentation to the Board.
- There was discussion.
- Mayor Pro Tem McDermon made a motion for the Rotary Club of Sneads Ferry to move forward with the project with the following conditions: Town approval of signage (by Town Attorney), Town (Public Works) approval of installation method and location, Public Works will have a maintenance and inspections plan in place and the Town Manager and Town Attorney will oversee the project. Alderman Peters seconded the motion.
- The motion passed unanimously.

**VIII. NEW BUSINESS:**

**A. Request to Amend Section 6-89 (Commercial Vehicles) of the NTB Town Code of Ordinances (Ordinance 2018-1):**

- Ms. Hill introduced this item.
- There was discussion.
- The Board discussed recreational vehicles and Ms. Hill recommended that the Planning Board discuss this and provide recommendations to the Board.
- Attorney Edes suggested changes to the draft ordinance he said it should read “commercial motor vehicle.”
- It was also suggested that public parking areas and public streets should be added.
- Alderman Peters moved that the Board of Aldermen adopt Ordinance 2018-1 with the suggested revisions. Alderman Leonard seconded the motion.
- The motion passed unanimously.

**B. Request to Adopt a Policy for Remote Participation by Board Members for Board of Aldermen Meetings (Resolution 2018-1):**

- Alderman Benson introduced this item.
- Alderman Peters made a motion to adopt Resolution 2018-1 as presented. Alderman Leonard seconded the motion.
- The motion passed unanimously.

**C. Request to Issue a Request for Qualifications for Shoreline Protection Management:**

- Mayor Tuman introduced this item.
- There was discussion
- Alderman Peters made a motion to have the Interim Town Manager and Town Attorney revise the 2002 RFQ and have it ready for review at the retreat in February. Alderman Benson seconded the motion.
- The motion passed unanimously.

**D. Request to Adopt Resolution to Adopt the Revised Regular Meeting Schedule for the North Topsail Beach Board of Aldermen for 2018 (Resolution 2018-2):**

- Mayor Tuman introduced this item.
- Alderman Leonard made a motion to schedule the January regular meeting for January 19<sup>th</sup> at 9:00 a.m. and to adopt Resolution 2018-2 indicating this date and for the Board to amend the resolution to include a statement indicating that if a regular meeting cannot take place on the date scheduled that the meeting will be automatically rescheduled one week later. Alderman Benson seconded the motion.
- The motion passed unanimously.

IX. **OPEN FORUM:** No came forward.

X. **ATTORNEY'S REPORT:** No came forward.

XI. **MAYOR'S REPORT:** Mayor Tuman thanked everyone for coming to the meeting. He said he has been in contact with ONWASA and stressed concerns about the back flow devices freezing in the winter. He asked specifically what homeowners might do to protect this from re-occurring. He said he received an e-mail from one of the technical service persons from ONWASA giving tips on what homeowners can do, he said he will forward the e-mail to the Town Clerk so that she can post it on the Town's website.

XII. **ALDERMEN'S REPORT:**

**Alderman Leonard** – Mr. Leonard thanked everyone for coming and wished everyone a Happy New Year. He took a moment to commend the Town's Public Works Department and all of the Town's responders for the excellent job they did through the winter storm.

**Mayor Pro Tem McDermon** – Mrs. McDermon thanked Public Works. She indicated that she would like to volunteer some of her time to assist Ms. Weaver with occupancy tax collections.

**Alderman Peters** – Mr. Peters thanked everyone for coming to the meeting, without them we would have nobody and their perseverance for being here is incredible.

**Alderman Yurek** – Mr. Yurek indicated he would also like to volunteer to help with the occupancy tax collections. He said he could not be here to attend the shoreline protection meeting on December 20, 2017 so he listened in on the live broadcast and it was excellent. He suggested spreading the word about this service because it is excellent.

**Alderman Benson** – Mr. Benson thanked all the public services for their work during the storm.

XIII. **CLOSED SESSION** per N.C.G.S. 143-318.11 (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or

lease AND (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

- Alderman Leonard moved that the Board go into Closed Session. Mayor Pro Tem McDermon seconded the motion.
- The motion passed unanimously.
- There was discussion in closed session.
- Alderman Leonard made a motion to come out of closed session. Mayor Pro Tem McDermon seconded the motion.
- The motion passed unanimously.
- It was announced that no action was taken.

XIV. **ADJOURNMENT:** Alderman Leonard made a motion to adjourn. Mayor Pro Tem McDermon seconded the motion. The motion passed unanimously. The meeting adjourned at 9:13 p.m.

**APPROVED:**

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Daniel Tuman  
Mayor

**ATTEST:**

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Terrie Woodle  
Deputy Town Clerk

Approved on: 2/1/2018

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Steven H. Foster  
Interim Town Manager

Carin Z. Faulkner, MPA  
Asst. Town Manager/Town Clerk

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## **Board of Aldermen Regular Meeting Minutes Friday, January 19, 2018 9:00 A.M.**

**PRESENT:** Mayor Daniel Tuman, Mayor Pro Tem Joann McDermon, Aldermen Mike Benson, Tom Leonard, Richard Peters, and Walt Yurek, Interim Town Manager Steve Foster, Asst. Town Manager/Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 9:00 a.m.
- II. **INVOCATION:** Mayor Tuman gave the invocation.
- III. **APPROVAL OF AGENDA:**
  - Alderman Benson moved that the Board approve the agenda and requested that the Board add New Business Item "Discussion of Hardened Structure Contract" to the agenda. Alderman Peters seconded the motion to approve the agenda as amended. The motion passed unanimously.
- IV. **OPEN FORUM:**

**Cameron Kuegel of 3902 River Road-** Mr. Kuegel thanked the Board for appointing him to serve on the Revetment Committee. He asked if the Town has heard from the plaintiffs. Alderman Benson indicated that they are close to setting up a meeting.
- V. **PUBLIC HEARINGS/PRESENTATIONS:**
  - A. **Presentation – Employee Recognitions:** Ms. Faulkner presented certificates for years of service to the following employees: Jeffrey John (15), Kimberly Weaver (10), Barry Burke (10), Kevin Kawas (5), Michael Taylor (5), Robert Padgett (5), Joseph Martin (5).
- VI. **CONSENT AGENDA:**
  - A. **Approval of Minutes** – December 6, 2017 and December 20, 2017
  - B. **Department Head Reports** – Finance, Fire, Inspections, Planning & Police
  - C. **Committee Reports** – Planning Board, Board of Adjustment, TISPC & ONWASA

- Alderman Peters made a motion to approve the Consent Agenda as presented. Alderman Leonard seconded the motion.
- The motion passed unanimously.

**VII. NEW BUSINESS:**

**A. Request to Issue RFP for Auditor Services:**

- Ms. Brothers introduced this item.
- Alderman Leonard moved that the Town issue the Request for Proposals as written. Mayor Pro Tem McDermon seconded the motion.
- The motion passed unanimously.

The Board took a short recess.

**B. Discussion of Annual Retreat:**

- Mr. Foster provided the Board with some dates in which the facilitator, Chris May from Cape Fear Council of Governments, can attend.
- There was discussion.
- Alderman Leonard moved that the Board of Aldermen schedule the Special Meeting/Retreat for Tuesday, February 13, 2018 at 9:00 a.m.
- There was discussion.
- The motion passed unanimously.

**C. Discussion of RFQ for Shoreline Project Management:**

- Mr. Foster introduced this item.
- Alderman Leonard moved that the Town prepare a Request for Qualifications for Shoreline Project Management, and that it is to be prepared jointly by the Interim Town Manager, Town Attorney, and Aldermen Benson and Peters by February 19, 2018. Mayor Pro Tem McDermon seconded the motion.
- The motion passed unanimously.

**D. Discussion of Hardened Structure Contract (Environmental Impact Study):**

- Mr. Benson introduced this item.
- There was discussion.
- Alderman Benson moved that the Board provide the Town Manager any concerns they have about the contract with Dial Cordy so that Dial Cordy can present their response at the February 1, 2018 meeting along with an update on the schedule and timeline. Mayor Pro Tem McDermon seconded the motion.
- The motion passed unanimously.

**VIII. OPEN FORUM:** No came forward.

- IX. **CLOSED SESSION** per N.C.G.S. 143-318.11 (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee:
- Alderman Leonard moved that the Board go into Closed Session. Alderman Peters seconded the motion.
  - The motion passed unanimously.
  - There was discussion in closed session.
  - Alderman Leonard made a motion to come out of closed session. Alderman Peters seconded the motion.
  - The motion passed unanimously.
  - It was announced that no action was taken.
- X. **ADJOURNMENT:** Alderman Leonard made a motion to adjourn. Alderman Benson seconded the motion. The motion passed unanimously. The meeting adjourned at 11:22 a.m.

**APPROVED:**

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Daniel Tuman  
Mayor

**ATTEST:**

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Terrie Woodle  
Deputy Town Clerk

Approved on: 2/1/2018



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Walter Yurek



Steven H. Foster  
Interim Town Manager

Carin Z. Faulkner, MPA  
Asst. Town Manager/Town Clerk

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## **Board of Aldermen Regular Meeting Minutes Thursday, February 1, 2018 6:30 P.M.\***

**PRESENT:** Mayor Daniel Tuman, Aldermen Mike Benson, Tom Leonard, Richard Peters, and Walt Yurek, Town Attorney Brian Edes, Interim Town Manager Steve Foster, Asst. Town Manager/Town Clerk Carin Faulkner.

**NOT PRESENT:** Mayor Pro Tem Joann McDermon

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Alderman Mike Benson gave the invocation.
- III. **APPROVAL OF AGENDA:**
  - Alderman Benson requested that the Planning Board report be removed from the Consent Agenda and placed in New Business (Item B).
  - Mr. Foster presented a Resolution of Appreciation for Ms. Faulkner.
  - Alderman Peters made a motion to approve the agenda as amended. Alderman Leonard seconded the motion.
  - The motion passed unanimously.
- IV. **OPEN FORUM:** No one came forward.
- V. **PUBLIC HEARINGS/PRESENTATIONS:**
  - A. **Public Hearing - Case SD-17-01 Jim Day Final Subdivision Application:**
    - Ms. Hill introduced this item and presented the staff report.
    - Alderman Peters made a motion to open the public hearing. Alderman Leonard seconded the motion.
    - The motion passed unanimously.
    - Ms. Hill requested that the staff report be included in the minutes of this meeting (Attachment A).
    - Ms. Hill took questions from the Board.

\*There is an attachment to these minutes.

- Mr. Day (applicant) and his son Michael indicated that they did not have any comments. They thanked the Board for hearing their request.
- Alderman Leonard made a motion to close the public hearing. Alderman Benson seconded the motion.
- The motion passed unanimously.
- Alderman Peters made a motion to approve the subdivision as presented. Alderman Yurek seconded the motion.
- The motion passed 4 to 0.

VI. **MANAGER'S REPORT:**

Mr. Foster gave the following report:

- Staff had a good meeting with NC Division of Emergency Management. They went through the paperwork for the reimbursement process for the Phase 5 repair. The State will front 25% of the project cost and the Federal government will pay for 75%. The Town's previous concern was the time frame for reimbursement and Staff found that it should be 3 weeks if the Town keeps the cycle going. Staff feels like the Town will likely not need to go to the LGC if the Town's audit is good.
- The Police Department renovation is complete and they are moving in right now. Thank you to Jimmy Canady for doing the inspection and making sure that deficiencies were corrected.
- Continuing with advertising and review applications new Town Clerk with a deadline of February 9<sup>th</sup>.
- Continuing with the advertising and review for a Chief of Police with a deadline of February 16<sup>th</sup>.
- Discussions with Chris May on the upcoming retreat on February 13<sup>th</sup>.
- Attended the TISPC meeting on Thursday.
- Attended the Four Town Meeting also Thursday.
- Arranged a meeting with a potential Town Manager candidate with the Board.
- Met and discussed and met with the Town's Finance Officer on the upcoming FY 18/19 budget.
- Worked on a new "Request for Proposals – Comprehensive Coastal Management Plan."
- Town Staff attended the 2<sup>nd</sup> Annual Real Estate Trends Report and Forecast Breakfast in Surf City. One interesting part of the report was drone footage of the proposed residential development, commercial development and schools in the area (the footage included the new hotel and middle school in Sneads Ferry). It was reported that the Topsail Island replacement bridge is ahead of schedule and due for completion September 2019. The Hampstead Bypass is scheduled to be let (out for bid) Fall 2020.
- Mr. Best (Public Works Director) is working on an Emergency Pumping Plan for the Town.

- There will be an Onslow County Stakeholder's meeting on February 21<sup>st</sup> in New Bern. It will take place after the Corps dredging meeting.
- The new website is up and running. Thank you to Ms. Faulkner for completing this task before her last day.
- There was discussion about who should attend the stakeholder's meeting. Mr. Edes reminded the Board that if several attend, they must not discuss Town business.

**VII. CONSENT AGENDA:**

- A. Approval of Minutes – January 11, 2018 and January 19, 2018**
- B. Department Head Reports – Finance, Fire, Inspections, Planning & Police**
- C. Committee Reports – Board of Adjustment, TISPC & ONWASA**
- D. Request to Approve Tax Refunds**
- E. Request to Transfer Funds for Beach Related Travel**
- F. Request to Adopt Resolution Approving a Qualified Source for Obtaining the Ethics Training Required by NCGS 160A-87 (Resolution 2018-3)**
- G. Request to Adopt Resolution Designation of Applicant's Agent (Resolution 2018-4)**
  - Alderman Peters made a motion to approve the Consent Agenda as amended (Planning Board report was removed earlier). The motion passed unanimously.

**VIII. OLD BUSINESS:**

- A. Request to Review and Possibly Approve RFQ for Shoreline Protection Management:**
  - Alderman Benson made a motion to approve the RFQ as proposed. Alderman Yurek seconded the motion.
  - Mr. Benson introduced this item.
  - There was discussion.
  - Mr. Edes made recommended changes to the document.
  - Mr. Foster requested that the Board provide him with any engineers in which they would like him to send the RFQ.
  - There was discussion.
  - Mr. Foster took questions from the Board.
  - There were additional changes recommended for the document.
  - The motion passed unanimously to approve the RFQ with suggested changes.

**IX. NEW BUSINESS:**

- A. Proposal to Contract with Professional Engineer Regarding ONWASA Utility Ordinance:**
  - Mayor Tuman introduced this item.

- Alderman Leonard moved that the North Topsail Beach Board of Aldermen authorize a contract between the Town and Michael C. Gallant, PE for 20 hours at \$200/hour, not to exceed \$4,000 for professional services. Alderman Peters seconded the motion.
- There was discussion.
- Alderman Benson moved to table this item. There was not a second and there the previous motion was on the floor.
- Ms. Hill took questions from the Board.
- There was discussion.
- The motion passed 3 to 1 with Alderman Benson voting against.
- Mr. Foster and Ms. Hill will prepare a contract for the Town Attorney's review and approval.

**B. Planning Board Report:**

- Ms. McCloud presented the Planning Board report.
- Ms. McCloud took questions from the Board.

X. **OPEN FORUM:** No came forward.

XI. **ATTORNEY'S REPORT:** Mr. Edes wished Ms. Faulkner well. He said it was an honor and a privilege to serve beside her. She will be missed by this Town.

XII. **MAYOR'S REPORT:** Mayor Tuman thanked everyone for coming. He wished Ms. Faulkner the best for the future.

XIII. **ALDERMEN'S REPORT:**

**Alderman Benson** – Mr. Benson thanked Ms. Faulkner for her services and said that he really appreciates the fact that she got the website transferred over to the new site. He said it was a tremendous job with the number of pages that we had and it looks really nice. He reported on the status of the Revetment Committee.

**Alderman Peters** – Mr. Peters thanked Ms. Faulkner for her long and devoted service to the Town. He wished her luck. He thanked everyone for their patience through the meeting.

**Alderman Yurek** – Mr. Yurek dittoed all of the previous comments made about Ms. Faulkner. He said that any time that he asked for anything from her he received an almost immediate response and he appreciated it. He wished her good luck in her new job as Town Manager.

**Alderman Leonard** – Mr. Leonard said that he is going to miss Ms. Faulkner. He said that she did a great job here and that he personally appreciated it. She has big shoes that the Town is going need to fill. He announced that on Saturday, January 20<sup>th</sup> he and Mayor Tuman attended a meeting of the condominium homeowner's association officers for the north end of the town. It included representatives from Topsail Reef, Topsail Dunes, Shipwatch, St. Regis and the Villa Capriani. He said that they gave a "State of

the Town” type of briefing and spoke about beach nourishment, CBRA, flood insurance, and the changes at Town Hall. He said it was valuable that Town leadership was able to have that interface with our citizens. He thanked the associations for inviting them. He thanked everyone for coming to tonight’s meeting.

XIV. **CLOSED SESSION** per N.C.G.S. 143-318.11 (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged AND (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee:

- Alderman Peters moved that the Board go into Closed Session. Alderman Leonard seconded the motion.
- The motion passed unanimously.
- There was discussion in closed session.
- Alderman Leonard made a motion to come out of closed session. Alderman Peters seconded the motion.
- The motion passed unanimously.
- It was announced that the Board was back in open session.
- Alderman Leonard made a motion to approve a contract with Colin Baenziger & Associates to include the terms of their proposal. Alderman Yurek seconded the motion.
- The motion passed unanimously.

XV. **ADJOURNMENT:** Alderman Leonard made a motion to adjourn. Alderman Yurek seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 8:45 p.m.

**APPROVED:**

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Daniel Tuman  
Mayor

**ATTEST:**

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Terrie Woodle  
Deputy Town Clerk

**STAFF REPORT CONTACT INFORMATION**  
 Deborah J. Hill, MPA AICP CFM CZO  
 Planning Director  
 910.328.1349 ext 27 dhill@ntbnc.org

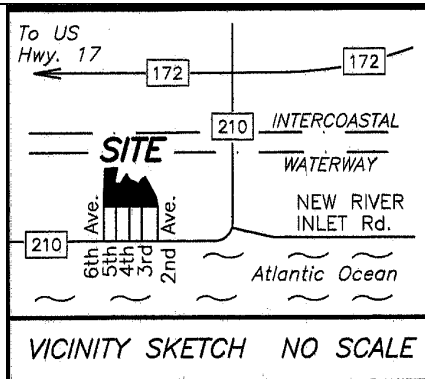
DOCKET/CASE/APPLICATION NUMBER Case #SD-17-01 (FINAL) APPLICANT/PROPERTY OWNER David T. Weston PLS/Caroline S. & Ralph Baldwin (1/4); James N. & Michael L. Day(1/4); Elizabeth D. Dalrymple (1/4) & Frank W. Erwin (1/4)

PUBLIC HEARING DATE Board of Aldermen, Thursday, February 1, 2018, 6:30 P.M. PROPERTY ADDRESS/LOCATION Tax Map # 811-89 Soundside terminus of 2<sup>nd</sup> thru 6<sup>th</sup> Avenues

**BRIEF SUMMARY OF REQUEST**

On behalf of the owners, David T. Weston PLS is requesting approval of the final subdivision application to divide Tax Map # 811-89, a 10.15-acre parcel into four (4) parcels. The property is located northwest and soundside of 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup> Avenue.

On 12/14/2017, the Planning Board reviewed the final plat pursuant to § 2.06.05(C)(3) to ensure that the subdivision meets or exceeds the standards of this ordinance and recommends to the Board of Aldermen that the final subdivision plat be approved.



MAP SOURCE: DAVID T WESTON PLS

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-20 and Con-D	2 docks and abandoned fishing shacks	<ul style="list-style-type: none"> <li>R-20 and Con-D to the SW, with a single-family home on the R-20 portion (8119 6TH AVE).</li> <li>R-5 and Con-D to the NE, with a single-family home on the R-5 portion (3507 ISLAND DR).</li> <li>MHR to the S, w/various single-wide mobile homes, single-family</li> </ul>	Water and Sewer are available; property is accessible at terminus of 3rd, 4th and 5th Avenue.	10.15-acres

**PLANNING BOARD RECOMMENDATION 12/14/2017**

**APPROVE**

**APPROVE WITH CONDITIONS**

**DENY**

COMPATIBILITY with the LAND USE PLAN	PROPERTY HISTORY
<ul style="list-style-type: none"> <li>Property is zoned R-20; which allows for single-family development, considered low density residential;</li> <li>Future Land Use Map indicates this property is classified as, "Low Density Residential;"</li> <li>Therefore, the subdivision proposal meets the requirements of the Land Use Plan.</li> </ul>	Property has 2 docks and abandoned fishing shacks.

**COMPATIBILITY with the ZONING ORDINANCE**

The property is zoned R-20 and Con-D. The resultant 4 lots meet the minimum dimensional requirements of R-20 zoning district pursuant to UDO Table 5-1 Dimensional Requirements. Single-family development is permitted by right in R-20 districts and is compatible with surrounding land use.

**ATTACHMENTS** (CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/  
APPLICATION FORM

PUBLIC NOTICE

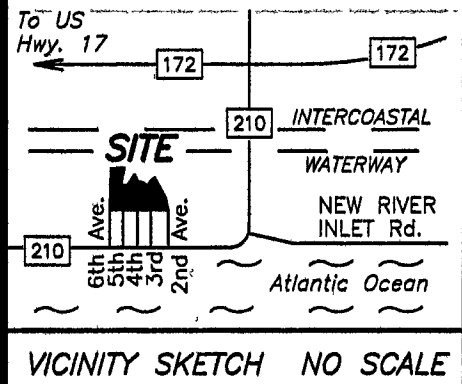
LEGAL DESCRIPTION

PUBLIC COMMENTS

TRC COMMENTS

RESPONSE TO STANDARDS

**OTHER** (DESCRIBE)



**SITE DATA**  
TAX MAP #: 811-89  
TOTAL ACREAGE: 10.15 ACRES  
NUMBER OF LOTS: 4  
SMALLEST LOT: 1.59 ACRE (LOT 3)  
AVERAGE LOT SIZE: 2.54 ACRES  
ZONING DISTRICT: R-20 and CON-D  
WATER SUPPLY: PUBLIC (ONWASA)  
SEWER TYPE: PUBLIC (PLURIS)  
STREETS: EXISTING PUBLIC (PAVED)  
PROPERTY DESIGNATION: RESIDENTIAL

- LEGEND**
- = NON-MONUMENTED POINT (UNLESS SHOWN OTHERWISE)
  - ADJ. = ADJOINER'S
  - ENC. = ENCROACHMENT
  - CSS = COTTON SPINDLE SET (CONTROL)
  - ECM = EXISTING CONCRETE MONUMENT (CONTROL)
  - EIP = EXISTING IRON PIPE
  - EIR = EXISTING IRON REBAR
  - EIS = EXISTING IRON STAKE
  - EMN = EXISTING MAG NAIL
  - EPK = EXISTING PK NAIL
  - IR = EXISTING IRON REBAR SET
  - MNS = MAG NAIL SET
  - PL = PROPERTY LINE
  - R/W = RIGHT OF WAY
  - M.B.L. = MINIMUM BUILDING LINE
  - D.&U.E. = DRAINAGE & UTILITY EASEMENT
  - S.D.E. = SHARED DRIVEWAY EASEMENT
  - = LOT NUMBER
  - = WETLANDS
  - = UPLANDS
  - = CENTERLINE PAVEMENT ONLY
  - ☆ = POWER POLE
  - = BOUNDARY LINE
  - = PLOTTED FROM DEEDS OR MAPS
  - = TIE LINE
- REFERENCES**
- D.B. 665, PG. 434 (TRACTS 3 & 4)
  - D.B. 4696, PG. 351
  - TAX MAP #811-89
- AREA**
- WETLANDS = 9.20 Acres
  - UPLANDS = 0.95 Acre
  - TOTAL = 10.15 Acres
- SETBACKS**
- ZONE R-20
  - FRONT 30'
  - REAR 10'
  - SIDE 10'
  - MIN. LOT SIZE 20,000 SQ. FT.
  - 75' MIN. LOT WIDTH (SEE NOTE #7)

**NOTES**

- G.S. 47-30(f)(11a) THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.
- SUBJECT TO RESTRICTIVE COVENANTS, DEEDS AND/OR EASEMENTS OF RECORD, ZONING ORDINANCE, WETLANDS, AREAS OF ENVIRONMENTAL CONCERN, REVISIONS, AGREEMENTS, & UNDERGROUND UTILITIES, IF ANY.
- NO TITLE SEARCH BY SURVEYOR.
- AREA BY COORDINATES.
- FLOOD INFORMATION SHOWN WAS SCALED FROM FRM 3720426600J, EFFECTIVE DATE: 11-03-05.
- ZONING LINES WERE PROVIDED BY ONSLOW COUNTY GIS.
- SUBJECT PROPERTY IS LOCATED WITHIN THE O.R.W. (OUTSTANDING RESOURCE WATER) AREA. 25% MAXIMUM ALLOWABLE LOT COVERAGE.
- DATE OF ACTUAL FIELD SURVEY 11-19-2008.

**ADDITIONAL SITE DATA**

	R-20 AREA	UPLAND AREA	BUILDABLE AREA	MAX. BUILDING DIMENSIONS
LOT 1	53,956 Sq. Ft.	5,674 Sq. Ft.	2,613 Sq. Ft.	50.3' X 28.5' (1,434 Sq. Ft.)
LOT 2	30,798 Sq. Ft.	8,998 Sq. Ft.	3,736 Sq. Ft.	57.8' X 44.7' (2,584 Sq. Ft.)
LOT 3	20,222 Sq. Ft.	14,353 Sq. Ft.	4,920 Sq. Ft.	104.6' X 25.8' (2,699 Sq. Ft.)
LOT 4	8,741 Sq. Ft.	12,190 Sq. Ft.	2,099 Sq. Ft.	69.5' X 26.5' (1,842 SQ. FT.)

LOT 4 UPLAND AREA LOCATED IN ZONE R-20 = 4,789 Sq. Ft.

**404 WETLAND DELINEATION**

**"a" AND "b" TABLE**

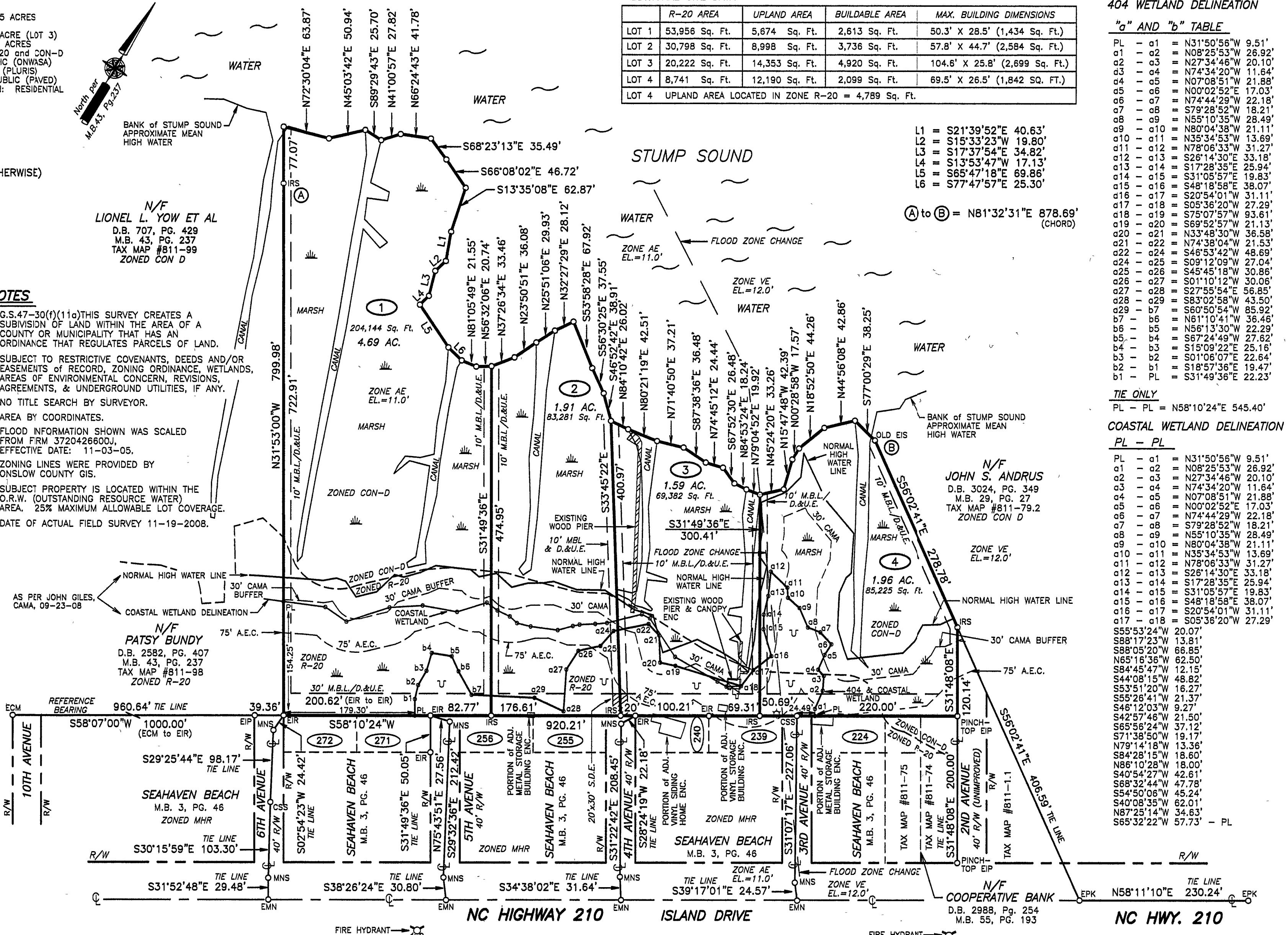
PL	-	01	=	N31°50'56"W	9.51'
a1	-	02	=	N08°25'53"W	26.92'
a2	-	03	=	N27°34'46"W	20.10'
a3	-	04	=	N74°34'20"W	11.64'
a4	-	05	=	N07°08'51"W	21.88'
a5	-	06	=	N00°02'52"E	17.03'
a6	-	07	=	N74°44'29"W	22.18'
a7	-	08	=	S79°28'52"W	18.21'
a8	-	09	=	N55°10'35"W	28.49'
a9	-	10	=	N80°04'38"W	21.11'
a10	-	11	=	N35°34'53"W	13.69'
a11	-	12	=	N78°06'33"W	31.27'
a12	-	13	=	S26°14'30"E	33.18'
a13	-	14	=	S17°28'35"E	25.94'
a14	-	15	=	S31°05'57"E	19.83'
a15	-	16	=	S48°18'58"E	38.07'
a16	-	17	=	S20°54'01"W	31.11'
a17	-	18	=	S05°36'20"W	27.29'
a18	-	19	=	S75°07'57"W	93.61'
a19	-	20	=	S69°52'57"W	21.13'
a20	-	21	=	N33°48'30"W	36.58'
a21	-	22	=	N74°38'04"W	21.53'
a22	-	23	=	S46°53'42"W	48.69'
a23	-	24	=	S09°12'09"W	27.04'
a24	-	25	=	S45°45'18"W	30.86'
a25	-	26	=	S01°10'12"W	30.06'
a26	-	27	=	S27°55'54"E	56.85'
a27	-	28	=	S83°02'58"W	43.50'
a28	-	29	=	S60°50'54"W	85.92'
a29	-	30	=	N61°10'41"W	36.46'
a30	-	31	=	N56°13'30"W	22.29'
a31	-	32	=	S67°24'49"W	27.82'
a32	-	33	=	S15°09'22"E	25.16'
a33	-	34	=	S01°06'07"E	22.64'
a34	-	35	=	S18°57'36"E	19.47'
a35	-	36	=	S31°49'36"E	22.23'

**TIE ONLY**  
PL - PL = N58°10'24"E 545.40'

**COASTAL WETLAND DELINEATION**

**PL - PL**

PL	-	01	=	N31°50'56"W	9.51'
01	-	02	=	N08°25'53"W	26.92'
02	-	03	=	N27°34'46"W	20.10'
03	-	04	=	N74°34'20"W	11.64'
04	-	05	=	N07°08'51"W	21.88'
05	-	06	=	N00°02'52"E	17.03'
06	-	07	=	N74°44'29"W	22.18'
07	-	08	=	S79°28'52"W	18.21'
08	-	09	=	N55°10'35"W	28.49'
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10	-	11	=	N35°34'53"W	13.69'
11	-	12	=	N78°06'33"W	31.27'
12	-	13	=	S26°14'30"E	33.18'
13	-	14	=	S17°28'35"E	25.94'
14	-	15	=	S31°05'57"E	19.83'
15	-	16	=	S48°18'58"E	38.07'
16	-	17	=	S20°54'01"W	31.11'
17	-	18	=	S05°36'20"W	27.29'
18	-	19	=	S75°07'57"W	93.61'
19	-	20	=	S69°52'57"W	21.13'
20	-	21	=	N33°48'30"W	36.58'
21	-	22	=	N74°38'04"W	21.53'
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32	-	33	=	S15°09'22"E	25.16'
33	-	34	=	S01°06'07"E	22.64'
34	-	35	=	S18°57'36"E	19.47'
35	-	36	=	S31°49'36"E	22.23'



STATE OF NORTH CAROLINA, COUNTY OF ONSLOW

I, \_\_\_\_\_, REVIEW OFFICER OF ONSLOW COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF NORTH TOPSAIL BEACH, NORTH CAROLINA, EFFECTIVE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

MAYOR, TOWN OF NORTH TOPSAIL BEACH

THIS SUBDIVISION CONFORMS TO THE STANDARDS OF THE NORTH CAROLINA COASTAL AREA MANAGEMENT ACT OF 1974, AND PORTIONS OF THE SUBDIVISION LOCATED WITHIN AND AREA OF ENVIRONMENTAL CONCERN IS DULY NOTED.

PLANNING DIRECTOR \_\_\_\_\_

MAP BOOK \_\_\_\_\_, PAGE \_\_\_\_\_

**WATER CERTIFICATION**

I HEREBY CERTIFY THAT THE PLANS AND SPECIFICATIONS FOR THE WATER SYSTEM FOR JIM DAY and OTHERS SUBDIVISION HAVE BEEN REVIEWED AND APPROVED BY THE ONSLOW WATER AND SEWER AUTHORITY.

TECHNICAL OPERATIONS SUPERVISOR (OR AUTHORIZED PERSON) / DATE \_\_\_\_\_

**SEWER CERTIFICATION**

I HEREBY CERTIFY THAT THE PLANS AND SPECIFICATIONS FOR THE SEWER SYSTEM FOR JIM DAY and OTHERS SUBDIVISION HAVE BEEN REVIEWED AND APPROVED BY THE PLURIS, LLC.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

PLURIS, LLC.

BY: \_\_\_\_\_

**CERTIFICATE OF OWNERSHIP & DEDICATION**

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON, WHICH IS LOCATED IN THE SUBDIVISION JURISDICTION OF THE TOWN OF NORTH TOPSAIL BEACH AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISH MINIMUM BUILDING SETBACK LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, AND OTHER SITES AND EASEMENTS TO PUBLIC OR PRIVATE USE AS NOTED.

OWNER / DATE \_\_\_\_\_

NORTH CAROLINA, ONSLOW COUNTY

I, DAVID T. WESTON, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE BY ME FROM BOOKS REFERENCED HEREON; THAT THE RATIO OF PRECISION IS 1:10,000+; THAT BOUNDARIES NOT SURVEYED ARE CLEARLY SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED HEREON; I FURTHER CERTIFY PURSUANT TO G.S. 47-30(f)(11a), THAT THIS SURVEY CREATES A SUBDIVISION OF LAND (SEE NOTE #1); THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY SIGNATURE AND SEAL THIS 1st DAY OF DECEMBER, 2017.

LICENSE NUMBER L-3588

SIGNED \_\_\_\_\_ PROFESSIONAL LAND SURVEYOR

**NOTE:**  
404 WETLANDS SHOWN HEREON WERE DELINEATED BY PITTMAN SOIL CONSULTING, PO BOX 1387, RICHLANDS, NC, 28874 (910) 330-2784

**OWNER / DEVELOPER:**  
JIM DAY ET AL  
201 HARDY AVENUE  
RICHLANDS, NC 28874  
(910) 324-5713

**FINAL DRAWING FOR REVIEW PURPOSES ONLY**

**DAVID T. WESTON**  
**LAND SURVEYING**  
481 NORTHWEST BRIDGE ROAD, JACKSONVILLE, NC 28540  
PHONE (910) 324-5708 dtw454@earthlink.net

**JIM DAY and OTHERS**  
TAX MAP #811-89

DATE 12-01-2017

STUMP SOUND TOWNSHIP, ONSLOW COUNTY, NORTH CAROLINA

L-3588 FIELD BOOK 55/DC 50' 0' 100' 200'

JOB NAME JIMDAYPR SCALE 1" = 100'



Town of North Topsail Beach

SUBDIVISION & SITE PLAN APPLICATION

Date: 12-08-17

CASE NO. SD- 17 - 01

Check #: 3536

Receipt #: 45490

Name of Subdivision: JIM DAY AND OTHERS

Location: (Road name & SR number) \_\_\_\_\_

**Subdivisions/PUDs**

- Sketch \$300
- Preliminary \$300
- Final \$150

Subdivision of Land (reference: Sec. 2.06.05; Sec. 6.01) Planned Unit Developments (Sec. 2.06.03; Sec. 6.02)	REVIEW, DECISION-MAKING			PUBLIC NOTICE REQUIRED
	STAFF	PB	BOA	
Sketch plan	Req	D		
Preliminary	Req	Req	D/H'	M,P
<u>Final</u>	Req	Req 12/14	D/H' 1/4	M,P ✓12/21

**Exemptions**

- \$50.00

**Site Plans**

- Special Requirement Site Plans (includes CUP fee) \$750.00
- Commercial Site Plan Review (includes CUP fee) \$750.00

Tax Parcel ID: 811-89

Smallest lot: LOT 3 1.59 AC.

Total acreage: 10.15 AC

Average lot size: 2.0± AC.

Number of lots: 4

Zoning District: R-20 AND COND

**Infrastructure:**

Water Supply:  ONWASA     well     community system

Sewer Type:  Pluris     septic     community system

Streets: EX.  public     private

Surveyor/Engineer: DAVID T. WESTON P.L.S.

Address 481 NORTHWEST BRIDGE ROAD JACKSONVILLE NC, 28540

Phone 910-324-5708

Email address DTW454@EARTHLINK.NET

Developer JIM DAY AND OTHERS

Address 201 HARDY AVE. RICHLANDS N.C. 28574

Phone Fax 910-324-5713

Email address \_\_\_\_\_

Property Owner SAME AS DEVELOPER

Address ''

Phone Fax ''

Email address ''



*Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Steve Foster  
Interim Town Manager

Carin Faulkner  
Assistant Town Manager/Town Clerk

*Nature's Tranquil Beauty*

NOTICE OF PUBLIC MEETING  
Town of North Topsail Beach  
Board of Aldermen  
Thursday, February 1, 2018  
6:30 p.m.

The North Topsail Beach Board of Aldermen will hold a public hearing on Case #SD-17-01 Jim Day Final Subdivision Application at 6:30 p.m. on Thursday, February 1, 2018, in the 1st floor conference room located at 2008 Loggerhead Court, North Topsail Beach, North Carolina.

The property is located northwest of 2nd, 3rd, 4th, 5th and 6th Avenue in the Stump Sound Township. Zoned R-20 and Con-D, the proposed 4 lots total 10.15-acres and are identified by Tax Map # 811-89.

All information pertaining to this public hearing may be viewed at the Town Hall, Monday through Friday between the hours of 8:00 am and 5:00 pm. All property owners and interested citizens are encouraged to attend and will be given an opportunity to be heard at this meeting. For more information, please contact the Planning Director at (910) 328-1349 ext. 27.

## EXHIBIT A BALDWIN to ERWIN WARRANTY DEED

BOOK 665 PAGE 436

## TRACT ONE:

BEGINNING at a point, the southeast corner of that tract of land known as Ocean City, as set out and shown by a revised map of a portion of Ocean City recorded in Map Book 8, page 48, Onslow County Registry; running thence with the Atlantic Ocean North 61 degrees 37 minutes East 275 feet to an old iron stake, the corner of the Joe W. Morton Estate tract of land, as set out and shown by a map recorded in Map Book 7, page 9, Onslow County Registry; running thence with the line of Joe W. Morton Estate North 38 degrees West 588 feet to Stump Sound; running thence with Stump Sound South 61 degrees 37 minutes West 25 feet to the line of Ocean City; running thence with the line of Ocean City South 23 degrees 23 minutes East 1577 to the Atlantic Ocean, the beginning. EXCEPTING THEREFROM, a 120 foot strip measuring 20 feet by 647 feet; Beginning at the northeast corner of Ocean City Developers, Inc. property and running 120 feet northeastwardly with the Atlantic Ocean to a point; thence North 38 degrees 00 minutes West 647 feet to a point in the sound; thence South 63 degrees 30 minutes West to the Ocean City line; thence with the Ocean City line South 28 degrees 23 minutes East 647 feet to the point of beginning.

## TRACT TWO:

Beginning at a point, the corner of that tract of land known as Ocean City, as set out and shown by a revised map of a portion of Ocean City recorded in Map Book 3, page 48, Onslow County Registry; running thence with the Atlantic Ocean North 61°37' East 120 feet, thence North 38°00' West 647 feet to a point in the sound, thence South 63°30' West to the Ocean City line, thence with the Ocean City line South 28°23' East 647 feet to the point of beginning; EXCEPTING THEREFROM a lot 60 feet X 275 feet, as follows: Beginning at a point, the Southeast corner of that tract of land known as Ocean City, as set out and shown by a revised map of a portion of Ocean City recorded in Map Book 8, page 48, Onslow County Registry, running thence with the Atlantic Ocean North 61°37' East 60 feet to an iron stake; running thence North 28°23' West 275 feet to a cap and nail in the centerline of N.C. Highway No. 210; running thence with the centerline of N.C. Highway No. 210 South 63°30' West 60 feet to a cap and nail in the line of Ocean City; thence with the Ocean City line South 28°23' East 275 feet to the point of beginning.

## TRACT THREE:

Beginning in the northeastern margin of Sixth Street and runs thence along the northern lines of Lots 272, 271, 256, 255, 240, 239 and 224 to the northeastward corner of Lot number 224; thence a line parallel to Sixth Street to the sound; thence with the sound to a point the northeastern margin of Sixth Avenue; thence with the northeastern margin of Sixth Avenue to the northwestern corner of Lot 272, the point of beginning, as shown by map of Sea Haven Beach as recorded in Map Book 3 at Page 28 of the Onslow County Registry to which reference is had.

## TRACT FOUR:

Beginning at the southeastern corner of lot 107 and runs thence with the northern margin of N. C. Highway 110 to the line of the Thomas C. Everett tract; thence with the western line of the Thomas C. Everett tract to the sound; thence with the sound to a point which would be reached by extending the northeast line of lot number 224 to the sound; thence with said line reversed to the northeastern corner of lot number 224; thence with the eastward lines of lots 224, 225, 226, 227, 228, 229, 230, 231 and 107 to be point of beginning.

## TECHNICAL REVIEW COMMITTEE

- **CAMA:** The property is within the ORW. The amount of impervious surface shall not exceed 25% of the lot area within 575 feet of NORMAL HIGH WATER (Estuarine Shoreline - ORW Area of Environmental Concern).
  - **FLOOD:** These lots are eligible for federal flood insurance as they are located outside the CBRS. The VE/AE flood zone change is indicated at 3rd Avenue.
  - **ONWASA:** Water services are required to be perpendicular to the mains up to and including the meters.
  - **PLURIS:** Lots are to be served by Pluris, Inc.
  - **NTB FD:** The Fire Marshal has reviewed and approved the preliminary plat.
-

**RESPONSE TO STANDARDS** Case #SD-17-01 Jim Day Subdivision by David Weston PLS**Zoning**

All lots resulting from the proposed subdivision meet or exceed the minimum dimensional requirements pursuant to UDO Table 5-1 for R-20 zoning District:

<i>Table 5-1 Dimensional Requirements</i>								
<i>Zoning District</i>	<i>Minimum Lot Size</i>	<i>Front Yard Setback</i>	<i>Lot Width</i>	<i>Side Yard Setback</i>	<i>Side Yard on Corner</i>	<i>Rear Yard Setback</i>	<i>Building Height</i>	<i>Maximum Lot Coverage</i>
Con-D								30%
R-A	3 acres	30'	75'	10'	20'	10'	48'	30%
R-20	20,000 sq. ft.	30'	75'	10'	20'	10'	48'	30%

**Planning**

The plat has been prepared consistent with the Town's UDO § 2.06.05 (C) requirements for final subdivision plats and UDO § 6.01 development standards for subdivisions

**Flood Damage Prevention**

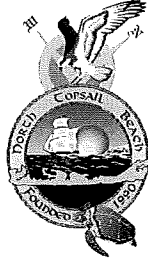
The plat has been prepared consistent with the Town's UDO § 7.05(A) provisions for flood hazard reductions. The subdivision proposal is consistent with the need to minimize flood damage. All development proposals shall be consistent with the need to minimize flood damage (ref: § 7.05(A)(11)). The subdivision proposal will have public utilities (ONWASA water, Pluris sewer and JOEMC electric systems) located and constructed to minimize flood damage (ref: § 7.05(A)(12)). Any development shall have adequate drainage provided to reduce exposure to flood hazards (ref: § 7.05(A)(13)) by meeting impervious surface requirements and engineered storm water plans, if required. The subdivision proposal has been reviewed and approved by the Technical Review Committee and all development proposals shall have received all necessary permits from those governmental agencies for which approval is required by federal or state law, including § 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. § 1334 (ref: § 7.05(A)(14)).

**CAMA Land Use Plan**

The subdivision proposal is consistent with the Town's CAMA Land Use Plan. Property is zoned both Con-D and R-20; which allows for single-family development on the building envelope identified on the plat. The Future Land Use Map indicates this property is classified as, "Low Density Residential;" The wetland areas have been surveyed and delineated on both the preliminary and final subdivision plat, as required by the adopted implementing action by the Town (Policy references: P.59 - P.73). Note 7 indicates that property is within the ORW and limited to 25% lot coverage.

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Steven H. Foster  
Interim Town Manager

Terrie Woodle  
Deputy Town Clerk

*Nature's Tranquil Beauty*

**Board of Aldermen  
Special Meeting/Retreat  
Minutes\*  
Tuesday, February 13, 2018  
9:00 A.M.**

**PRESENT:** Mayor Daniel Tuman, Mayor Pro Tem Joann McDermon, Aldermen Mike Benson, Tom Leonard, Richard Peters, Walter Yurek, Interim Town Manager Steve Foster, Deputy Town Clerk Terrie Woodle, and Chris May, Executive Director Cape Fear Council of Governments.

- I. CALL TO ORDER AND WELCOMING COMMENTS:** Mayor Tuman called the meeting to order at 9:00 a.m. Welcomed Mr. May and introduced Betsy Brothers-Finance Officer, Robert Padgett- Interim Police Chief, Bill Poe- Deputy Fire Chief, Deborah Hill- Planning Director, Jimmy Canady-Building Inspector, Steve Foster-Interim Town Manager also introduced Aldermen Mike Benson, Richard Peters, Walter Yurek, Tom Leonard and Mayor Pro Tem Joann McDermon.
- II. INTRODUCTION OF FACILITATOR: (Chris May, Executive Director- Cape Fear Council of Governments).**
- Mr. Foster Introduced Mr. May- USCG (ret) AS, BA, MA-PS. Mr. Foster stated that Chris May, Executive Director for the Cape Fear Regional Council of Governments since 2000, has served over three decades as a local government manager with extensive local and regional mgt. /planning experience, specializing in resort/seasonal communities. He is a professionally certified facilitator with extensive experience leading citizen groups from vision to action throughout the Cape Fear Region. He was in the Coast Guard for 40 years; the former Town Manager in Blowing Rock, NC and former Town Manager for Seven Devils, NC. He has a Masters Degree in City and County Management. His role in the process will be oversight for quality and assurance that public participation goals are met or exceeded.
- III. RETREAT OBJECTIVE:**
- Mr. May and the Board discussed the rolls of the Mayor, Aldermen and Manager.
  - Discussion on the Advisory Boards training and duties.
- 15 minute recess
- IV. STATE OF OUR TOWN'S DEPARTMENTS:**
- Finance Department: Mrs. Brothers presented a power point. Mrs. Brothers took questions from the Board.

\* There is an attachment to these minutes.

- Police: Mr. Padgett (Interim Police Chief) Mr. Padgett stated they are in the process of moving back into the Police Dept. In 2017 they saw an increase in calls for service of 3855- not including any traffic stops. They are starting to see a lot of narcotics being found in the Town through traffic stops. They have requested as well as assisted the Sheriff's office with search warrants. He updated the Board on the double homicide on New Year's Day; and the case was closed out in about 16 hours. They applied for a grant again this year for approximately \$24,000 from the State, it's a non-matching grant. If approved they have to initially buy the equipment then submit the receipts to the state for reimbursement. This will be the 3<sup>rd</sup> year they have applied for the grant, and to date they have received it every year. This grant will be used to purchase additional equipment for the department such as body cameras, AEDs and computers for the vehicles. Beach Patrol will begin on March 30<sup>th</sup> and run through September 3<sup>rd</sup>. If the Board decides to have Interns this year, he would like to start advertising by March 1<sup>st</sup>. There was discussion on the two vacancies and the pay disparity.

Mr. Padgett took questions from the Board.

- Public Works: Mr. Poe (standing in for Mr. Best) Mr. Poe stated there are no major requests from Public Works. No major street paving projects, no new equipment. Town Hall is twenty years old with virtually no maintenance. Mr. Best has requested bids for consideration.  
Mr. Poe took questions from the Board.
- Fire Department: Mr. Poe presented a power point. Mr. Poe took questions from the Board.
- Planning Department: Ms. Hill presented a power point. Ms. Hill took questions from the Board. The Planning Board requested a joint workshop with the Board of Aldermen.
- Building Inspections: Mr. Canady stated there is very little change in the Inspections Dept., his truck has made it another year, if the Police Dept. turns an explorer in next year maybe the Town could save some money and put it in the Inspections Dept. Revenues should be over \$100,000 again this year with permit fees. Approximately 30 dwelling units are being built at this time. There are a lot of renovations/repairs and additions. Mr. Canady took questions from the Board.

**V. Brief Beach Project Status and Summary:** Mr. Foster stated:

- Phase 5- Beach Repair Schedule  
Permit- March 1  
Project out to bid-April 1  
Bids Received- May 15  
Construction- 60-90 days Nov-15- May 1

- Phase 2- Continuing issue of rolling over \$1.5 M for Phase 2 from one year to the next , and possible redirecting funds for other beach issues Work with Legislature for Possible Legislative change, Mayor Tuman and himself are currently working to meet with Senator Brown to remedy this situation.
- Meeting of revetment Committee February 15<sup>th</sup> with Attorney Brian Edes to go over settlement, and review options.
- Ken Wilson will present his monitor findings on Phase 5 monitoring study to maintain an engineered beach status.
- Dawn York, Dial Cordy, will present a progress report on the joint Onslow County North Topsail Beach Hardened Structure Project at the Board's March 1<sup>st</sup> meeting.
- Division of water Resources will be holding their quarterly Dredging Meeting next week on February 21<sup>st</sup>. The Onslow County group meeting will immediately follow.
- RFQ is bring delivered this week to qualified engineering companies to handle shoreline management issues, engineering issues, establish an extended coordinated comprehensive shoreline management plan.

Lunch Break

- VI. Summary-** There was discussion on the Terminal Groin, New River Stake Holders meeting and monies from the County and State.
- VII. Mr. Chris May- "Bucket List" Ideas for FY 2018-2019:**
- Pay disparity-PD
  - Paid parking- N End
  - Aging Facilities for Town Hall
  - Generator N. End Fire Dept.
  - Three additional Full Time Fire Fighters
  - Terminal Groin/ sand Onslow County issues COBRA/ USDA Loan
  - Work deal with Onslow County for them to pay \$350,000 occupancy tax.
  - Improve communications with citizens- Town Hall Meetings twice a year/NTB e-mail for Aldermen
  - Development Town wide Comprehensive Shoreline Plan
  - Develop commercial district
  - Improve revetment- ongoing maintenance policy
  - Sales tax distribution
  - Establishment of ABC store
  - Town take over operations and administration for Jazz Fest

Alderman Leonard stated the Generator and Fire Fighters would come under the budget so they can come off the list. Mrs. Brothers stated that Aging Facilities of Town Hall would also fall under the budget.

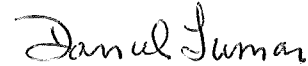
Top 5 priorities:

- Shoreline/Beach/Sand/Revetment: Mayor Tuman/Alderman Peters
- Improve communications: Alderman Benson/Alderman Yurek
- Sales Tax: Mayor
- ABC store: Mayor Pro Tem McDermon/Alderman Leonard
- Paid parking N. End: Alderman Leonard

Mayor Tuman stated that there was a lot of interesting discussion and he appreciates that everyone has a mutual understanding and he is supportive of the priorities. Mayor Pro Tem McDermon also thought it was a very good discussion today. Mr. Foster thanked the Board for spending the whole day here.


**VIII. ADJOURNMENT: Mayor Tuman adjourned the Meeting at 3:19.**

**APPROVED:**



Daniel Tuman  
Mayor

**ATTEST:**



Terrie Woodle  
Deputy Town Clerk

Approved on: 3/ 1 /2018



# Town of North Topsail Beach

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Deputy Town Clerk

Steven H. Foster  
Interim Town Manager

Terrie Woodle

*Nature's Tranquil Beauty*

## Board of Aldermen Special Meeting Minutes Thursday, February 22, 2018 9:00 A. M.

**Present:** Mayor Daniel Tuman, Mayor Pro Tem Joann McDermon, Aldermen Mike Benson, Tom Leonard, Richard Peters, and Walter Yurek, Interim Town manager Steve Foster, Deputy Town Clerk Terrie Woodle

- I. **Call to Order:** Mayor Tuman called the meeting to order at 9:00 A.M.
- II. **Approval of Agenda:** Alderman Leonard made a motion to approve the Agenda as presented. Alderman Peters seconded the motion, motion passed unanimously.
- III. **Closed Session per N.C.G.S. 143-318.11 (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.**
  - Alderman Leonard made a motion to go into Closed Session. Alderman Benson seconded the motion.
  - The motion passed unanimously.
  - There was discussion in closed session.
  - Alderman Leonard made a motion to come out of closed session.
  - Mayor Pro Tem McDermon seconded the motion.
  - The motion passed unanimously.
  - It was announced that the Board was back in open session.
  - It was the consensus of the Board to have the Town Manager continue working with Mr. Colin Baenziger on the Town Manager Search.
- IV. **Adjournment:** Mayor Pro Tem McDermon made a motion to Adjourn. Alderman Peters seconded the motion. The motion passed unanimously. The meeting adjourned at 10:30 a.m.

Title  
Date

**APPROVED:**

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Daniel Tuman  
Mayor

**ATTEST:**

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Terrie Woodle  
Deputy Town Clerk

DRAFT

*Town of*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Deputy Town Clerk  
Richard Peters  
Walter Yurek

Steven H. Foster  
Interim  
Terrie Woodle



*North Topsail Beach*

Town Manager

*Nature's Tranquil Beauty*

**Board of Aldermen  
Regular Meeting  
Minutes  
Thursday, March 1, 2018  
6:30 P.M.\***

**PRESENT:** Mayor Daniel Tuman, Mayor Pro Tem Joann McDermon, Aldermen Mike Benson, Tom Leonard, Richard Peters, and Walt Yurek, Town Attorney Brian Edes, Interim Town Manager Steve Foster, Deputy Town Clerk Terrie Woodle.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Alderman Peters gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
  - Alderman Leonard requested that Item (B) under New Business be removed. Mayor Pro Tem McDermon seconded the motion. The motion failed 3-2 with Aldermen Benson, Peters and Yurek voting against and Mayor Pro Tem McDermon and Alderman Leonard voting for. Alderman Peters requested adding Item (C) New Business CAMA Access Grant. Alderman Benson requested that Item (D) of the Consent Agenda be removed and placed in New Business Item (D).
  - Alderman Peters made a motion to approve the Agenda as amended. Alderman Yurek seconded the motion.
  - The motion passed unanimously.

\* There is an attachment to these minutes.

V. **OPEN FORUM:**

Mayor Tuman opened the Open Forum.

Jeremy Grove-President of Topsail Reef HOA-2210 New River Inlet Road came forward to speak; he stated he was concerned about the “cost sharing with the HOA’s”. Last month Alderman Leonard and Mayor Tuman met with all the HOA’s so they can form a group so they can all talk to each other. He’s not sure why this showed up on the agenda without anyone speaking to them. If someone wanted to work with them, the first order of business should have been to reach out to them and set up a meeting. He stated that Topsail Reef has a set budget for this year and a projected budget for the next three years, the “cost sharing” has a time table on it and it is not in Topsail Reef’s budget. These are things you should think about before you just go and throw things on the agenda.

He stated they don’t own the beach, even if they wanted to be part of the project he can’t assess his owners for something they don’t own. He stated the way it was worded with HOA’s in there; he’s assuming its illegal, if you are talking about putting in money to maintain the beach, he thinks that every homeowner would have to contribute to this fund. He does not understand why they are looking at just the HOA’s.

He also mentioned item (A) Town Hall meetings, he stated that everyone is very assessable, and this is not necessary.

Jeanine Meyers-2224 New River Inlet Road/ Vice President Topsail Reef HOA came forward to speak; she thanked everyone for all their hard work. She questioned adding Town Hall meetings to the schedule. She has never met a more assessable bunch of local government people than this Board. You are here when we need you and she doesn’t think it is necessary to add meetings to the schedule and place that additional burden on Town staff and the Board.

She thinks there has been a lot of misunderstanding about Alderman Benson’s proposal about sand. There are several reasons she cannot support that proposal, first the HOA’s operate like any business and have a budget for the year, they have projected budgets out several years and cannot possibly add stuff on to the budget. It would also set “pay for play” precedence; if you can’t pay to have sand in front of your condo then you don’t get any sand. She looks forward to hearing the details of the proposal, what she is picturing is that sand would be placed just in front of the HOA’s and the surrounding properties would not understand. She asked if they will be putting sand on the beach that doesn’t belong to them then watch it drift next door to people that didn’t pay for it.

Mayor Tuman closed the open forum.

Mayor Tuman introduced County Manager David Cotton, Deputy County Manager Sharon Russell, Assistant County Manager Ben Warren and Commissioner Royce Bennett.

VI. **PUBLIC HEARINGS/PRESENTATIONS:**

**A. Preliminary Alternatives Analysis of the New River Inlet Management Plan-** Dawn York, Dial Cordy and Associates and Fran Way, Applied Technology and Management.

- **Ms.** York and Mr. Way gave a presentation.
- **Ms.** York and Mr. Way took questions from the Board.
- Interim Town Manager will set up a meeting with the County to talk about the proposal.

**A. Public Hearing** –Case # SD-17-03 Preliminary Subdivision Plat:

- Mayor Pro Tem McDermon made a motion to open the public hearing. Alderman Peters seconded the motion.
- The motion passed unanimously.
- Ms. Hill introduced this item and presented the staff report.
- Ms. Hill requested that the staff report be included in the minutes of this meeting.
- Ms. Hill took questions from the Board.
- Mr. Bill South-4021 Island Dr.-President of Rogers Bay came forward to speak; he stated Rogers Bay POA has concerns about the preliminary subdivision plans regarding the subdivision of the property in front of Rogers Bay Campground that borders the highway. Their property has always been land locked, the only access they have is over and across the front property currently owned by Mr. Bradshaw. They have no major objections of the subdivision but would like to bring certain concerns to the Board's attention.

There are recorded permanent easements across the property filed in deed book 1947 P. 464 Onslow County Register of Deeds which gives them a permanent access to the campground on the left side and the right side. The easement is also recorded in book 43 P. 112 Onslow County Register of Deeds, the easements is denoted as area C and area B on the plat. The applicants proposed maps have identified this same easement to be abandoned. This is the first they have heard of this request to try to remove their permanent easements. He understands that the Town doesn't get involved in easements or covenants or restrictions between private land owners, the Town should not grant such subdivision based on potential change in the property. To have the easement declared abandoned the property owner must show the easement is no longer

being used or acquired an easement by an adverse possession. This is not the case here as they continually access their property from either easement on a daily basis.

He stated they have weathered the occasional storms and abide by various policies and ordinances in North Topsail Beach, currently they work with the Town to make sure all of the campers are road worthy and are ready to move in the event of a named storm or an evacuation. They would need the use of their already existing easements to effectively evacuate their 400+ campers to safety in a timely manner. He asked to please consider record and permanent easements that exist that allow them access to their property when reviewing and approving the preliminary subdivision plans.

- Mr. Ed Cramer 4021 Island Dr. Atlantic St. lot 11 came forward to speak; he stated back in 1991 there was a survey that was submitted to the Town for approval which was approved for development and selling of campsites, those easements that are on lot 1, lot 5 and lot 6, have been used for over 25 years. To get to some of their properties they need the easements on lot 1, the people that live behind the store, lot 5 is the only access they have to their lots. If you abandon all of the easements you will land lock some people and they won't be able to get to their units. It will also cause problems with emergency vehicles getting in and out, if this happens he thinks the fire chief needs to come down and develop a fire plan.

The spokesman for the applicant stated they are willing to agree to a stipulation that the final plat will not be considered much less voted on until the applicant and Rogers Bay have a resolution satisfactory to both parties.

- Mayor Pro Tem McDermon made a motion to close the public hearing. Alderman Peters seconded the motion.
- The motion passed unanimously.
- There was discussion.
- Alderman Leonard made a motion to approve the preliminary plat with the condition that it meets the impervious surface requirement of the UDO. Alderman Peters seconded the motion.
- The motion passed unanimously.

**B. Public Hearing- Case # R-18-0: Rezoning portion of Tax Map # 768-8.2**

- Alderman Leonard made a motion to open the public hearing. Mayor Pro Tem McDermon seconded the motion.
- The motion passed unanimously
- Ms. Hill introduced this item and presented her staff report.
- Ms. Hill requested that the staff report be included in the minutes of this meeting.
- Mr. Charles Riggs 502 New Bridge St. Jacksonville, NC came forward to speak; he stated Mr. Barnes obtained these 108 acres in November 2015. He stated at that time the zoning on the property was RA and Con-D, those zones were established by Onslow County back in the 80's. He has the original zoning map, the zone lines were established by someone sitting in the planning department drawing the delineation between the Con-D and the Residential zones at a scale of 1 inch=400 ft. They didn't have an accurate idea of where that delineation was, it was approximate delineation. In 1993 he helped a client rezone a piece of property on 24<sup>th</sup> Ave. from Con-D to R-20. At that time in the application he submitted paper work which is included in this application a letter from Brad Nofsinger who was the County Commander at the time saying that Onslow County had always used the sound principal of allowing the developer to delineate the uplands and then the developer was granted the same zone of the uplands that were delineated as the uplands on the property or the adjacent property.

He stated they are requesting to rezone 10,242 sq. ft. of uplands that has been delineated as the same zone as the uplands in RA. He has provided information that is included in the application from the Institute of Government that this isn't a yes or a no; it can also be yes with conditions. This property is adjacent to the highway and has sewer and water directly beside it.

He stated there is discussion that this may have an impact on the community, this is 10,242 sq. ft. one or two single family homes which would be allowed in RA. That would have little or no impact on the adjourners, the adjourners across the street are single family which is R-15, diagonally across the street is R-5 and beside this property is R-20. In those R-20 zones there is actually wetlands that are zoned R-20, on his tract he is only asking to rezone the uplands and keep the wetlands protected.

- Mr. Riggs took questions from the Board.
- Attorney Charles Lanier 114 Old Bridge St. Jacksonville, NC came forward to speak; he stated all this property was zoned initially by the County back before

North Topsail Beach was formed. The Con-D was a holding pattern back then, almost everything on the north side of the main highway was zoned Con-D until they had a chance to evaluate it and mark it, back then this should have been RA along with the property behind it, you can see that from the photographs. Mr. Barnes wants to make this piece of land productive, it would not impact the wetlands and will add additional tax base for the Town. He stated that the grounds exist that the Board has the authority to rezone this property if they find it is appropriate because of the character of the land itself and the classification should not hold the Board back.

- Mrs. Tuman 3944 River Rd. came forward to speak; she stated she has lived here since 1990; they bought their property in 1988. She stated the Town should never take any property off of Con-D. They discussed this issue when she was on the Planning Board.
- Cameron Kuegel 3902 River Rd. came forward to speak; he stated that he agrees with Mrs. Tuman, these lots are zoned for a reason. He stated the property owner just bought the land 3 years ago, he bought Con-D and now wants the Town to rezone it for him. The County zoned it Con-D for a reason.
- Mayor Pro Tem McDermon made a motion to close the public hearing. Alderman Peters seconded the motion.
- The motion passed unanimously.
- There was discussion.
- Alderman Benson made a motion to table Case # R-18-01 until the Board of Aldermen and the Planning Board have a joint meeting in 30 days so they can resolve the issue of Con-D. The motion Failed for a lack of a second.
- There was discussion.
- Alderman Peters made a motion to deny Case # R-18-01- Portion of Tax Map # 768-8.2 to be rezoned from Con-D to RA.
- Alderman Yurek seconded the motion.
- There was discussion on the CAMA LUP Policy guidelines, CAMA LUP p. 91 Policy Statement #19 The Town will not support any commercial or residential development in a conservation classified area nor does it permit the rezoning of any lands designated as a conservation district and CAMA LUP p.94 Policy Statement #29 The Town supports protection of all remaining maritime forest areas. The Town will not support the rezoning of any parcel currently designated as conservation on the future land use map established within this document. Additionally, it is the Town's intent, where feasible, to rezone maritime forest areas to the Con-D zoning district.
- The motion passed unanimously.



- Mayor Pro Tem McDermon made a motion to adopt the LUP consistency statement. The application is inconsistent with the CAMA LUP p. 91 Policy Statement #19 The Town will not support any commercial or residential development in a conservation classified area nor does it permit the rezoning of any lands designated as a conservation district and CAMA LUP p.94 Policy Statement #29 The Town supports protection of all remaining maritime forest areas. The Town will not support the rezoning of any parcel currently designated as conservation on the future land use map established within this document. Additionally, it is the Town's intent, where feasible, to rezone maritime forest areas to the Con-D zoning district. Alderman Leonard seconded the motion.
- The motion passed unanimously.

## VII. **MANAGER'S REPORT:**

Mr. Foster gave the following report:

- Mr. Foster Introduced Bill Younginer as the new Police Chief and Laura Oxley the new Town Clerk.
- **RFP New Auditor:** Staff has prepared a request for proposals for a new auditing firm. By the deadline the Town has received six proposals, and Ms. Brothers is currently reviewing and evaluating them. We hope to have this item of approval of contract on next month's agenda.
- **Bear Cloud Contract:** As you may remember the Town entered into a contract with the company that supplied software to determine violators that did not pay accommodation tax to the Town. The product was supposed to, as we were told; catch more than enough violators to pay for the system. The total number of violators only came to 53 and those came from, we think due to the letters being sent out by Ms. Kim Weaver. The contract the Town has with the company was for \$16,000, and the Town has already paid them \$8k. Staff has been in contact with the Company and is attempting to reduce the balance to a much lower amount due to lack of production that the software produced.
- **Town Clerk Hired:** We are pleased to announce that the Town has hired a new Town Clerk Ms. Laura Oxley who lives in Sneads Ferry. Ms. Oxley has a Master of Public Administration degree as well as a law degree from the University of Kentucky. We welcome Ms. Oxley to her new position.
- **Onslow County Recreational Grant:** The Town will be requesting \$350,000 from the Onslow County Recreation Grand Fund. This badly needed money will go toward maintaining all of our beach crossovers, parking areas, and manpower

to keep our beaches beautiful for all of our County's residents. Staff is currently preparing the application.

- **RFQ Deadline March 23<sup>rd</sup>:** The RFQ that the Town distributed to qualified coastal engineers to assist the Town in working on multiple projects, and other coastal engineering issues are due on March 23<sup>rd</sup>.
- **Annual Budget Preparation:** 2018/19 Annual Budget is in the process of being prepared, and the Board will be receiving a budget workshop schedule soon. We will be working with the County to determine the effect of this year's tax reevaluation on the Town.
- **HVAC Issues:** Both units in the upstairs area of the building have bad compressors and must be replaced. This has nothing to do with the recent down stairs HVAS system. The total cost of the replacement will be \$9,500. The new units should arrive in eight days. The Town received three bids on the units.
- **Meeting with USDA:** The Mayor and Town staff met with a representative from the USDA to review our payment schedule and policies that must be met in our sinking fund and amounts that are required to follow USDA. The meeting was an informational session the staff had requested to make certain that we stay in compliance.
- **Informal Revetment Committee** had a meeting today.

VIII. **CONSENT AGENDA:**

- A. **Approval of Minutes** – February 1, 2018, February 13, 2018 and February 22, 2018
- B. **Department Head Reports** -Finance, Fire, Inspections, Planning & Police
- C. **Committee Reports**- Planning Board, Board of Adjustment, TISP & ONWASA

- Alderman Peters made a motion to approve the Consent Agenda as amended. Mayor Pro Tem McDermon seconded the motion.
- The motion passed unanimously.

IX. **NEW BUSINESS:**

- A. **Improving Communication Between Citizens and Their Elected Representatives.**  
(Benson /Yurek).
  - Alderman Benson introduced this item.
  - Alderman Benson thanked the Citizens for their comments in Open Forum. He would like to have two Town Hall meetings a year, one in the spring and one in the fall.
  - Alderman Yurek also appreciated the comments earlier.

- Mayor Tuman stated that the Board has 12 meetings a year, we have a website, and we are on Face Book, Twitter and a newsletter. He doesn't think there needs to be more meetings.
- Alderman Leonard is inclined to agree with Mayor Tuman.
- Mayor Pro Tem McDermon stated there are a lot of festivals around the area, the Board could partner with them and have a booth.
- Alderman Yurek made a motion to table this item. Alderman Peters seconded the motion.
- The motion passed unanimously.

B. Investigate a Plan to put sand on the beach in 2018 by cost- sharing with citizens HOA's (Benson).

- Alderman Benson introduced this item.
- There was discussion.
- Alderman Benson tabled this item. Alderman Peters seconded the motion.
- The motion passed unanimously.

C. CAMA Access Grant:

- Alderman Peters introduced this item.
- There was discussion.
- Alderman Peters made a motion to direct the Interim Town manager to examine the Town's needs and report back to the Board by April 9<sup>th</sup>. Mayor Pro Tem McDermon seconded the motion.
- The Motion passed unanimously.

D. Request to Adopt Resolution 2018-04- A Resolution Opposing rate Increase by the North Carolina Department of Insurance.

- Alderman Benson introduced this item.
- There was discussion.
- Alderman Peters made a motion to adopt Resolution 2018-04 opposing the rate increase by the North Carolina Department of Insurance. Alderman Leonard seconded the motion.
- Motion passed unanimously.

- X. **OPEN FORUM:** Mayor Tuman opened the Open Forum. Don Sandlin Topsail Dunes unit 3209-came forward to speak; he stated the article about the sand and HOA's was in the Jacksonville Daily News. He stated Topsail Dunes is under an assessment this year and will not have any extra money for the sand push.

Mayor Tuman closed the Open Forum.

XI. **ATTORNEY'S REPORT:** No report

XII. **MAYOR'S REPORT:** Mayor Tuman stated on the 21<sup>st</sup> of February most of the Board members attended a meeting with the Army Corps of Engineers in New Bern; they presented their budget information- monies that will be available this year and next year. He stated there is a little bit of money for dredging the New River Inlet-\$250,000 of federal money and \$151,000 of State money. The rate for the dredge is around \$20,000 a year. This should be around 20 days of dredging this should be available mid- year. There is about 2.8 million dollars for maintenance of the Intracoastal Waterway; they will be clearing out the shoals of the intersection of the ICW and the New River. Every time they do this they will pipe the sand to North Topsail Beach between November of this year and next April in the ball park of 100,000 cubic yards of sand. In the following year 2019 there is money for the New River Inlet and again for the Atlantic intracoastal water way. In the New River Inlet budget they have a lot of money to dredge the New River north of the Intracoastal Waterway going towards Jacksonville. They have 3.5 million dollars for 2019. He's been working to have an aggressive plan, build a groin, dredge the inlet and replace the sand that was lost in phase 1 and complete phase 2 with an estimated cost of 10 million dollars. They have had some discussion with the USDA and if we can get CBRA lifted off the island they will fund us. Mike Macintyre is helping the Town with the CBRA issue and also suggested that he might be available to help lobby the USDA for financing the terminal groin.

XIII. **ALDERMEN'S REPORT:**

**Alderman Leonard** – Mr. Leonard thanked everyone for being here tonight. He congratulated the new Town Clerk and new Police Chief a job well done by the Interim Town Manager. He stated that 15 years ago this month he was in Kuwait getting ready to go to Iraq. The 20<sup>th</sup> of this month it will be 15 years since the Marines took the lead of invading into Iraq. His unit 2<sup>nd</sup> Marine Expeditionary brigade, in Anasuria Iraq on March 23, 2003- lost 18 Marines from Camp Lejeune. Freedom isn't free.

**Mayor Pro Tem McDermon-** Mrs. McDermon welcomed the new hires; she and Alderman Leonard will be meeting with the new Police Chief and the Vendor for the North End parking next week. She asked if anyone had any comments or suggestions please feel free to send them to them so they can take them into account during their planning session.

**Alderman Yurek** – Mr. Yurek welcomed the new hires.

**Alderman Peters** – Mr. Peters welcomed the new hires and thanked everyone for being here tonight. He's looking forward to getting a Consultant aboard.

**Alderman Benson** – Mr. Benson welcomed the new hires and stated what an excellent job by the Interim Town Manager. He reviewed the accounting software with the Finance Director yesterday; he’s looking forward being able to put some money in the budget this year or next to upgrade the software to improve the efficiency of the Finance Director. He thanked everyone for coming tonight. He mentioned the “neighbor helping neighbor” that he started in December; the goal was to meet the neighbors. He stated in January he was going to have a “neighbor helping neighbor” but he had to postpone that because of the snow and ice. This month the goal of “neighbor heling neighbor” project this month is to “roll a bin for a friend”. The idea here is if your neighbor like his comes down on the weekends and put their bins out on Sunday evening and leaves town, he rolls it back to the house once the trash has been collected. He is encouraging everyone to participate in March- “roll a bin for a friend”.

**Interim Town Manager-** Mr. Foster thanked Mrs. Woodle, Deputy Town Clerk and Robert Padgett, Interim Police Chief for stepping up and helping the Town in its need.

- XIV. **ADJOURNMENT:** Alderman Leonard made a motion to adjourn. Mayor Pro Tem McDermon seconded the motion. The motion passed unanimously. The meeting adjourned at.10:02 p.m.

**APPROVED:**

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Daniel Tuman  
Mayor

**ATTEST:**

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Laura Oxley  
Town Clerk

Approved on: 4/ /2018

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Steven H. Foster  
Interim Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Special Meeting- Budget Workshop Meeting Notes March 27, 2018**

**PRESENT:** Mayor Pro Tem McDermon, Aldermen Benson, Leonard, Peters and Yurek; Interim Town Manager Foster, Department Directors Best, Brothers, Hill, Poe and Younginer; and Town Clerk Oxley

**NOT PRESENT:** Mayor Tuman and Jimmy Canady

I. Call to Order

Mayor Pro Tem McDermon called the Meeting to Order at 9:00 A.M.

II. Approval of Agenda

The Town Clerk proposed an amendment to the Agenda. The Resolutions should be renumbered.

Mayor Pro Tem made a motion to approve the Agenda and proposed amendments. The motion passed unanimously.

III. New Business- Proposed Resolutions and Financial Policies

- a. ~~Resolution 2018-4~~ Resolution 2018- 5 and Town Issued Credit Card Policy
- b. ~~Resolution 2018-5~~ Resolution 2018-6 and Petty Cash and Cash Change Policy
- c. Internal Control Policy
- d. Purchasing and Contracting Policy

Finance Director Betsy Brothers presented the proposed resolutions and policies. The Board thanked Ms. Brothers for her hard work and asked follow-up questions.

The Board's concerns were primarily with Resolution 2018-5 which authorizes the Town to engage in electronic payments. The Board suggested edits that could customize the Resolution to the Town. Ms. Brothers will make the suggested edits and re-submit the Resolution at the next Budget Meeting. The Mayor Pro Tem made a motion to pass the remaining items under New Business. The motion passed unanimously.

IV. Budget Amendment

Finance Director Betsy Brothers presented the proposed budget amendment. Mr. Foster provided additional information for the Board's consideration. The Board discussed the matter and provided suggestions.

Mayor Pro Tem made a motion for the Board to vote on the Amendment with a maximum spending limit of \$25,000. The Motion passed unanimously.

V. Department Heads' Budgetary Report to the Board

A representative from each department presented budgetary information for the Fiscal Year 2018-2019 Budget. The Board requested follow-up actions for these topics:

- RFP for Waste and Recycling
- Information regarding HVAC warranties
- Window options for Town Hall, specifically fixed-pane
- CAMA
  - Grant deadlines are approaching and should be discussed at the next Regular Meeting
  - The Board will determine whether the CAMA Land Use project should be completed in-house or through an independent contractor
- AARP grant possibilities
- Clarity on the definition of Con-D
- Strategy from police as to how to enforce new ordinance
- Recommendation on police interns
- Options for computer upgrades
- Strategies to combat increasing bank fees

- Letter to residents reminding of accommodation taxes
- Health insurance quotes
- Resubmit RFQ for engineer management

VI. Selection of Auditors

Finance Director Betsy Brothers presented her research and made a recommendation. She answered questions posed by the Board. Alderman Leonard made a motion to approve Ms. Brother's recommendation. Alderman Yurek seconded the Motion. It passed unanimously.

VII. Public Comment

Rebecca Dickson asked about the Town's approach to collecting accommodation taxes.

Walter Dickson asked if interns could assist in determining delinquent accommodation tax contributions.

Sue Tuman commented that the North Topsail Beach Police Officers are friendly and professional. She also stated that Con-D should not leave Land-Use Plan.

VIII. Adjournment

Alderman Leonard made a Motion to Adjourn. Alderman Benson seconded. The motion passed unanimously. The Meeting adjourned at 11:59 A.M.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk



# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Steven H. Foster  
Interim Town Manager  
  
Laura B. Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Regular Meeting Minutes Thursday, April 5, 2018 6:30 P.M.**

**PRESENT:** Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard, Peters and Yurek; Interim Town Manager Foster and Town Clerk Oxley; Town Attorney Edes

- I. **Call to Order:** Mayor Daniel Tuman called the meeting to order at 6:30 P.M.
- II. **Invocation:** Mayor Pro Tem McDermon gave the invocation.
- III. **Pledge of Allegiance:** Mayor Tuman led the attendees in the Pledge of Allegiance.
- IV. **Approval of Agenda:** Alderman Benson made a motion to move the TISPC Agenda item from the Consent section to the New Business section. Alderman Peters seconded. The Agenda was approved with the modification.
- V. **Open Forum- 3 minute limit**

Jeannie Meyers of 2224 New River Inlet Road commented that the current trash company may not properly secure trash before traveling. She stated that on at least one occasion, she observed debris flying out of the back of a truck. She would like the Town to consider this in the future when sending out the RFP for trash/recycling pick-up.

John Harrington of 221 Oyster Lane stated that citizens could benefit from guidance on how to dispose of dead vegetation- specifically, palms and palmettos.

\*There are attachments to these Minutes.

Christopher Lassen of 102 Calinda Cay Court believes that builders should distinguish between public versus private crossovers for the benefit of future homeowners.

**VI. Public Presentations/Hearings**

**A. 2016-2017 Fiscal Year Audit, report by Andy Darnell, CPA of the firm Carr, Riggs & Ingram**

Mr. Andy Darnell presented his firm's conclusions from the fiscal audit. He answered the Board's questions. There was discussion. Mr. Darnell acknowledged that the Audit was due October 31<sup>st</sup>.

**B. The Annual Chamber Report, provided by Kevin Yow of The Greater Topsail Area Chamber of Commerce and Tourism**

Mr. Yow presented information about the Chamber's growth and answered the Board's questions. He also requested representation from the Town at Chamber meetings. The Interim Town Manager directed the Town Clerk to attend Chamber meetings and to be the point of contact for the Town.

**C. Phase 5 Monitoring Report, provided by Ken Willson of Aptim**

Mr. Willson presented an update on the Phase 5 Project (see Attachment A). The Board asked questions, and there was discussion.

**D. Public Hearing: Case # R-18-02- Portion of Tax Map #814-4 to be rezoned from Residential (R-20) to Residential (R-10)- D. Hill**

Alderman Leonard made a motion to open the public hearing. Alderman Benson seconded. The motion passed unanimously.

Planning Director Hill presented the Staff Report (see Attachment B). She answered the Board's questions.

Mr. Charles Riggs of 502 New Bridge Street presented information and answered questions as a representative for the property owner.

Terry Johnson of 105 Calinda Cay Court presented his concerns with the rezoning plan. He is concerned that the distances between buildings will be reduced. He is also concerned about property values and aesthetics. Mr. Johnson requests that the rezoning be denied or deferred for additional consideration.

Christopher Lassen of 102 Calinda Cay Court addressed his concerns. He states that the decision will not affect his property. He is concerned that builders and property owners' interests do not align on this matter.

Alderman Leonard made a motion to close the Public Hearing. Alderman Peters seconded. The motion passed unanimously.

There was discussion. Alderman Peters asked Town Attorney Edes for a definition of "general public interest." Mr. Edes provided an answer.

Mayor Pro Tem made a motion in support of the request for rezoning. Alderman Leonard seconded. The motion passed 4-1. Alderman Peters opposed.

**VII. Manager's Report**

Interim Town Manager Foster presented information and took questions on the following topics:

- Onslow County Recreational Grant
- Redistributing RFQ for a comprehensive engineering firm
- Fiscal Year 2018/2019 Annual Budget Preparation
- HVAC Issues
- Meeting with Senator Harry Brown

**VIII. Consent Agenda**

- A. Approval of Minutes –March 1, 2018; March 27, 2018
- B. Staff Recommendation to resubmit RFQ for a managing engineer firm to coordinate shoreline projects- S. Foster
- C. Department Head Reports
  - 1. Finance Department
  - 2. Fire Department
  - 3. Inspections Department
  - 4. Planning Department
  - 5. Police Department
- D. Committee Reports
  - 1. Planning Board
  - 2. Board of Adjustment

3. TISPC (~~Topsail Island Shoreline Protection Commission~~)– Minutes not available at this time
4. ONWASA (Onslow Water and Sewer Authority)- Minutes not available at this time

The Mayor Pro Tem made a motion to approve the Consent Agenda as amended. Alderman Leonard seconded. The motion passed unanimously.

**IX. Old Business**

**A. CAMA Land Use Plan (discussion and possible action)– D. Hill**

Planning Director Hill presented information to the Board regarding consultants who have submitted proposals. There were questions and discussion.

The Board tabled the discussion until a joint meeting with the Board of Aldermen and the Planning Board can meet.

**X. New Business**

**A. Discuss Revetment Committee's Recommendation to contract with Arendell Engineers- S. Foster**

Interim Town Manager presented the Committee's recommendation to the Board of Aldermen. The Committee received one proposal and recommended it to the Board. There was discussion. The Town Attorney offered clarification. The Revetment Committee consists of representatives from both parties. The Plaintiff's are tasked with submitting potential engineer firms to the Committee. The Revetment Committee considers proposals and submits two proposals to the Board of Aldermen.

Alderman Leonard made a motion to

- not make a decision at this time with regards to the Committee's recommendation, because the recommendation of only one firm does not meet the terms of the Settlement Agreement and the Board believes it would be best to have more than a single option,
- ask the Revetment Committee to continue the search for qualified engineer proposals, and
- request a written monthly report from the Revetment Committee to be submitted to the Town Clerk on the first business day of each month to detail their efforts of the previous 30 day period.

Mayor Pro Tem seconded the motion. The Motion passed unanimously.

**B. New River Inlet Storm Damage Mitigation Resolution (to be distributed at Meeting)- S. Foster**

Interim Town Manager presented the Resolution. There was discussion.

Alderman Leonard made a motion to adopt the Resolution contingent upon the Town Attorney's recommended edits. Mayor Pro Tem seconded the motion. The motion passed 4-1. Alderman Benson was opposed.

**C. CAMA Grant for Crossover - R. Peters**

Alderman Peters introduced the topic. He explained that staff was tasked with this research. Mr. Foster provided an update. The Planning Department is working on a proposal.

Alderman Peters made a motion that the Town prepare an application for CAMA grant money to construct a crossover at Port Drive. Mayor Pro Tem seconded. The motion passed unanimously.

**D. TISPC (Topsail Island Shoreline Protection Commission)- Minutes not available at this time**

Alderman Benson provided an update to the Board. No action was taken.

**XI. Open Forum**

Jeremy Grove of 2210 New River Inlet Road & President of Topsail Reef HOA requested to address the Board. The Association previously gave the Town an easement. If the Town would like to revisit, the HOA would regrant easement for a crossover. He asked for guidance to instruct homeowners of proper reporting procedures when people improperly crossover sandbags. The Board recommended a meeting with the Police Chief.

Gerard Heid 2310-2 New River Inlet Road asked to address the Board. He thought the Ordinance prevented people from crossing the Revetment Line, not just sandbags. He also wanted to make the Board aware that there isn't a sign at Oyster Lane that designates a public beach access.

**XII. Attorney's Report**

The Town Attorney had one point of clarification. The Settlement Agreement is now public.

**XIII. Mayor's Report**

The Mayor and Alderman Leonard traveled to D.C. for meetings. One meeting was with the Town's lobbyist to discuss CBRA. A study shows that premiums paid by North Topsail exceeds claims. The second meeting was with congressional staffers to renew an application to withdraw North Topsail from CBRA.

The Mayor commended those who worked with ONWASA to reexamine the need for backflow preventer device. The review was successful. Originally, the Organization said that 13,000 properties needed the device. Now, only 3,000 properties are required to have the device.

**XIV. Aldermen's Report**

Alderman Benson recently attended a workshop for newly elected officials. Based on information he received from other communities, he is pleased that the Town has private water and sewer. For his Neighbor Helping Neighbor Program, the Alderman suggested that residents cut a dead palm for a neighbor.

Alderman Peters appreciated those who stayed for the duration of the meeting.

Alderman Yurek thanked the Interim Manager for his work.

Mayor Pro Tem thanked everyone for coming to the Board Meeting. She attended the Four Town Meeting and reiterated the AARP's grant proposal.

Alderman Leonard thanked everyone for coming to and staying for the Board Meeting. He attended meetings in D.C. with the Mayor. By NFIP standards, the Town is a donor community. The Town puts more money into the fund than removed for claims.

**XV. Adjournment**

Alderman Leonard made a motion to adjourn. The Board unanimously agreed. The Meeting Adjourned at 10:04 P.M.

**APPROVED:**

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Daniel Tuman  
Mayor

**ATTEST:**

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Laura Oxley, JD, MPA  
Town Clerk

Approved on: 5/ /2018


DRAFT

# Attachment A

TOWN OF NORTH TOPSAIL  
BEACH: PHASE 5 MONITORING

Ken Willson


April 5, 2018



PRESENTATION OUTLINE:

- Phase 5 Design
- What is being monitored
- Types of Assessment (Shoreline Change & Volume Change)
- Storm Impacts
- Results of Monitoring
  - July 2015 (Post-Con) to April 2017
  - April 2016 to April 2017
- Phase 5 Rock Monitoring

2





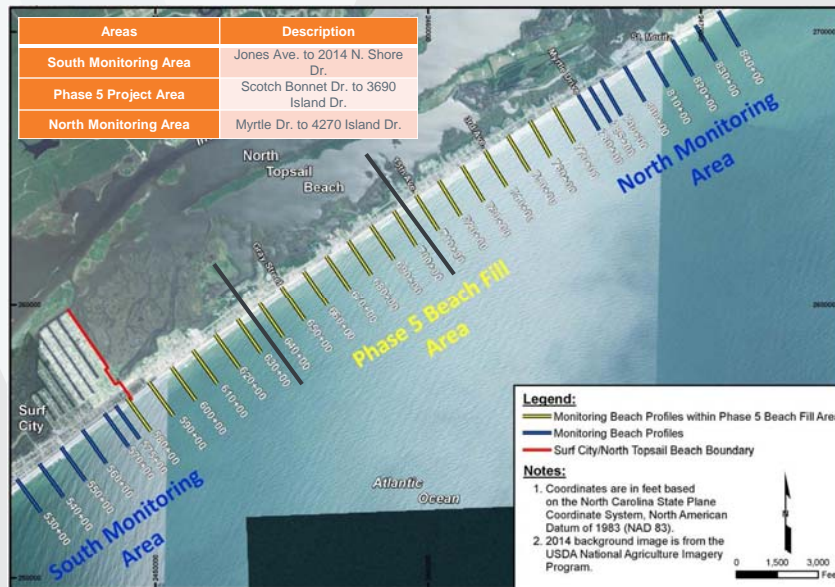
### PHASE 5 DESIGN:

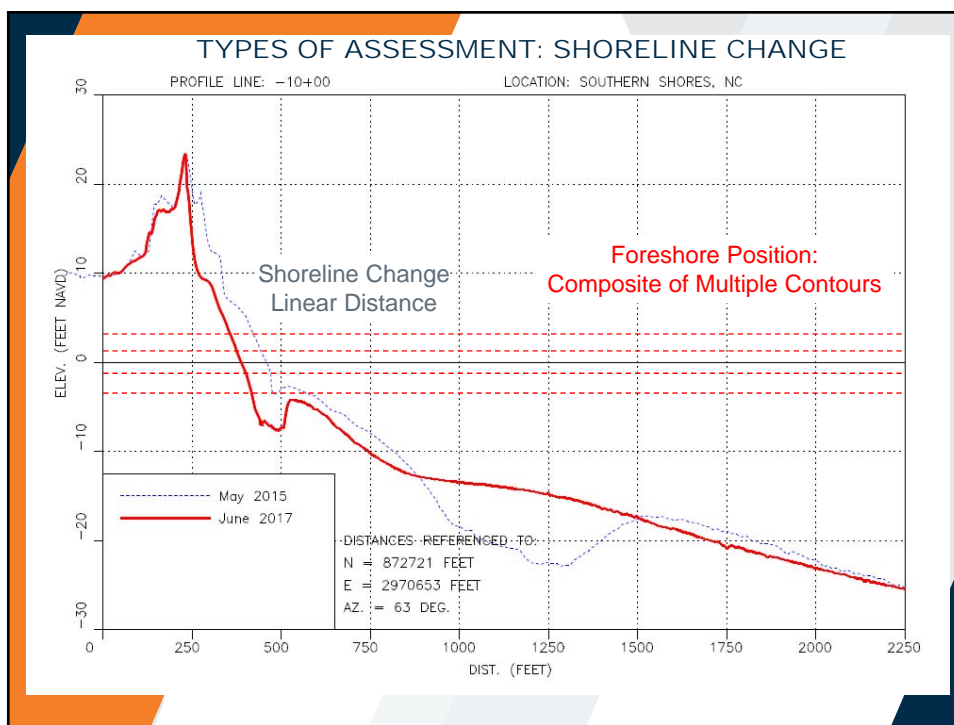
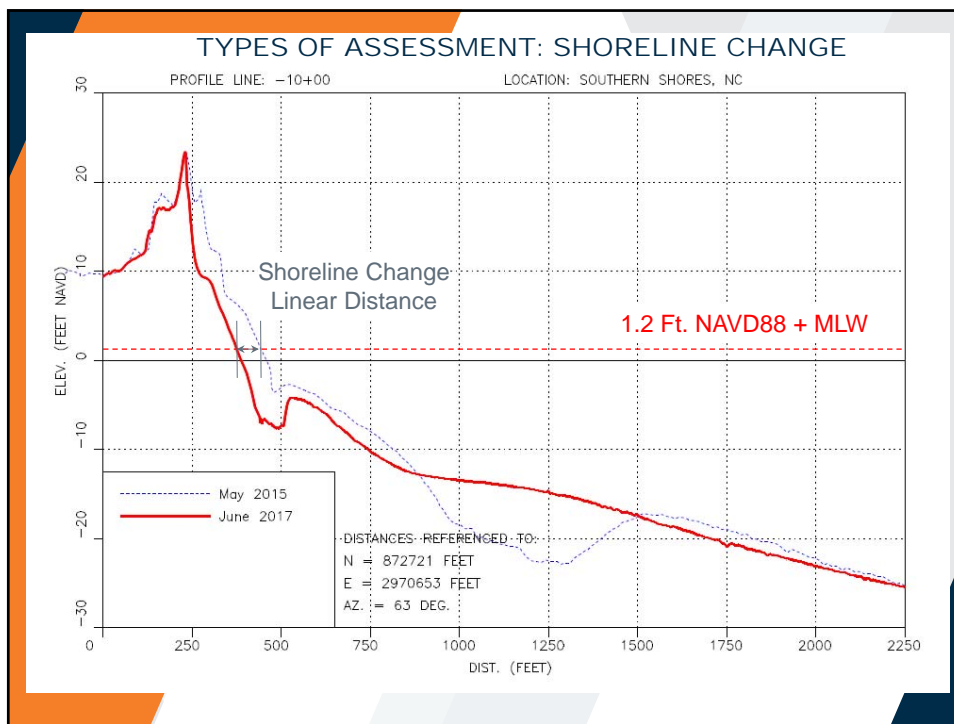
- Originally permitted to supplement Federal Project (Fill Density = 25 cy/lf)
- May 2013 - NTB BOA Modified Project
  - ▶ Fill Density increased to 50 cy/lf
  - ▶ 25 ft. wide dune at +14 ft. NAVD88
  - ▶ 50 ft. wide berm at +6 ft. NAVD88
  - ▶ Advanced Fill (4 years) 20% Additional Volume
- Fall 2014 - Fill Density increased to 73 cy/lf (1.5 MIL CY)
- During Contract Negotiations Fill Density reduced to 62 cy/lf
- Project Completed June 2015
  - ▶ Total Volume = 1,273,100 CY (Pre-Con to Post-Con)
  - ▶ Project Length = 19,000 ft. (Approx. 3.5 miles)
  - ▶ ~ 67 cy/ft.

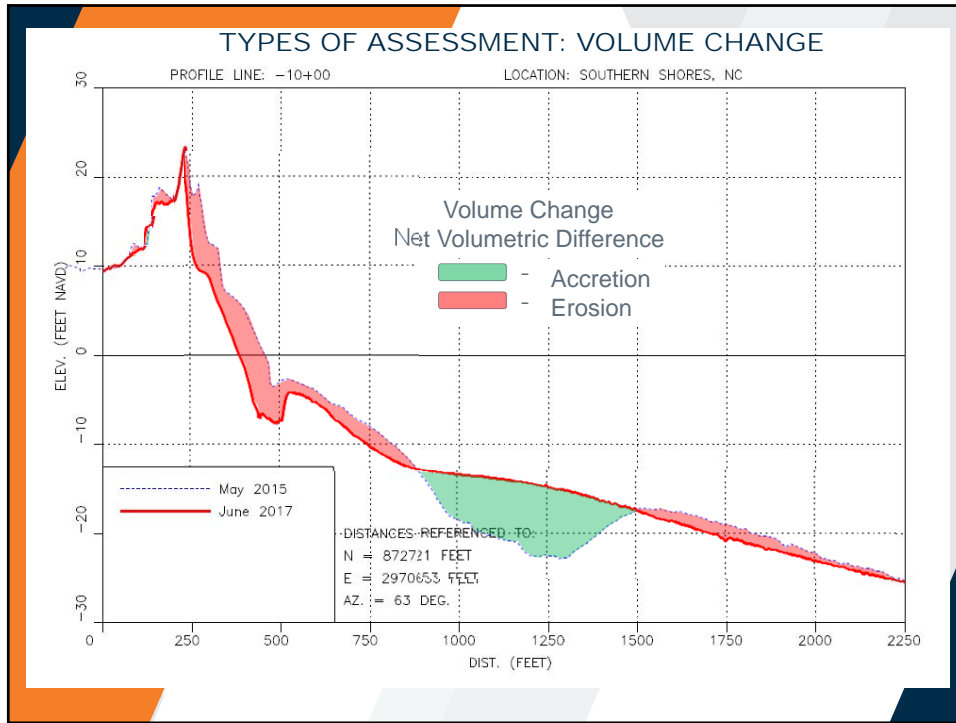
3



### PHASE 5 MONITORING: EXTENT







### PHASE 5 MONITORING: NOTABLE EVENTS THAT OCCURRED BETWEEN APRIL 2016 AND APRIL 2017

DREDGING/BEACH NOURISHMENT PROJECTS			
Project	Time Period	Dredging Area	Dredging Volume, CY
N/A	N/A	N/A	N/A
Note: Reported volumes were not included in the analysis and are for informational purposes only.			
WEATHER EVENTS			
Event	Time Period	Comments	
Tropical Storm Hermine	Sept. 2 <sup>nd</sup> & Sept. 3 <sup>rd</sup> , 2016	Buoy data from 6 miles offshore Masonboro Inlet in New Hanover County, recorded avg. wave heights of 7.5 ft. between 20:29 September 2 <sup>nd</sup> and 06:59 September 3 <sup>rd</sup> , with a max. wave height of 10.3 ft. and a max period of 11.8 seconds.	
Hurricane Matthew	Oct. 8 <sup>th</sup> & Oct 9 <sup>th</sup> , 2016	Buoy data from 6 miles offshore Masonboro Inlet in New Hanover County, recorded avg. wave heights of 11.3 ft. between 00:29 October 8 <sup>th</sup> and 03:29 October 9 <sup>th</sup> , with a max. wave height of 16.3 ft. and a max period of 11.1 seconds.	
WATERFRONT PROJECTS			
Project	Time Period	Comments	
Beach Pushing – Town of North Topsail Beach	January 14, 2017 to February 22, 2017	The Town of North Topsail Beach conducted a beach push project to rebuild dunes from approximately Station 760+00 north throughout Phases 2, 3, and 4.	
Beach Pushing – Town of Surf City	February 2017 to March 2017	The Town of Surf City conducted a beach push project to rebuild dunes along their ocean shoreline in response to Hurricane Matthew.	

## PHASE 5 MONITORING: HURRICANE MATTHEW POST-STORM ASSESSMENT

- ▶ Volume change along Project Area measured between April 2016 and December 2016
- ▶ Measured loss of 161,050 cubic yards landward of the -21 ft. NAVD contour (Depth of Closure) within the Phase 5 project limits.
- ▶ A volume of 4,323 cubic yards was deducted from the net change (background erosion April 2016 to December 2016)
- ▶ Calculated volume lost from the North Topsail Beach Phase 5 project area directly attributable to Hurricane Matthew was 156,272 cubic yards

9



## PHASE 5 MONITORING: RESULTS (JULY 2015/POST-CON TO APRIL 2017)

### PHASE 5 PROJECT AREA

#### *Foreshore Shoreline Change*

- ▶ MHW = -37 ft. (-21 ft./yr)

- *Volume Change (Above DOC) = -52,000 CY*  
– Annualized Avg. = -1.2 cy/lf/yr

### NORTH MONITORING AREA

#### *Foreshore Shoreline Change*

- ▶ MHW = -5 ft. (-3 ft./yr)

- *Volume Change (Above DOC) = +30,400 CY*  
– Annualized Avg. = +3.5 cy/lf/yr

### SOUTH MONITORING AREA

#### *Foreshore Shoreline Change*

- ▶ MHW = -1 ft. (0 ft./yr)

- *Volume Change (Above DOC) = +38,300 CY*  
– Annualized Avg. = +2.9 cy/lf/yr

10



**PHASE 5 MONITORING: RESULTS  
(APRIL 2016 TO APRIL 2017)**

**PHASE 5 PROJECT AREA**


<p><i>Foreshore Shoreline Change</i></p> <p>▶ MHW = +18 ft.</p>	<ul style="list-style-type: none"> <li>• <i>Volume Change (Above DOC) = -51,300 CY</i></li> <li>– Annualized Avg. = -2.7 cy/lf/yr</li> </ul>
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**NORTH MONITORING AREA**

<p><i>Foreshore Shoreline Change</i></p> <p>▶ MHW = +8 ft.</p>	<ul style="list-style-type: none"> <li>• <i>Volume Change (Above DOC) = +3,300 CY</i></li> <li>– Annualized Avg. = +0.8 cy/lf/yr</li> </ul>
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**SOUTH MONITORING AREA**

<p><i>Foreshore Shoreline Change</i></p> <p>▶ MHW = +24 ft.</p>	<ul style="list-style-type: none"> <li>• <i>Volume Change (Above DOC) = -10,200 CY</i></li> <li>– Annualized Avg. = -2.0 cy/lf/yr</li> </ul>
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11 

**PHASE 5 MONITORING: RESULTS  
(JULY 2015/POST-CON TO APRIL 2017)**

**PHASE 5 – NORTHERN REGION**


<p><i>Foreshore Shoreline Change</i></p> <p>▶ MHW = -22 ft./yr</p>	<ul style="list-style-type: none"> <li>• <i>Volume Change (Above DOC) = -34,200 CY</i></li> <li>– Annualized Avg. = -2.9 cy/lf/yr</li> </ul>
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**PHASE 5 – CENTRAL REGION**

<p><i>Foreshore Shoreline Change</i></p> <p>▶ MHW = -16 ft./yr</p>	<ul style="list-style-type: none"> <li>• <i>Volume Change (Above DOC) = +3,100 CY</i></li> <li>– Annualized Avg. = +0.5 cy/lf/yr</li> </ul>
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**PHASE 5 – SOUTHERN REGION**

<p><i>Foreshore Shoreline Change</i></p> <p>▶ MHW = -26 ft./yr</p>	<ul style="list-style-type: none"> <li>• <i>Volume Change (Above DOC) = -20,900 CY</i></li> <li>– Annualized Avg. = -1.4 cy/lf/yr</li> </ul>
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12 

### PHASE 5 MONITORING: RESULTS (APRIL 2016 TO APRIL 2017)

PHASE 5 – NORTHERN REGION

*Foreshore Shoreline Change*

- ▶ MHW = -20 ft.
- *Volume Change (Above DOC) = -500 CY*
  - Annualized Avg. = -0.9 cy/lf/yr

PHASE 5 – CENTRAL REGION


*Foreshore Shoreline Change*

- ▶ MHW = +25 ft.
- *Volume Change (Above DOC) = -600 CY*
  - Annualized Avg. = -0.4 cy/lf/yr

PHASE 5 – SOUTHERN REGION


*Foreshore Shoreline Change*

- ▶ MHW = +10 ft.
- *Volume Change (Above DOC) = -51,300 CY*
  - Annualized Avg. = -8.1 cy/lf/yr



### PHASE 5 MONITORING: RESULTS (APRIL 2016 TO APRIL 2017)

Phase 5 Monitoring Areas	July 2015 Volume	April 2017 Volume	Percent of Fill Remaining (%)
Above -21 ft. NAVD88 (cy/lf)			
North (720+00-770+00)	63.5	58.0	91%
Central (650+00-710+00)	81.3	82.0	101%
South (580+00-640+00)	48.7	46.2	95%
<b>PROJECT</b>	64.5	62.3	97%



PHASE 5 MONITORING  
October 23, 2017



15



PHASE 5 MONITORING  
October 23, 2017



16



PHASE 5 MONITORING  
October 23, 2017



17



This slide features an aerial photograph of a coastal town. A long, straight road runs parallel to a wide, sandy beach. To the left of the road, there are numerous houses and buildings. To the right of the beach, the ocean waves are breaking. The sky is clear and blue.

PHASE 5 MONITORING  
October 23, 2017



18



This slide features a closer aerial view of a beach. A large, blue-roofed building is visible on the left side of the frame. The beach is wide and sandy, with a few vehicles parked on it. The ocean waves are breaking on the right side of the frame.






**PHASE 5 MONITORING: CONCLUSIONS**

- Shoreline Change Analysis over the first 9 months was indicative of Profile Equilibration
- Foreshore Shoreline Change from April 2016 to April 2017 Advanced Seaward
- Project Area lost ~52,000 cy between July 2015 and April 2017 (-1.2 cy/lf/yr)
- Areas North and South of the project area experienced modest increase in volume of 3.5 cy/lf./yr and 2.9 cy/lf./yr, respectively.
- As of April 2017, ~ 97% of the fill placed during the project was still above the -21 ft. contour within the Project Area.

20



### PHASE 5 ROCK MONITORING:

- Rock Mitigation Plan developed in conjunction with agencies and adopted by the Town
- Requires Monitoring and Submittal of a Report
- Agencies Review Data and Make Recommendation for Mechanical Rock Removal
- Mechanical Rock Removal Conducted in Spring 2016 and Spring 2017
- 2017/2018 Data Suggests No Additional Rock Removal Required
- USACE Initially Required Rock Picking of Portions of the Beach
- Update....

21



### QUESTIONS:

Ken Willson

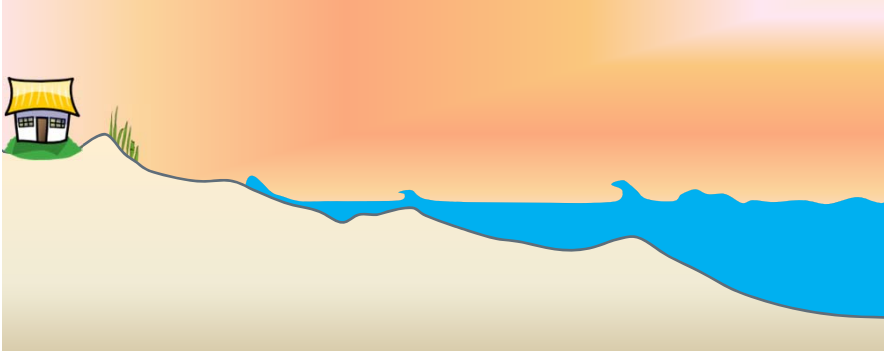
[Kenneth.Willson@aptim.com](mailto:Kenneth.Willson@aptim.com)

Office: (910) 791-9494


Cell: (910) 443-4471

22

STORM DAMAGE REDUCTION PROJECT

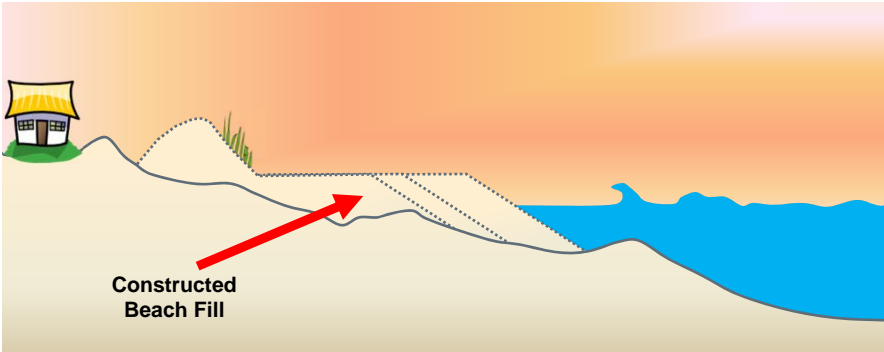


Pre-Project Conditions




The diagram illustrates the pre-project conditions. On the left, a small house with a yellow roof sits on a green patch of grass. To its right is a low, sandy dune. The ocean, represented by blue waves, is on the right side of the dune. The sky is a gradient of orange and yellow, suggesting a sunset or sunrise. The overall scene shows a vulnerable coastal property with minimal natural protection.

STORM DAMAGE REDUCTION PROJECT

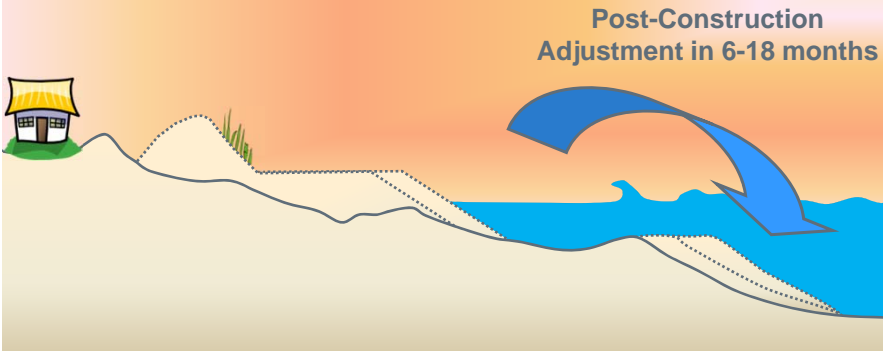


Initial Construction




The diagram illustrates the initial construction phase. It shows the same house and dune as in the pre-project conditions. A new, larger dune has been constructed, indicated by a red arrow pointing to a section of the beach labeled "Constructed Beach Fill". This new dune is shown with a dashed outline, suggesting it is a planned or recently completed structure. The ocean waves are still present to the right, but the new dune provides a more substantial barrier between the house and the water.

### STORM DAMAGE REDUCTION PROJECT



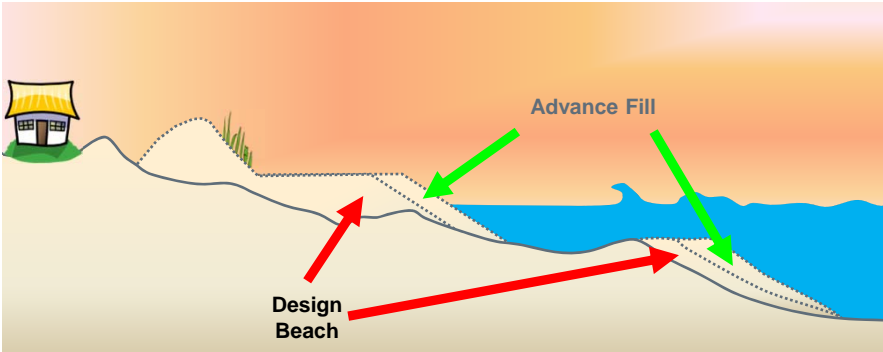
Post-Construction Adjustment in 6-18 months

**Equilibration of Beach Fill**



The diagram illustrates the process of beach equilibration. On the left, a house is situated on a dune. A solid line represents the initial beach profile, and a dotted line shows the profile after a storm. A large blue wave is shown crashing against the beach. The text 'Post-Construction Adjustment in 6-18 months' is located in the upper right of the diagram area.


### STORM DAMAGE REDUCTION PROJECT



Advance Fill

Design Beach

**Nourishment Interval**




The diagram illustrates beach nourishment intervals. It shows a house on a dune and a beach profile. A solid line represents the 'Design Beach', and a dotted line represents the 'Advance Fill' profile. Red arrows point from the 'Design Beach' label to the solid line, and green arrows point from the 'Advance Fill' label to the dotted line. The text 'Nourishment Interval' is centered below the diagram.

### STORM DAMAGE REDUCTION PROJECT

The diagram illustrates a cross-section of a beach and dune system. On the left, a house is situated on a dune. A solid line represents the 'Design Beach' profile, while a dotted line shows the 'Loss of Advance Fill During Project Interval'. A red arrow points from the 'Design Beach' label to the dotted line, and another red arrow points from the 'Loss of Advance Fill' label to the gap between the dotted and solid lines.


**Nourishment Interval**

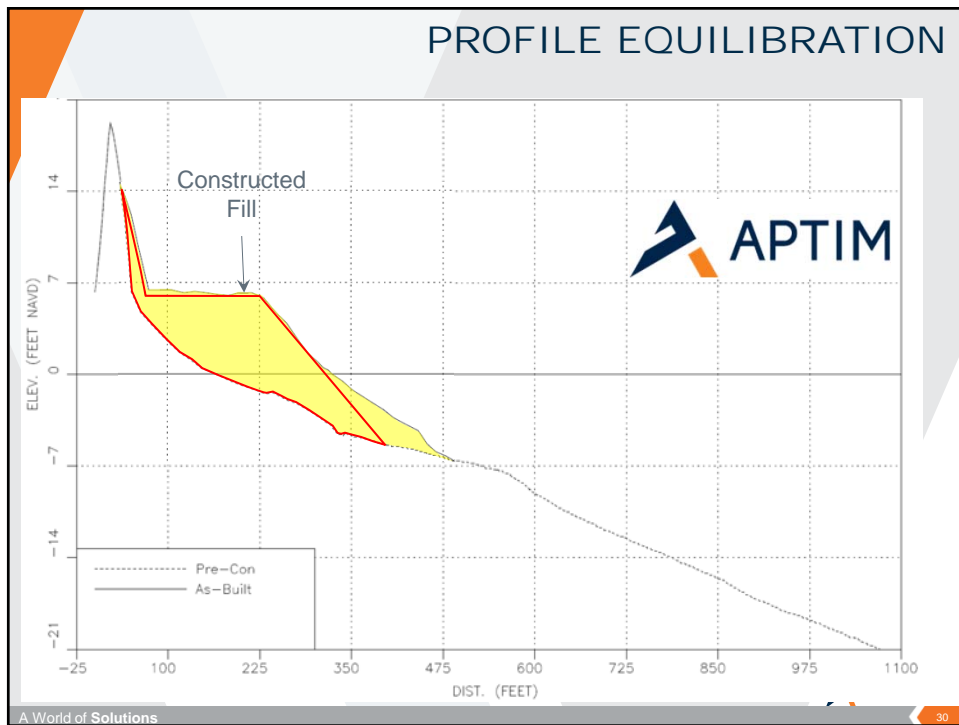
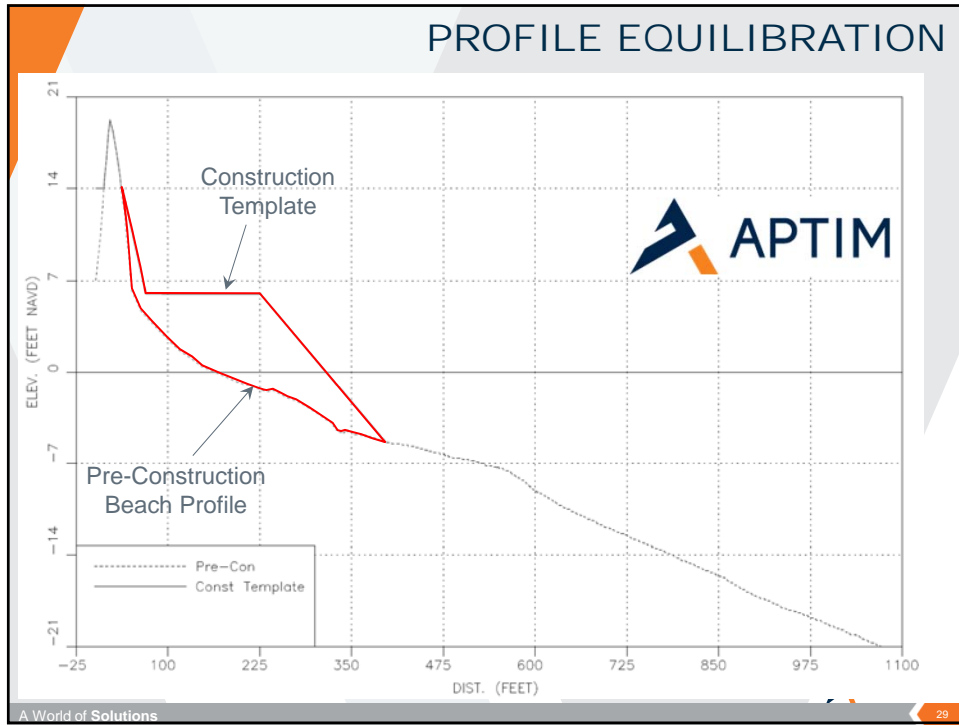


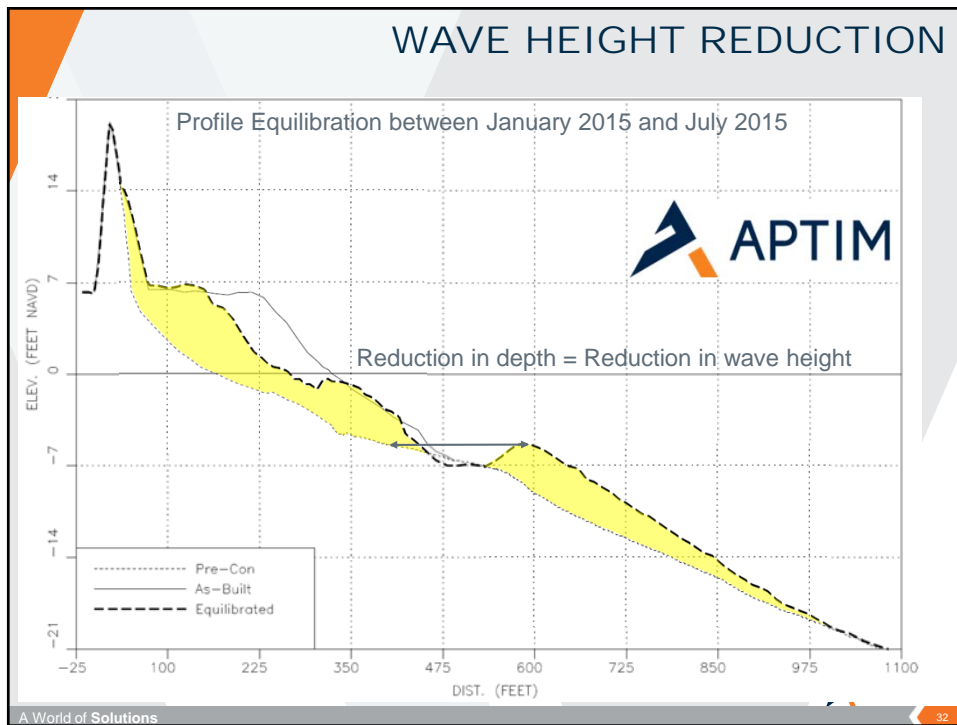
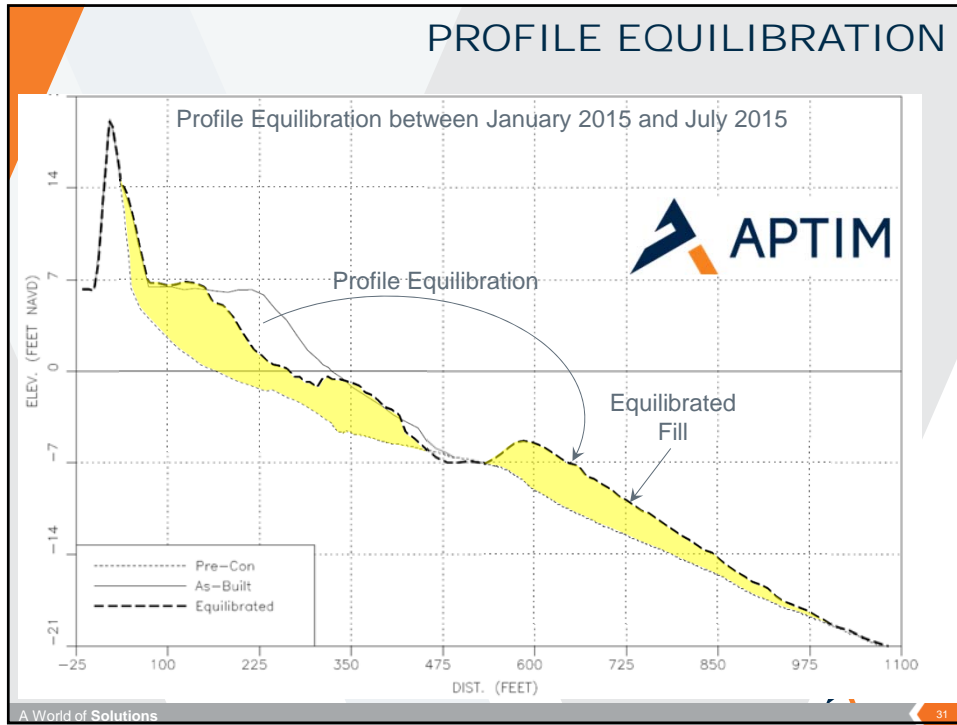
### STORM DAMAGE REDUCTION PROJECT

The diagram shows the same beach and dune system as above. A red arrow points from the 'Maintenance (Renourishment)' label to the dotted line, which now closely follows the 'Design Beach' profile, indicating that the lost fill has been replaced.

**Maintenance = Beach Renourishment**







Attachment B

**STAFF REPORT** CONTACT INFORMATION

Deborah J. Hill, MPA AICP CFM CZO/Planning Director/910.328.1349 ext 27 dhill@ntbnc.org

DOCKET/CASE/APPLICATION NUMBER

Case #R-18-02

APPLICANT/PROPERTY OWNER

ARTHUR WILLIAM KING

PUBLIC HEARING DATE

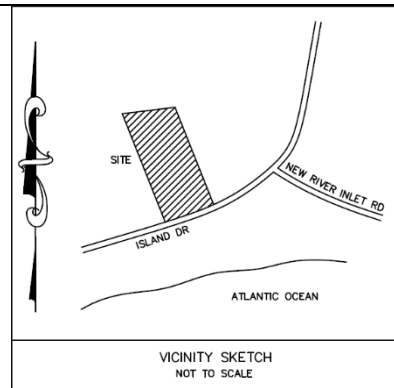
April 5, 2018 6:30 PM

PROPERTY ADDRESS/LOCATION

Island Drive (Tax Map #814-4)

**BRIEF SUMMARY OF REQUEST**

On behalf of the owner, Arthur William King, Charles Riggs is requesting that a portion, 23,362 square feet, of Tax Map #814-4 – as indicated on attached plat – be rezoned from Residential (R-20) to Residential (R-10).



MAP SOURCE: excerpt from Charles Riggs PLS plat dated 01/12/18

EXISTING ZONING R-20/Con-D	EXISTING LAND USE Vacant	SURROUNDING ZONING & LAND USE CALINDA CAY (R-10/Con-D) Duplex (R-20/Con-D) Triplex (R-10)	SITE IMPROVEMENTS Vacant	SIZE OF PROPERTY 1.99 acres +/- per Onslow County Tax Office  SIZE OF PORTION REQUESTED TO BE REZONED to R-10: .536 ACRES/ 23,362 SQ FT
-------------------------------	-----------------------------	--	-----------------------------	--

ON 03/08/2018, THE PLANNING BOARD VOTED 7-0, RECOMMENDING THAT THE BOA

**APPROVE**

**APPROVE WITH CONDITIONS**

**DENY**

**COMPATIBILITY with the COMPREHENSIVE PLAN**

- Future Land Use Map 13-A classifies property as Low Density Residential.
- R-10 is generally consistent with Lo-Density Residential per Table 36 page 118.
- P.9 The Town supports quality future development reflecting the spectrum of housing needs ranging from single-family homes to multi-family development in the form of duplex and triplex housing. Although this policy reflects support for medium density development, the town will not rezone any property to a density less than R-10 (10,000 square feet).

**PROPERTY HISTORY**

- Access is available from Island Dr (NC 210);
- ONWASA water and Pluris sewer service are available.
- Per DWR's water classification website the area is SA-ORW (See "Agency Comments").
- Property is within VE flood zone with BFE of 12 feet (Map Number: 3720426600J; eff 11/3/2005).
- Property is not within CBRS L06.

**COMPATIBILITY with the ZONING ORDINANCE**

The lot meets the minimum dimensional requirements for R-10 zoning, pursuant to UDO Table 5-1 Dimensional Requirements.

ATTACHMENTS (CIRCLE)

SUBMITTED PLANS

PUBLIC HEARING PETITION/ APPLICATION FORM

LEGAL NOTICE 3/7/2018

LEGAL DESCRIPTION BK 4384 P 426-429

PUBLIC COMMENTS

AGENCY COMMENTS

RESPONSE TO STANDARDS

OTHER (DESCRIBE)

Official Zoning Map (excerpt)

Onslow County GIS 2016 aerial with zoning layer

CAMA LUP Future Land Use Map 13a



**RESPONSE TO STANDARDS**

Staff’s analysis of this application is organized around the policy guidelines outlined in UDO Sec. 3.07(B):

*1.The proposal will place all property similarly situated in the area in the same category, or in appropriate complementary categories.*

**Statement by Applicant:** The current Land Use Plan places this tract in the Low Density Category. The adjoining duplex tract to the west is classified as Low Density and the adjoining quadrplexes to the east are Medium Density as well as the single-family residences and triplex across Island Drive to the south. The King tract and the property to the west are presently zoned R-20, even though the adjoining tract has an existing duplex. The properties to the east and to the south are all zoned R-10. Rezoning this property will most definitely place it in an appropriate complementary category.

**Staff Comment:** The Future Land Use District of the subject portion is classified as Low Density Residential. (Reference: CAMA LUP Future Land Use Map 13a). Rezoning this property from R-20 to R-10 will place it in an appropriate complementary category. The quadruplex development to the northeast, Calinda Cay is zoned R-10/Con-D; the duplex to the southwest is zoned R-20/Con-D; and the Triplex across the street is zoned R-10 (Reference: Official Zoning Map (excerpt); Onslow County GIS 2016 aerial with zoning layer (Source: Onslow County GIS)).

*2.There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group.*

**Statement by Applicant:** The King tract is vacant and is zoned R-20. All properties surrounding this tract are zoned R-10 with the exception of the western tract. which is zoned R-20, however it is occupied with a duplex which is not allowed in the R-20 zone. Therefore rezoning this tract to R-10 would be consistent with the area, in regards to both zoning and usage and not merely in the interest of an individual. R-10 zone would allow either a duplex or two single family dwellings, which would be comparable to the surrounding properties.

**Staff Comment:** Single family structures are permitted by right in both R-20 and R-10. Minimum lot width for R-10 duplex (multi-family) is 60 feet; single family is 50 feet (reference Ord. No. 2012-1). Rezoning to R-10 would allow for 1 duplex, or if the lot were divided, 2 single family structures could be constructed.

Table 5-1 Dimensional Requirements

Zoning District	Use	Minimum Lot Size	Lot Width	Front Yard Setback	Side Yard Setback	Corner Lot Side Yard	Rear Yard Setback	Building Height	Maximum Lot Coverage
Con -D									30%
R-A	Single Family	3 acres	75'	30'	10'	20'	10'	48'	30%
R-20	Single Family	20,000 sq. ft.	75'	30'	10'	20'	10'	48'	30%
R-15	Single Family or Duplex	15,000 sq. ft.	60'	20'	8'	15'	10'	48'	30%
R-10	Single Family	10,000 sq. ft.	50'	20'	8'	15'	10'	48'	30%
	Multi-family	plus 10,000 sq. ft. for each unit over 2	60'						
R-8	Single Family	8000 sq. ft.	50'	20'	8'	15'	10'	48'	30%
	Multi-family	plus 8000 sq. ft. for each unit over 2							
R-5	Single Family	5000 sq. ft.	50'	20'	8'	15'	10'	48'	30%
	Multi-family	plus 5000 sq. ft for each unit over 2							
MHR	Single Family	5000 sq. ft.	50'	20'	8'	15'	10'	48'	30%
	Multi-family	plus 5000 sq. ft for each unit over 1							
B-1 B-2	Commercial	8000 sq. ft. per building	50'	20'	8'	10'	10'	48'	30%

UDO TABLE 5-1 EXCERPT

Table 4-1 Use Table

Use	MHR	R5	R8	R10	R15	R20	RA	COND	B1	B2	Use Specific Standard
<b>Residential use</b>											
Condominium	S	S	S	S							<a href="#">4.03.01</a>
Duplex 10 bedrooms or less, or less than 5,000 heated sq. ft.	P	P	P	P	P						
Duplex greater than 10 bedrooms and 5,000 heated sq. ft.	S	S	S	S	S						<a href="#">4.03.20</a>
Manufactured home	P										<a href="#">4.03.02</a>
Planned unit development	S	S	S	S	S	S	S		S	S	<a href="#">2.06.03</a> , <a href="#">6.02</a>
Single-family 8 bedrooms or less, or less than 5,000 heated sq. ft.	P	P	P	P	P	P	P				
Single-family greater than 8 bedrooms and 5,000 heated sq. ft.	S	S	S	S	S	S	S				<a href="#">4.03.21</a>
Townhouse	S	S	S	S							<a href="#">4.03.03</a>

UDO Table 4-1 Use Table (excerpt)

Other accessory, commercial and governmental/public uses allowed either by right or special permit are the same in either R-20 or R-10 in Table 4-1.

**3.** *There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)*

**Statement by Applicant:** The R-10 zone would allow for either a duplex or two single family dwellings. This would be compatible with the area since there exist quadraplexes to the east a duplex to the west and a triplex directly across Island Drive with a single family residence lying east and west of the triplex. These existing structures demonstrate that any proposed uses permitted under the R-10 Zone would be appropriate.

**Staff Comment:** Either single family or duplex construction under the proposed R-10 zoning district classification would be appropriate in the area included in the proposed change. All other accessory, commercial and governmental/public uses indicated in UDO Table 4-1 are identical between the existing R-20 zoning district and the proposed R-10.

4. There is convincing demonstration that the **character of the neighborhood** will not be materially and adversely affected by any use permitted in the proposed change.

**Statement by Applicant:** Due to the fact that the neighborhood contains single family residences, duplexes, triplexes and quadraplexes, the King's tract ability to construct either single family residences or a duplex would not materially or adversely affect the character of the neighborhood.

**Staff Comment:** Single family or duplex construction would be compatible with the surrounding land use.

5. The proposed change is in accord with any **land use plan** and sound **planning principles**.

**Statement by Applicant:** The current land use plan does support rezoning of property from R-20 to R-10 as evidenced by both the surrounding zoning and the surround existing structures of single family, duplex, triplex and quadraplex.

**Staff Comment:** Future Land Use Map 13-A classifies the R-20 portion of the lot as Low Density Residential. P.9 The Town supports quality future development reflecting the spectrum of housing needs ranging from single-family homes to multi-family development in the form of duplex and triplex housing. Although this policy reflects support for medium density development, the town will not rezone any property to a density less than R-10 (10,000 square feet). R-10 is generally consistent with Low Density Residential per Table 36 page 118.

Table 36. Future Land Use Plan Compatibility Matrix  
Consistency Review of Future Land Use Map Designations and Existing Zoning Districts

Zoning Districts	CON-D	RA	R-20	R-15	R-10	R-8	CU-R8	R-5	CU-R5	MHP	B-1	CU-B1	B-2	CU-B2
Min. Lot Size (SF)*	N/A	130,680	20,000	15,000	10,000	8,000	8,000	5,000	5,000	5,000	8,000	8,000	8,000	8,000
Max. Bldg. Height (ft.)		35	35	35	35	72	72	72	72	35	35	35	35	35
Designations/Average Density (du per acre)														
Conservation	g	x	x	x	x	x	x	x	x	x	x	x	x	x
Mixed Use	x	x	x	x	x	x	x	x	x	x	g	c	g	c
Low-Density Residential	x	g	g	g	g	g	c	g	c	g	g	c	g	c
Medium-Density Residential	x	x	x	g	g	g	c	g	c	g	g	c	g	c
High-Density Residential	x	x	x	x	x	x	x	g	c	g	g	c	g	c
Inlet Hazard Residential	x	x	x	x	g	g	x	x	x	x	x	x	x	x

g = generally consistent; c = conditionally consistent; x = inconsistent

\*Minimum lot sizes listed are for single-family development only.

R-10 zoning district is appropriate, as both ONWASA water and Pluris sewer service are available.

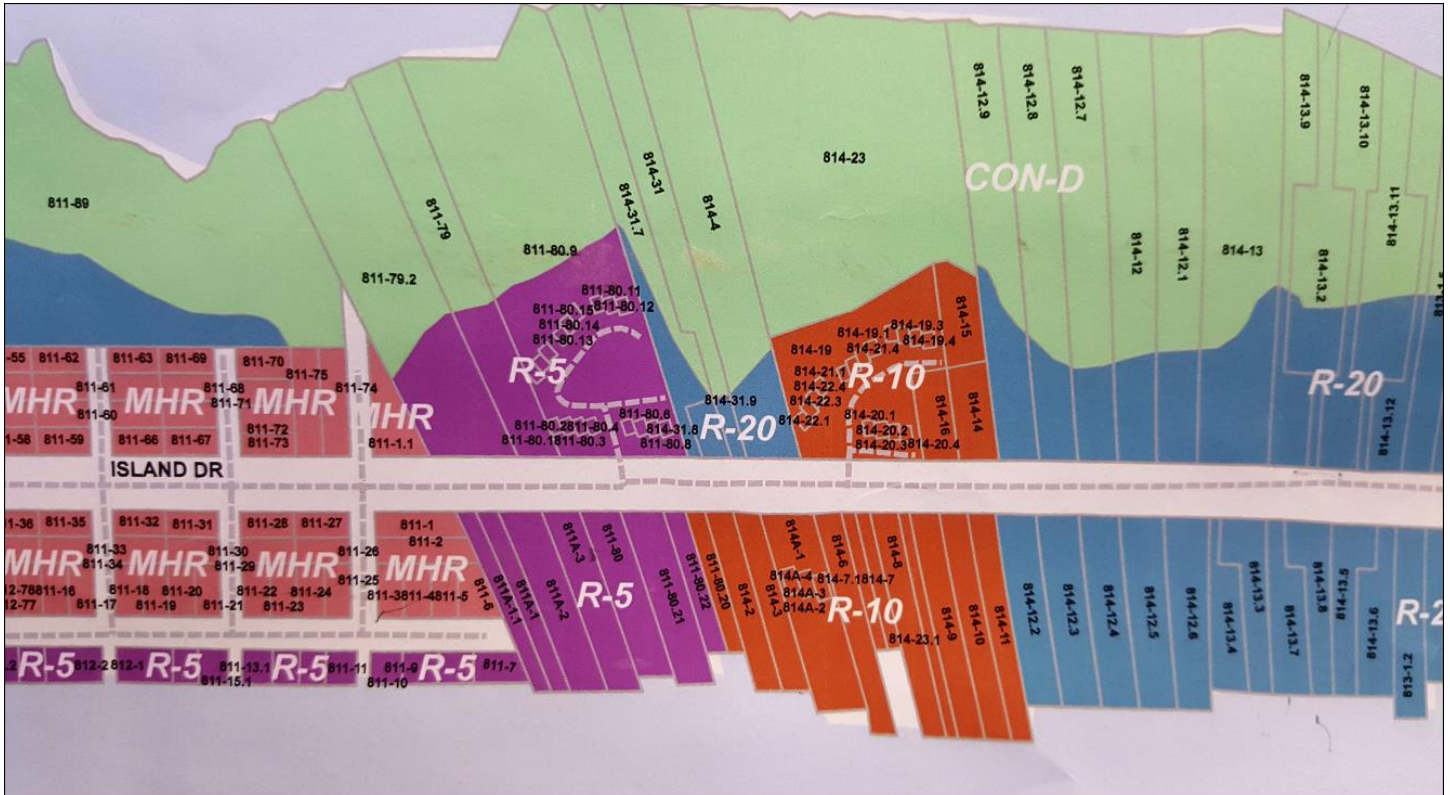
§ 3.02.05 R-10 RESIDENTIAL DISTRICT.

The purpose of this district shall be to provide for single-family and multi-family residential developments **where both central water and central sewer are available**.  
(Ord. passed 11-2-2011)

§ 3.02.03 R-20 RESIDENTIAL DISTRICT.

The purpose of this district is to allow single-family only (low-density) residential and recreational uses to be protected from undesirable future development and residential developments **not having central water and sewer** will occur in sufficiently low density to ensure a healthful environment.  
(Ord. passed 11-2-2011)

Official Zoning Map (excerpt)



Onslow County GIS 2016 aerial with zoning layer (Source: Onslow County GIS)



# North Topsail Beach Land Use Plan *Future Land Use*

**Legend**

-  Corporate Limits
- Future Land Use District**
-  Conservation
-  Mixed Use Business
-  Inlet Hazard Residential
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential

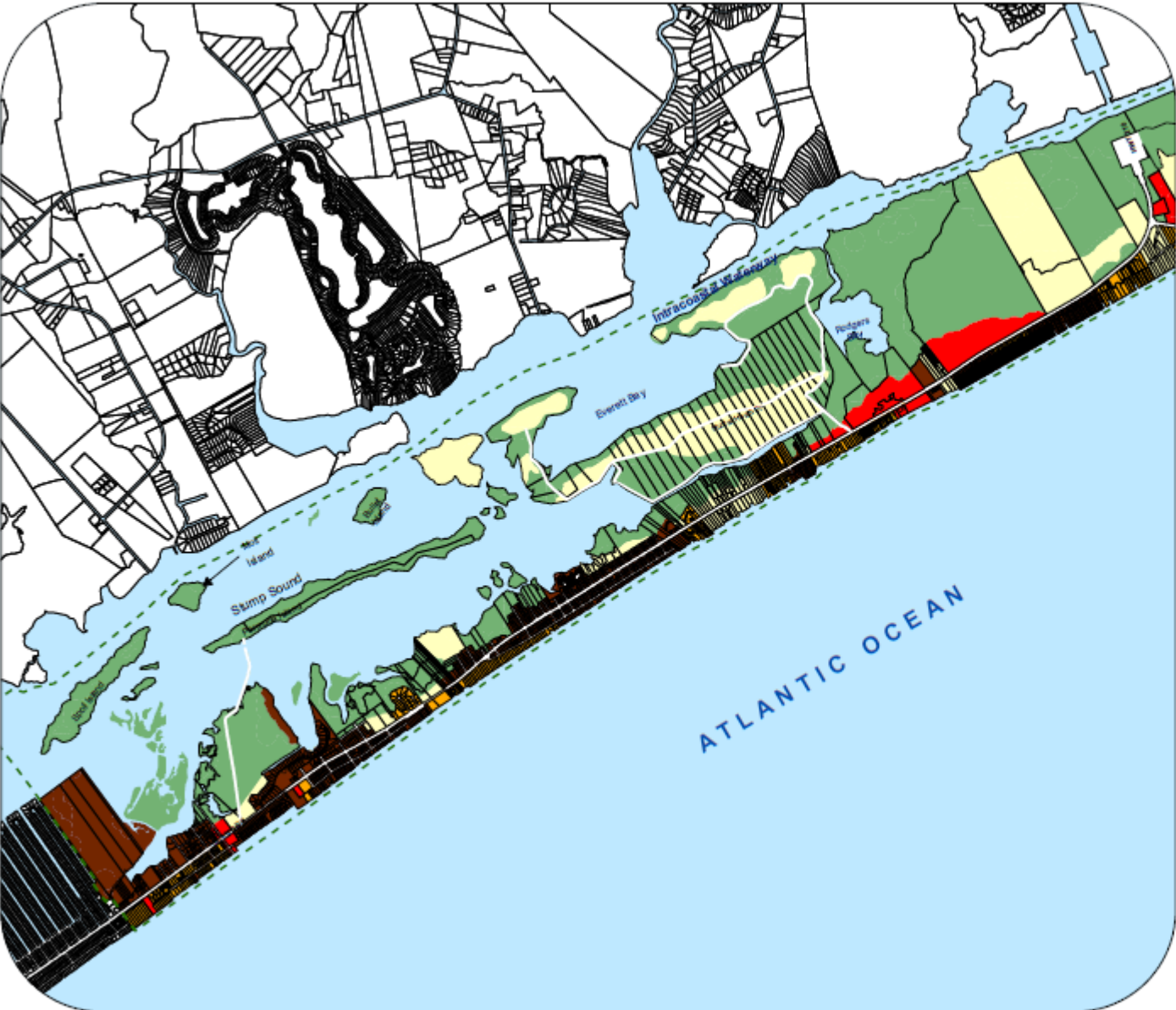
Source: Holland Consulting Planners, Inc.  
Compilation Date: March 2008



1 inch = 2,000 feet



The preparation of this map was financed in part through a grant provided by the North Carolina Coastal Management Program, through funds provided by the Coastal Zone Management Act of 1972, as amended, which is administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration.



Page : 1 of 1 03/08/2018 13:37:33

Order Number : 15488342  
PO Number :  
Customer : 168474 TOWN OF NORTH TOPSAIL BEACH  
Contact :  
Address1 : 2008 LOGGERHEAD COURT  
Address2 :  
City St Zip : NORTH TOPSAIL BEACH NC 28460  
Phone : (910) 328-1349  
Fax : (910) 328-4508

Printed By : Sharon Williams  
Entered By : Sharon Williams

Keywords : APRIL 5, 2018 PUBLIC HEARINGS  
Notes : 3/8/18 Proof/price to Deborah. ssw  
Zones :

Ad Number : 16935269  
Ad Key :  
Salesperson : SW - Sharon Williams  
Publication : Jacksonville Daily News  
Section : Classifieds  
Sub Section : Classifieds  
Category : 015 Legal Notices  
Dates Run : 03/18/2018-03/25/2018  
Days : 2  
Size : 2 x 3.33, 30 lines  
Words : 193  
Ad Rate : L1  
Ad Price : 305.40  
Amount Paid : 0.00  
Amount Due : 305.40

**NOTICE OF PUBLIC HEARINGS  
TOWN OF NORTH TOPSAIL BEACH  
BOARD OF ALDERMEN  
APRIL 5, 2018 6:30 P.M.**

Pursuant to NCGS 160A-384 and Sec. 2.06.01 (C)(1) of the Unified Development Ordinance for the Town of North Topsail Beach, notice is hereby given that a regular meeting of the North Topsail Beach Board of Aldermen will be held on Thursday, April 5, 2018, at 6:30 p.m. in the 1st floor conference room at Town Hall, 2008 Loggerhead Court, North Topsail Beach, NC.

Public hearings will be conducted to receive input on:

- Case # R-18-02: Rezoning application by Arthur William King, requesting that the Residential (R-20) portion of 3554 ISLAND DR (Tax Map #814-4) be rezoned to Residential (R-10).
- Proposed Text Amendment: Unified Development Ordinance Article 8 Signs

All information pertaining to this public hearing may be viewed at the Town Hall, Monday through Friday between the hours of 8:00 am and 5:00 pm. All property owners and interested citizens are encouraged to attend and will be given an opportunity to be heard at this meeting.

For more information, please contact the Planning Director at (910) 328-1349 ext. 27.

March 18, 25, 2018 (adv)

a certain tract or parcel of land in Stump Sound Township, Onslow  
County, State of North Carolina, bounded as follows:

BOUNDED on the Southwest by Tract 2, as shown on the Map hereinafter described; on the Northwest by the Sound or Creek with the measured line close thereto as shown on the Map hereinafter described being 63.6733 feet; on the Northeast by Tract 3B shown on the sketch hereto attached and on the Southeast by the Atlantic Ocean with the measured distance along the centerline of the old road shown on the Plat hereinafter described being 49.5253 feet and being Tract 3A shown on the sketch attached hereto and being the Southwestern approximate 2/15ths portion of Tract 3, as shown on a Map of the Division of the L. W. Everett Beach Property recorded in Map Book 8, Page 3, Onslow County Registry, and being Tract 3A shown on the sketch attached hereto and made a part of this description as though fully herein set out and being approximately 2/15ths divided off of the southwestern portion of Lot 3 of the above referred to Plat.





Per DWR's water classification website the area is SA-ORW

**From:** [Dail, Jason](#)  
**To:** [D Hill MPA AICP CFM CZO](#)  
**Subject:** RE: [External] 3554 ISLAND DR  
**Date:** Tuesday, March 6, 2018 4:40:46 PM  
**Attachments:** [image001.png](#)  
[3554.pdf](#)

---

Based on aerial imagery, it appears so.

**Jason Dail**  
**Field Representative**  
**NC Department of Environmental Quality**  
**[NC Division of Coastal Management](#)**

**127 Cardinal Drive Ext.**  
**Wilmington, NC 28405**  
**Phone: (910)796-7221, Fax: (910)395-3964**  
**[Jason.Dail@ncdenr.gov](mailto:Jason.Dail@ncdenr.gov)**



*E-mail correspondence to and from this address  
may be subject to the North Carolina Public  
Records Law and may be disclosed to third parties.*

---

**From:** D Hill MPA AICP CFM CZO [mailto:dhill@ntbnc.org]  
**Sent:** Tuesday, March 06, 2018 4:32 PM  
**To:** Dail, Jason <jason.dail@ncdenr.gov>  
**Subject:** [External] 3554 ISLAND DR

**CAUTION:** External email. Do not click links or open attachments unless verified. Send all suspicious email as an attachment to [Report Spam](#).

Jason, is 3554 ISLAND DR within the ORW? Thanks!

Deborah J. Hill, MPA AICP CFM CZO  
Planning Director

[Town of North Topsail Beach](#)

2008 Loggerhead Ct, North Topsail Beach, NC 28460

| ☎ 910.328.1349 | 📠 910.328.4508 | ✉ dhill@ntbnc.org | 🌐 <http://www.ntbnc.org/Pages/flood.aspx> |

🌐 [www.floodsmart.gov](http://www.floodsmart.gov)











*No higher duty can devolve upon the city authorities than that of protecting the property, health, and lives of the people; this is their permanent duty—a duty which cannot be evaded, nor can their right to do so be lost by neglect or bartered away. City of Welch v. Mitchell, 121 SE 165 (1924) (The first case involving floodplain regulations)*

**\*\*\*PLEASE NOTE MY NEW EMAIL ADDRESS\*\*\***

# Untitled Map

Write a description for your map.

## Legend

-  3554 Island Dr
-  Feature 1
-  Feature 2
-  Feature 3
-  Feature 4
-  Feature 5
-  Sneads Ferry Presbyterian Church
-  Static Vegetation Line
-  Topsail Sunset
-  ft



CHARLES F. RIGGS & ASSOCIATES, INC.

Land Surveyors

Charles F. Riggs, P.L.S. L-2981  
502 New Bridge Street  
Jacksonville, North Carolina 28540  
(910) 455-0877  
charlesriggs@riggslandnc.com

Corporate License (C-730)  
502 New Bridge Street  
P.O. Box 1570  
Jacksonville, North Carolina 28541  
(910) 455-0877

James A. Lewis, P.L.S. L-4562  
Landfall Executive Suites  
1213 Culbreth Drive  
Wilmington, North Carolina 28405  
(910) 681-7444  
jameslewis@riggslandnc.com

February 28, 2018

Ms. Deborah Hill  
Planning Director  
Town of North Topsail Beach  
2008 Loggerhead Court  
North Topsail Beach, NC 28460

Dear Ms. Hill:

Please find enclosed the rezone application and 11 prints of the rezone request map for the project described below for consideration for the next North Topsail Beach Planning Board meeting:

**Arthur William King**  
**Rezone Request Map**  
3554 Island Drive  
0.536 Acre Tract on N. C. Highway 210-Island Drive  
Stump Sound Township, Onslow County, North Carolina

(with \$400.00 Check)

Respectfully,

James L. Riggs



*Town of North Topsail Beach*

**ZONING MAP AMENDMENT:  
REZONING APPLICATION**

**INSTRUCTIONS**

Each application shall contain or be accompanied by such legal description maps, plans, and other information so as to completely describe the proposed use and existing conditions; and:

*A. Other Requirements:*

1. The applicant shall provide to the zoning enforcement officer a list of names and addresses, as obtained from the county tax listings and tax abstract, of all adjacent property owners and all owners of property within the area under consideration for rezoning along with two (2) set of business (#10) envelopes stamped with a first class stamp and addressed to each person on the list. The zoning enforcement officer shall then mail notices of the public hearing to each person on the list and shall certify that fact to the board of aldermen.

B. *Fee:* \$400.00 A nonrefundable fee, according to the schedule adopted by the Town Board of Aldermen shall be paid to the Town of North Topsail Beach for each application for an amendment, to cover costs of advertising and other administrative expenses involved. Any application submitted in accordance with the provisions of section 7-92 for the purpose of amending the regulations or district boundaries established by this ordinance may be withdrawn at any time, but fees are nonrefundable. This fee, however, shall not apply to requests originating with any department, board, or agency of the Town of North Topsail Beach.

A completed application is due 30 working days prior to the Planning Board meeting for a Public Hearing. The Planning Board meets the 2nd Thursday of each month at 6:30 p.m. The planning board shall render its decision following a public hearing and within sixty (60) days thereof transmit its recommendation, reasoning, and report to the board of aldermen.

The Board of Aldermen meets the 1st Thursday of each month at 7:00 p.m. Before taking such lawful action as it may deem advisable, the board of aldermen shall conduct a public hearing and consider the planning board's recommendations on each proposed zoning amendment.

Notice of any public hearing shall be published (the notice shall be published for the first time not less than ten (10) days nor more than twenty-five (25) days before the date fixed for the hearing) in a newspaper of general circulation in the Town of North Topsail Beach at least once each week for two (2) successive weeks prior to the hearing according to G.S. 160A-364 and by mailing notices to adjoining property owners in the envelopes provided by the applicant according to G.S. 160A-384. Notice may also be made by posting the property concerned.

The applicant, the planning board, and the zoning enforcement officer shall be given written copies of the board's decision and the reasons therefore.

**Note:** Application must be filed out in its entirety to be accepted and processed.

<b>For Office Use Only</b>	
Application No. _____	Date Received: _____
Receipt # _____ Amount _____	
One Set of Stamped Envelopes _____	

# APPLICATION

Project Name Rezone Request for Arthur William King and wife, Rosalyn L. King

Property Address Island Drive

Tax Parcel ID# 814-4 Current Zoning R-20 Proposed Zoning R-10

## APPLICANT INFORMATION

Charles F. Riggs & Associates, Inc.

Charles F. Riggs  
(Signature) \_\_\_\_\_ Date \_\_\_\_\_

Address P. O. Box 1570, Jacksonville NC 28541

Telephone (910) 455-0877

Fax Number N/A

Email Address riggsland@riggslandnc.com

## OWNER INFORMATION

Arthur William King and wife, Rosalyn L. King

Charles F. Riggs, Authorized Agent

Charles F. Riggs  
(Signature) \_\_\_\_\_ Date \_\_\_\_\_

Address 132 Old Savannah Drive, Morrisville, NC 27560

Telephone (910) 455-0877

Fax Number \_\_\_\_\_

Email Address riggsland@riggslandnc.com

The application must either be signed by the property owner or a written, signed statement must be provided by the property owner giving consent to the request. Proposed changes or amendments to the zoning map may be initiated by the board of aldermen, planning board, town administration, board of adjustment, or by the owner(s), or his agent, of property within the area proposed to be changed.

## STATEMENT OF JUSTIFICATION

The applicant shall submit the following Statement of Justification, presenting factual information supporting each and all of the required findings as they relate to the proposed zoning.

**Finding #1:** The proposal will place all property similarly situated in the area in the same category, or in *appropriate* complementary categories.

**Statement by Applicant:** The current Land Use Plan places this tract in the Low Density Category. The adjoining duplex tract to the west is classified as Low Density and the adjoining quadrplexes to the east are Medium Density as well as the single family residences and triplex across Island Drive to the south. The King tract and the property to the west are presently zoned R-20, even though the adjoining tract has an existing duplex. The properties to the east and to the south are all zoned R-10. Rezoning this property will most definitely place it in an appropriate complementary category.

**Finding #2:** There is convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group.

**Statement by Applicant:** The King tract is vacant and is zoned R-20. All properties surrounding this tract are zoned R-10 with the exception of the western tract, which is zoned R-20, however it is occupied with a duplex which is not allowed in the R-20 zone. Therefore rezoning this tract to R-10 would be consistent with the area, in regards to both zoning and usage and not merely in the interest of an individual. R-10 zone would allow either a duplex or two single family dwellings, which would be comparable to the surrounding properties.

**Finding #3:** There is convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change. (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state they intend to make of the property involved.)

**Statement by Applicant:** The R-10 zone would allow for either a duplex or two single family dwellings. This would be compatible with the area since there exist quadraplexes to the east, a duplex to the west and a triplex directly across Island Drive with a single family residence lying east and west of the triplex. These existing structures demonstrate that any proposed uses permitted under the R-10 Zone would be appropriate.

---

**Finding #4:** There is convincing demonstration that the character of the neighborhood will not be materially and adversely affected by any use permitted in the proposed change.

**Statement by Applicant:** Due to the fact that the neighborhood contains single family residences, duplexes, triplexes and quadraplexes, the King's tract ability to construct either single family residences or a duplex would not materially or adversely affect the character of the neighborhood.

**Finding #5:** The proposed change is in accord with any land use plan and sound planning principles.

**Statement by Applicant:** The current land use plan does support rezoning of property from R-20 to R-10 as evidenced by both the surrounding zoning and the surround existing structures of single family, duplex, triplex and quadraplex.

---

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---

# CHARLES F. RIGGS & ASSOCIATES, INC.

## Land Surveyors

Charles F. Riggs, P.L.S. L-2981  
502 New Bridge Street  
Jacksonville, North Carolina 28540  
(910) 455-0877  
charlesriggs@riggslandnc.com

Corporate License (C-730)  
502 New Bridge Street  
P.O. Box 1570  
Jacksonville, North Carolina 28541  
(910) 455-0877  
E-MAIL: riggsland@riggslandnc.com

James A. Lewis, P.L.S. L-4562  
Landfall Executive Suites  
1213 Culbreth Drive  
Wilmington, North Carolina 28405  
(910) 681-7444  
jameslewis@riggslandnc.com

To whom it may concern:

Property Legal Description:

Parcel IDs: 814-4  
Street Address: 3554 Island Drive, North Topsail Beach  
Subdivision: Portion of Lot 2 and Lot 3, L. W. Everett Beach Property (M.B. 8, P. 3)  
County: Onslow

Please Print:

Property Owner (Title, if applicable): Arthur William King and wife, Rosalyn L. King

Prospective Buyer (Title, if applicable): N/A

The undersigned, registered property owners of the above noted property, do hereby authorize Charles F. Riggs and Associates, Inc. and the employees thereof, to act on my behalf as my agent and take all actions necessary for processing, issuance and acceptance of any permit, certification, or approval and all standard and special conditions attached, if any.

Property Owner

Address: 132 Old Savannah Drive, Morrisville, NC 27560

Telephone Number: (910) 455-0877

Facsimile Number: N/A

Email Address: riggsland@riggslandnc.com

Authorized Signature: *Arthur William King* dotloop verified  
02/28/18 2:07PM EST  
GAFN-SG2Q-NGRY-97EM Date: 02/28/2018

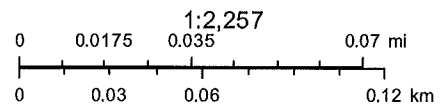
Authorized Signature: *Rosalyn L. King* dotloop verified  
02/28/18 2:11PM EST  
HNO4-FY2L-X66J-HGYB Date: 02/28/2018



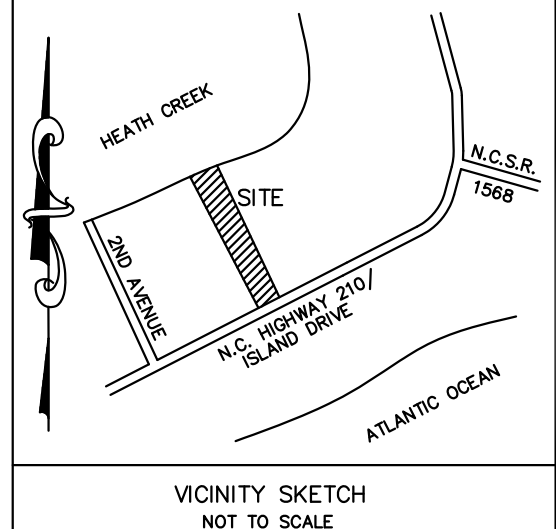
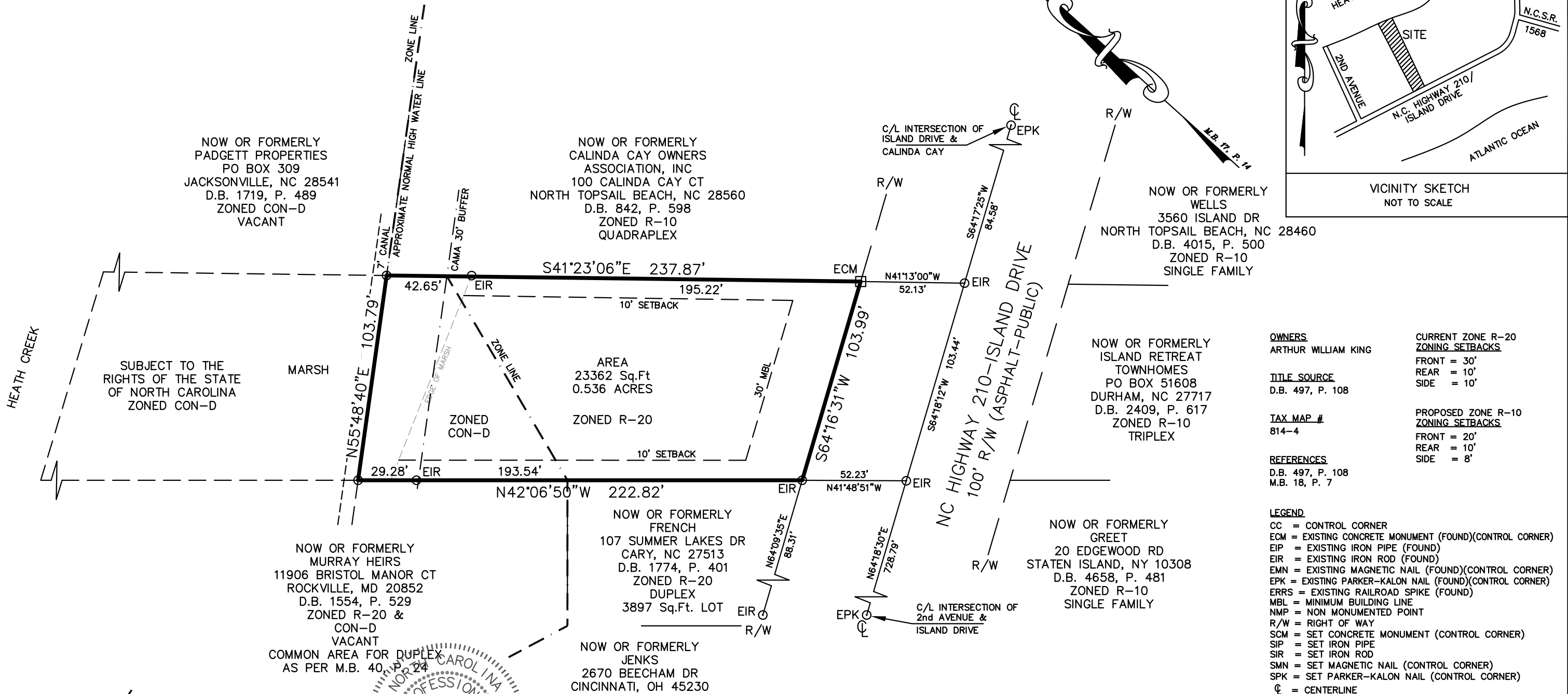
# GoMaps



February 28, 2018



REVISIONS  
03/06/18: ILLUSTRATED ZONE LINE



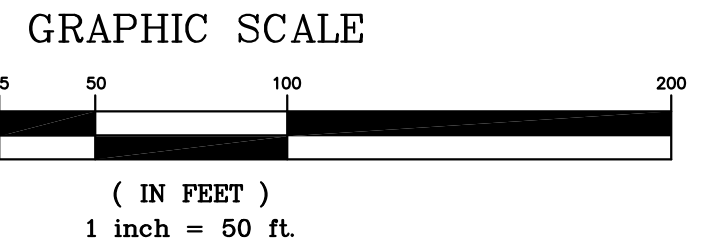
**OWNERS**  
ARTHUR WILLIAM KING

**TITLE SOURCE**  
D.B. 497, P. 108

**TAX MAP #**  
814-4

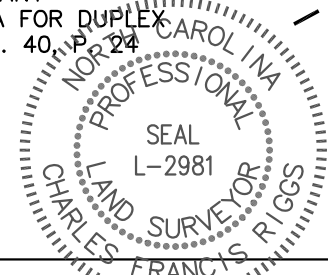
**REFERENCES**  
D.B. 497, P. 108  
M.B. 18, P. 7

**LEGEND**  
CC = CONTROL CORNER  
ECM = EXISTING CONCRETE MONUMENT (FOUND)(CONTROL CORNER)  
EIP = EXISTING IRON PIPE (FOUND)  
EIR = EXISTING IRON ROD (FOUND)  
EMN = EXISTING MAGNETIC NAIL (FOUND)(CONTROL CORNER)  
EPK = EXISTING PARKER-KALON NAIL (FOUND)(CONTROL CORNER)  
ERRS = EXISTING RAILROAD SPIKE (FOUND)  
MBL = MINIMUM BUILDING LINE  
NMP = NON MONUMENTED POINT  
R/W = RIGHT OF WAY  
SCM = SET CONCRETE MONUMENT (CONTROL CORNER)  
SIP = SET IRON PIPE  
SIR = SET IRON ROD  
SMN = SET MAGNETIC NAIL (CONTROL CORNER)  
SPK = SET PARKER-KALON NAIL (CONTROL CORNER)  
CL = CENTERLINE



S:\2018\18-02-18 King\CAD\Drawings\18-02-18 ZONE R-1.dwg - Tuesday, March 06, 2018 5:15:10 PM

*Charles F. Riggs* 02/28/18  
REZONE MAP ONLY



**CHARLES F. RIGGS & ASSOCIATES, INC. (C-730)**  
LAND SURVEYING - CONVENTIONAL & GLOBAL POSITIONING SYSTEMS,  
LAND PLANNING & COMPUTER MAPPING

502 NEW BRIDGE STREET  
P.O. BOX 1570  
JACKSONVILLE, NC 28540-1570  
TELEPHONE: (910) 455-0877  
E-MAIL: riggsland@riggslandnc.com

LANDFALL EXECUTIVE SUITES  
1213 CULBRETH DRIVE  
WILMINGTON, NC 28405  
TELEPHONE: (910) 681-7444

REZONE REQUEST FROM R-20 TO R-10  
FOR  
**ARTHUR WILLIAM KING**  
0.536 ACRE TRACT ON ISLAND DRIVE  
STUMP SOUND TOWNSHIP, ONSLOW COUNTY, NORTH CAROLINA  
ARTHUR WILLIAM KING, OWNER, D.B. 497, P. 108  
3554 ISLAND DRIVE

ACTUAL FIELD SURVEY DATE: AUGUST 7, 2001  
MAPPING DATE: FEBRUARY 28, 2018  
FIELD BOOK: IND, PAGE: 2  
PROJECT NUMBER: 18-02-18

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Steven H. Foster  
Interim Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Special Meeting Agenda Thursday, April 19, 2018 8:30 A.M.**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard, Peters and Yurek; Interim Town Manager Foster; Town Clerk Oxley; Mr. Colin Baenziger**

- I. **Call to Order:** Mayor Tuman called the meeting to order at 8:29 A.M.
- II. **Approval of Agenda:** Mr. Foster requested an amendment to the Agenda to include Open Forum, which was inadvertently excluded. Alderman Benson stated his desire to give a report on the Revetment Restoration. The Mayor called for a vote. The Board unanimously approved the Agenda as amended.
- III. **Housekeeping Items**
  - A. **Sonoco Contract:** Mr. Foster presented information regarding the increase in recycling costs. The Board asked follow-up questions. There was discussion. It was requested that Ms. Brothers join the meeting to provide information as to how this increase would impact citizens. The item was postponed until the Finance Director could join.
  - B. **Administrative Professional's Day** – April 25<sup>th</sup>: Ms. Laura Oxley presented a proposal to close Town Hall during lunch hours so that the staff could celebrate Administrative Professional's Day. The Board discussed the proposal. Mayor Pro Tem made a motion to close Town Hall for lunch to acknowledge Administrative Professional's Day, the details of which to be arranged at the discretion of the Town Clerk. Alderman Yurek seconded. The Board unanimously passed the Motion.
  - A. **Sonoco Contract Continued:** Ms. Brothers appeared before the Board to answer questions. The Board discussed the matter. Ms. Brothers was dismissed. Alderman Leonard made a motion to approve the Sonoco Contract. Alderman Peters seconded the Motion. The Board unanimously approved the Contract.

C. ~~Finalize Details for Town Manager Candidates:~~ Mayor Tuman proposed that this item be relocated to the Closed Session. Alderman Leonard made a motion to embed item C into the Closed Session. Alderman Peters seconded the Motion. The Board unanimously passed the Motion.

- ~~Candidates' Reception on April 24<sup>th</sup>~~
- ~~Interview Coordination on April 25<sup>th</sup> (Mr. Colin Baenziger)~~
- ~~Real estate tour (Mayor Pro Tem?)~~

D. **Revetment:** Alderman Benson presented information. The Board discussed the state of the Project. Mr. Foster provided additional information. No action was required at this time.

E. **Open Forum:** The Mayor asked if anyone in the audience would like to address the Board. No one came forward.

IV. **Closed Session per NCGS § 143-318.11(a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.)**

- Alderman Leonard made a motion to enter into closed session. Alderman Peters seconded the Motion. The Board unanimously agreed to enter closed session.
- Mayor Pro Tem McDermon made a motion to come out of closed session. Alderman Peters seconded the Motion. The Board unanimously agreed to come out of closed session.
- The Mayor announced that the Board provided direction to the Town Manager during closed session.

V. **Adjournment:** Alderman Leonard made a motion to adjourn. Alderman Peters seconded the Motion. The Board unanimously agreed to adjourn. The Meeting adjourned at 9:58 A.M.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

Approved: 09/ /2018

DRAFT

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Steven H. Foster  
Interim Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Special Meeting Agenda Wednesday, April 25, 2018 9:00 A.M.**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard, Peters and Yurek; Interim Town Manager Foster; Town Clerk Oxley; Mr. Colin Baenziger**

- I. **Call to Order:** Mayor Tuman called the meeting to order at 9:02 A.M.
- II. **Approval of Agenda:** Alderman Leonard made a motion to approve the Agenda. Alderman Peters seconded the Motion. The Agenda passed unanimously.
- III. **Closed Session per NCGS § 143-318.11(a)(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal shall be taken in an open meeting.**
  - Alderman Leonard made a motion to go into closed session. Alderman Benson seconded the Motion. The Board unanimously passed the Motion to enter closed session.
  - Alderman Leonard made a motion to come out of closed session. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.
  - The Board gave instructions to the Town Manager.

- IV. **Adjournment:** Mayor Pro Tem made a motion to adjourn. Alderman Leonard seconded the Motion. The Board unanimously agreed to adjourn. The Meeting adjourned at 4:39 P.M.

APPROVED:

\_\_\_\_\_  
Daniel Tuman  
Mayor

ATTEST:

\_\_\_\_\_  
Laura Oxley, JD, MPA  
Town Clerk

Approved: 06/ /2018

DRAFT

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Steven H. Foster  
Interim Town Manager  
  
Laura B. Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Regular Meeting Minutes Thursday, May 3, 2018 6:30 P.M.**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard, Peters and Yurek; Interim Town Manager Foster; Town Attorney Edes; Town Clerk Oxley**

**I. Call to Order:** Mayor Tuman called the Meeting to order at 6:29 P.M.

**II. Invocation:** Alderman Leonard gave the invocation.

**The Pledge of Allegiance:** This item was inadvertently overlooked when preparing the Agenda. A local Boy Scouts Troop led the attendees in the Pledge.

**III. Approval of Agenda:** Alderman Peters made a motion to approve the Agenda as amended. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

**IV. Open Forum- 3 minute limit**

Jerry Heid of 2310 New River Inlet Road addressed the Board. Mr. Heid originally planned to comment on the Revetment Committee. However, as the Mayor asked the Interim Town Manager to address the subject in his staff report, Mr. Heid reserved his comments for a later time. Additionally, Mr. Heid explained that he judged a competition at Dixon Middle School that related to environmental concerns. A theme in the competition was litter on the beach. He complimented the students who worked on these projects. Lastly, he congratulated Jeff and Susan Meyer of North Topsail Beach as the Greater Topsail Chamber of Commerce Lifetime Achievement honorees for their dedicated service and collaboration with local charities.

**V. Public Presentations & Hearings**

**A. Resolution of Appreciation for Terrie Woodle**



Interim Town Manager Foster presented the Resolution and expressed the Town's gratitude to Ms. Terrie Woodle, who served as the Town's Permitting Specialist and Deputy Town Clerk. Among other attributes, Mr. Foster especially emphasized Ms. Woodle's attentiveness to customer service. The Town wishes her the best in future endeavors. Mayor Tuman added that Ms. Woodle was a tremendous asset to the Town. He offered his congratulations on her retirement.

Alderman Leonard made a motion to approve the Resolution. Alderman Peters seconded the Motion. The Motion passed unanimously.

**B. Ocean City Jazz Festival- Request for Sponsorship**

Mr. Kenneth Chestnut presented information on behalf of the Ocean City Jazz Festival Committee. He made requests for support from the Town. The requests will be organized and presented to the Board for their review.

**C. FEMA Phase 5 Update**

Mr. Chris Gibson of TI Coastal was available for questions and answers from the Board. Alderman Benson led the discussion as the sponsor of the Agenda item. There was discussion.

**D. First Line of Stable Natural Vegetation (FLSNV) and Static Vegetation Line (SVL)**

Planning Director Deb Hill made a presentation to the Board and answered questions. There was discussion. The Board was informed that the Town website will be updated with the relevant information.

**E. Public Hearing: UDO Text Amendment- Article 8: Signs**

Alderman Leonard made a motion to open a public hearing for the matter. Alderman Peters seconded. The Motion passed unanimously.

Planning Director Deb Hill provided background information. There was discussion.

No one from the public came forward with comment.

Alderman Leonard made a motion to close the public hearing. Alderman Peters seconded the Motion. The Motion passed unanimously.

Alderman Leonard made a motion to make the changes as discussed and annotated. Alderman Peters seconded the Motion. The Motion passed unanimously.

**F. Proposed Amendment to UDO § 6.01.03**

Alderman Peters made a motion to enter into a public hearing. Alderman Benson seconded the Motion. The Motion passed unanimously.

Planning Director Deb Hill presented information and answered questions. There was discussion.

No one from the public came forward with comment.

Alderman Leonard made a motion to close the public hearing. Alderman Peters seconded the Motion. The Motion passed unanimously.

Alderman Peters made a motion to approve the proposed amendment. Mayor Pro Tem seconded. The Motion passed unanimously.

**VI. Manager's Report**

Interim Town Manager Steve Foster presented the following report:

- Rescue Tube Installation with Ms. Beth Jones

Ms. Beth Jones did a presentation before the Board Staff met with Ms. Jones to discuss installation of rescue tubes sponsored by the Sneads Ferry Rotarians. Several issues were addressed including:

- Sign Verbiage
- Where to place stations
- Method of installation
- Installation Method

This information will be passed along to the Club for installation.

- Hardened Structure Update

Staff has been in touch with Dial Cordy, our consultants on the Hardened Structure Project, and I have arraigned to have Dial Cordy present those plans to a meeting of all affected permitting agencies in both the State and Federal governments. The "scoping meeting" will be held for these regulatory agencies to evaluate the

project and for Dial Cordy to receive comments that may affect the project.

- Annual Budget Preparation

2018/19 Annual Budget is continuing in the process of being prepared. The only piece of information that we are waiting for are some additional quotes on employee health insurance. We hope to hear from the County soon as to how much the Town will receive from the Onslow Tourism Grant Program.

- New River Inlet Storm Damage Mitigation Grant Submitted

The NRISDMG has been submitted after great effort by Town Clerk Laura Oxley, and Town Attorney Brian Edes. This was submitted to obtain the \$2M from the N. C. Division of Water Resources as directed by legislative action for funds expended by the Town.

- Comprehensive Shoreline Engineering Plans RFQ Distribution

RFQ plans have been distributed to seven coastal engineering contractors. Deadline for response is 2:00PM May 23, 2018. We only received one response from our last solicitation, and the Board wanted to redistribute.

- Assisted Recruiter in Search for a New Town Manager

The Staff spent a considerable amount of time in working with our recruitment firm in assisting in procuring a new Town Manager. Staff assisted in making arraignments on a variety of associated activities. Special thanks the Town Clerk Laura Oxley for her assistance.

- Rock Eradication Program Completed The Town has completed picking up rocks as required by the Regulatory Branch of the USACE. Th Town had a deadline date to complete a 3 mile stretch of Beach extending from the St. Moritz. This was required after the Corp determined that this was contributed to the Phase 5 Renourishment Project. The Town is in full compliance now with the Corp.

- Vegetation Pick Up Completed

Spring vegetation pickup has been completed. Due to heavy rain, the pickup period was extended two additional days. It ran from April 23rd to the 30th.

- Port Drive Crossover

The Town is currently discussing with CAMA several options to provide beach access from Port Drive. We hope that we will have a solution soon. Tom Best is working with Jason Dial of CAMA to place sand over the sandbags for direct beach access.

- Jeffrey Parking Leases

Staff has contacted representatives of the Jeffrey's family to renew the parking Leases on our parking areas on Island Dr. and New River Inlet Road. They stated that they would be back in touch with us very soon.

## VII. Consent Agenda

Alderman Peters made a motion to approve the items in the Consent Agenda as amended. Alderman Benson seconded. The Motion passed unanimously.

### A. Approval of Minutes- April 5<sup>th</sup> Regular Meeting

### B. Department Head Reports

1. Finance Department
2. Fire Department
3. Inspections Department
4. Planning Department
5. Police Department

### C. Committee Reports

~~1. Board of Adjustment~~ Alderman Peters requested that this item be relocated to the New Business section of the Agenda.

#### 1. Planning Board

~~2. TISPC (Topsail Island Shoreline Protection Commission)~~ Alderman Benson requested that this item be relocated to the New Business section of the Agenda.

3. ONWASA (Onslow Water and Sewer Authority)- did not meet in April; will approve March Minutes in May

### D. Motor Vehicle Tax Refund

**E. New Auditor Engagement Letter and Contract**

**VIII. New Business**

**A. Budget Amendment**

Finance Director Brothers presented the Amendment. The Town incurred additional expenses during the search for a new town manager. Ms. Brothers stated that the Amendment will not have an impact on the overall budget; it is a matter of moving funds from one department to another.

Alderman Leonard made a motion to approve the budget amendment as presented by Ms. Brothers. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

~~B. **Planning Board Committee Report**~~ On behalf of staff, the Town Clerk suggested that this item be returned to the Consent Section of the Agenda. It was placed under New Business due to a pending matter. However, that matter was resolved prior to the Board meeting.

**C. Board of Adjustment Committee Report**

Alderman Peters directed questions to Planning Director Hill. He asked about the attendance of Board of Adjustment members. Also, he recommended selecting members who do not serve on both the Board of Adjustment and the Planning Board.

The Committee Report requests the Board of Aldermen approve the Board of Adjustment's recommendation to reappoint members whose terms have expired. Alderman Leonard made a motion to reappoint the members as presented by the Planning Director. The Motion was seconded by Alderman Yurek. The Motion passed 4-1, with Alderman Peters voting against the Motion.

**D. Consider Electronic Solutions to Increase Efficiency**

Alderman Leonard presented information to suggest a more efficient method of delivering information, particularly monthly packets, to the Board. Previously, the Board visited this topic, but at the time, the cost was higher. Now, the cost of technology has decreased. The proposed move to an electronic-based system is meant to save time and money.

Alderman Benson made a motion to restructure the manner in which board packets are assembled. Alderman Peters seconded the Motion. There was

discussion. The Motion failed with a vote of 2-3. Alderman Benson and Peters voted in support. Mayor Pro Tem McDermon, Alderman Leonard and Alderman Yurek voted against the Motion.

Alderman Leonard made a motion to move forward with the proposed electronic solutions. Alderman Benson suggested an amendment; it should be optional for each board member to chose or deny a Town-purchased tablet. Alderman Leonard stated that an important part of this proposal is reducing the staff's workload, so as long as the Board did not make printing requests of staff, the Amendment was acceptable. Mayor Pro Tem seconded the Motion. The Motion passed 4-1. Alderman Peters voted against the Motion.

The Town Attorney cautioned the Board when using personal devices. He recommended keeping Town matters separate in the event the Board is served with a subpoena.

**E. Police Department Needs Study**

Interim Town Manager Foster presented to the Board. No action was required at this time. Mr. Foster's presentation was an update.

**F. TISPC (Topsail Island Shoreline Protection Commission) Committee Report**

Alderman Benson provided an update. Topsail Beach was given 45 minutes to decide whether or not they would participate in a federal project. Topsail Beach opted out due to the projected expense of the project. Alderman Benson stated this decision improves North Topsail Beach and Surf City's chances of being selected. To that end, TISPC members who represent North Topsail Beach and Surf City plan to meet and strategize.

There was discussion.

**IX. Open Forum**

Jerry Heid of 2310 New River Inlet Road readdressed the Board. He mentioned that the Town promptly responded to his request for a crossover sign at Oyster Drive. He inquired about a similar sign at Port Drive. Lastly, Mr. Heid had a comment regarding the Revetment Committee. He acknowledged that a legal agreement was in place but wondered if engineer involvement was necessary.

The Town Attorney responded that there are legal requirements in place that must be considered.

**X. Attorney's Report**

The Town Attorney thanked the Board members who attended his presentation at the NCBIWA Conference.

**XI. Mayor's Report**

The Mayor stated that a Special Meeting will occur in the following week to review the proposed 2018-2019 Budget as prepared by staff and the Interim Town Manager. The proposal includes a suggested reduction in the tax rate.

Additionally, a joint meeting among the Board of Aldermen, the Mayor, the Planning Board and the Board of Adjustment to discuss the next steps for updating the Town's Land Use Plan is scheduled for the following week.

**XII. Aldermen's Report**

Mayor Pro Tem began by thanking the audience for their attendance. She was able to attend a recent Board of Adjustment Meeting. She found it educational, and she appreciated the opportunity.

Alderman Yurek thanked the attendees. He asked if the budget is available online. Mr. Foster explained that it was only recently completed and has not yet been uploaded.

Alderman Peters thanked the attendees.

Alderman Benson thanked the attendees. His Neighbor Helping Neighbor Program for the month relates to the beach. He offered to organize citizens who would like to walk the beach for fitness with a dual purpose of cleaning up litter.

Alderman Leonard thanked the attendees. He thanked and commended Mr. Foster on his work with North Topsail Beach. Additionally, he thanked the staff for their work on his proposal to move towards electronic solutions. Lastly, he offered his congratulations to the Meyers for their Greater Topsail Island Chamber of Commerce Award. He acknowledged their fundraising efforts for various charities.

**XIII. Closed Session per N.C.G.S. 143-318.11 (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged AND (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective**

**public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.**

Mayor Pro Tem made a motion to enter into closed session for the aforementioned reasons. Alderman Peters seconded the Motion. The Motion passed unanimously. The audience was dismissed.

Alderman Leonard made a motion to come out of closed session. Alderman Peters seconded. The Motion passed unanimously. It was announced that direction was given to the Town Attorney during the closed session.

Alderman Leonard made a motion to adjourn. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

Approved: 06/ /2018



# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Steven H. Foster  
Interim Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

**Board of Aldermen  
Special Meeting  
Monday, May 7, 2018  
9:00 A.M.**

## **Agenda**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard, Peters and Yurek; Interim Town Manager Foster; Finance Director Brothers; Town Clerk Oxley**

- I. Call to Order:** Mayor Tuman called the Meeting to order at 9:00 A.M.
- II. Approval of Agenda:** Alderman Leonard made a motion to approve the Agenda. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.
- III. Open Forum- 3 minute limit:** No one came forward to address the Board.
- IV. Fiscal Year 2018-2019 Budget Presentation:** Mr. Foster and Ms. Brothers presented the Fiscal Year 2018-2019 draft proposal. The staff took questions. The Board had discussion.
- V. Public Comment:** No one came forward to address the Board.
- VI. Adjournment:** Alderman Leonard made a motion to direct staff to make corrections discussed but to otherwise adjourn at this time. Mayor Pro Tem seconded. The Motion passed unanimously.

APPROVED:

\_\_\_\_\_  
Daniel Tuman  
Mayor

ATTEST:

\_\_\_\_\_  
Laura Oxley, JD, MPA  
Town Clerk

Approved: 09/ /2018

DRAFT

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Steven H. Foster  
Interim Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Special Meeting- Agenda Workshop Minutes Monday, June 4, 2018 9:00 A.M.**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard and Peters; Planning Director Hill; Finance Officer Brothers; Town Clerk Oxley**

### **I. Call to Order**

Mayor Tuman called the meeting to order at 9:00 AM.

### **II. Approval of Agenda**

Alderman Peters made a motion to approve the Agenda. Mayor Pro Tem seconded. The Motion passed unanimously.

### **III. Open Forum- 3 minute limit**

Mayor Tuman invited anyone in the audience to address the Board. No one came forward.

### **IV. Distribution of RFQ Materials**

The Town Clerk distributed the materials. Discussion on the matter did not occur at this meeting.

### **V. Discuss Agenda for the Board of Aldermen's June Regular Meeting**

The Board discussed topics that will appear on the Regular June Meeting Agenda. No decisions were made.

### **VI. Public Comment**

No one came forward to address the Board during the Public Comment.

**VII. Adjournment**

Mayor Pro Tem McDermon made a motion to adjourn. Alderman Benson seconded. The Motion passed unanimously.

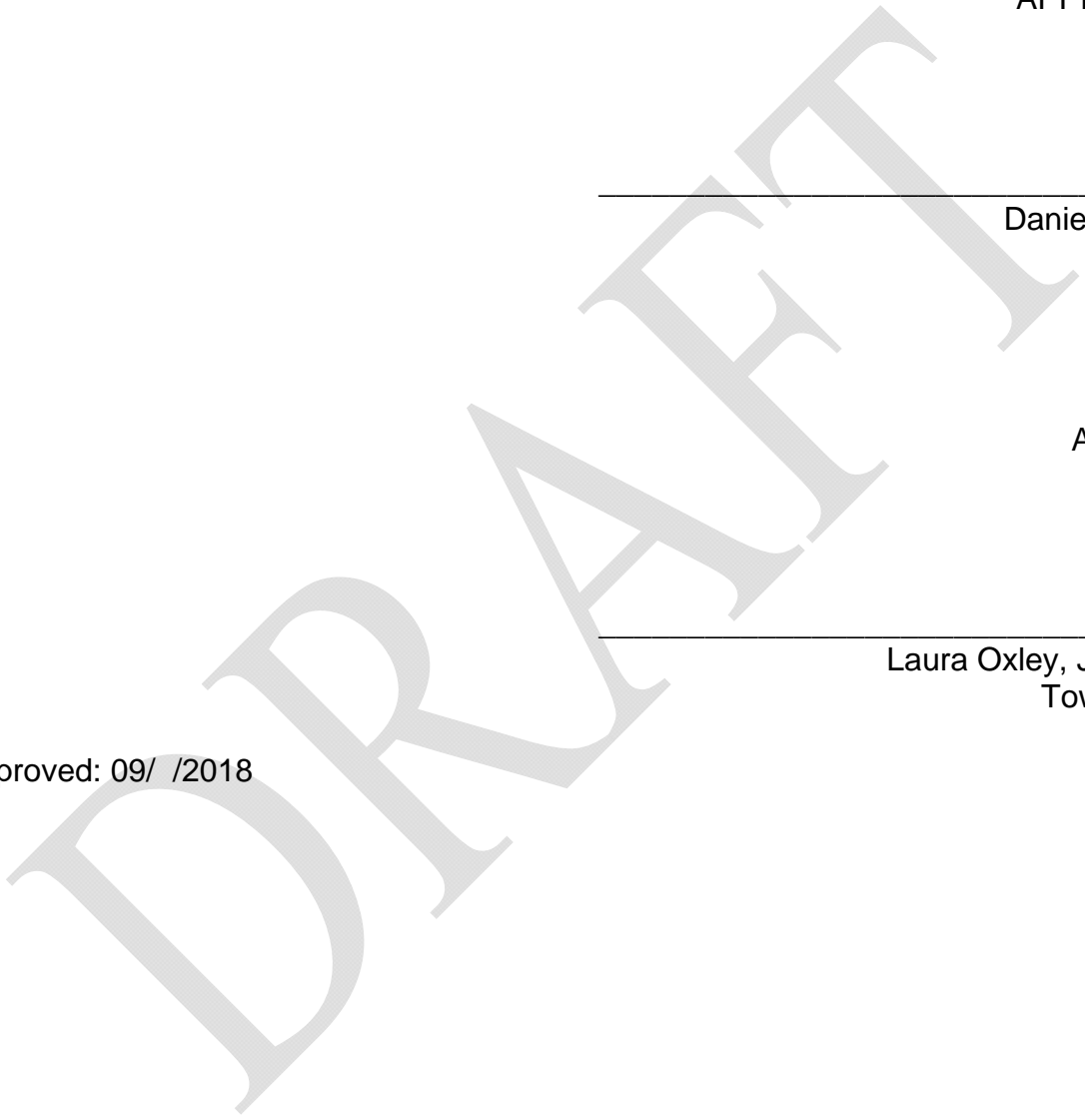
APPROVED:

\_\_\_\_\_  
Daniel Tuman  
Mayor

ATTEST:

\_\_\_\_\_  
Laura Oxley, JD, MPA  
Town Clerk

Approved: 09/ /2018



# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Steven H. Foster  
Interim Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## Notice of Cancelled Meeting Board of Aldermen- Regular Meeting June 7, 2018

The North Topsail Beach Board of Aldermen meeting that was previously scheduled for this evening, June 7<sup>th</sup>, is cancelled due to a lack of quorum. Per Resolution 2018-2, the Regular Meeting is rescheduled for one week later.

Therefore, the Regular Board meeting for the month of June will occur June 14<sup>th</sup> at 6:30 PM at North Topsail Beach's Townhall.

Laura Oxley, JD, MPA  
Town Clerk  
North Topsail Beach

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Deborah Hill  
Interim Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Regular Meeting Minutes Thursday, June 14, 2018 6:30 P.M.**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard and Peters; Interim Town Manager Hill; Finance Officer Brothers; Town Attorney Edes; Town Clerk Oxley**

**Absent: Alderman Yurek**

### **I. Call to Order**

Mayor Tuman called the meeting to order at 6:30 P.M.

### **II. Invocation**

Alderman Benson gave the invocation.

### **III. Pledge of Allegiance**

Mayor Tuman led the attendees in the Pledge of Allegiance.

### **IV. Approval of Agenda**

Alderman Peters made a motion to approve the Agenda. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

### **V. Open Forum- 3 minute limit**

Hanna McCloud of 1835 New River Inlet Road addressed the Board with her concerns for the Town's removal of unattended beach equipment. Ms. McCloud asked for an amendment to the Ordinance in question so that local property owners may be exempt.

\*There are Attachments to these Minutes.

**VI. Public Presentations and Hearings**

**A. The Benefits of Offering a 457 Plan to Employees**

Ms. Cecilia Fields of Prudential presented information for the Board's consideration. The 457 Plan is similar to a 401(k) but provides unique benefits to qualifying contributors that are not available in traditional 401(k) plans.

**B. Certificate of Appreciation presented to Ms. Christine Henderson for her 15 years of service to North Topsail Beach**

Mayor Tuman presented the certificate to Ms. Henderson and thanked her for her dedicated service to the Town.

**C. Resolution of Appreciation**

Although not present at the meeting, Mr. Steve Foster was honored by Mayor Tuman for his service as the North Topsail Beach Interim Town Manager. Alderman Leonard made a motion to adopt the proposed Resolution of Appreciation. Alderman Peters seconded. The Resolution passed unanimously.

**D. Public Hearing: UDO Text Amendment- Article 8: Signs**

Mayor Pro Tem McDermon made a motion to open the Public Hearing. Alderman Leonard seconded. The Motion passed unanimously.

Planning Director Hill presented the Staff Report.

Mayor Tuman opened the hearing to the public for comment. No one came forward.

Mayor Pro Tem McDermon made a motion to close the Public Hearing. Alderman Leonard seconded. The Motion passed unanimously.

The Board directed questions to the Planning Director. She offered answers and guidance. There was discussion. Mayor Pro Tem McDermon made a motion that the Board of Aldermen approve the change in the ordinance to align with Onslow County. Alderman Leonard seconded. The Motion passed unanimously.

**E. Public Hearing: FY 2018-2019 Budget and Request to Adopt FY/18 Budget Ordinance and Fee Schedule**

Mayor Tuman offered an introduction to the topic. Alderman Leonard made a motion to open the Public Hearing. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

Finance Officer Brothers presented the Fiscal Year 2018-2019 Budget. She discussed goals, economic outlook, tax decreases, notable expenditures and Onslow County grant revenue. She thanked the Board and staff for their work.

The Mayor opened the Hearing to public comment. No one came forward. Alderman Leonard made a motion to close the Public Hearing. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

Alderman Leonard made a motion to adopt the North Topsail Beach Fiscal Year 2018-2019 Budget as presented by the Finance Officer. Mayor Pro Tem McDermon seconded. Alderman Benson commended the Town's efforts in the past to supply Police and Fire with the resources needed to provide public safety. He also thanked Deputy Chief Poe for his work. Alderman Benson expressed a concern for nonessential items in the budget.

The Mayor called for a vote on the Motion. The vote was a tie, 2-2. Mayor Pro Tem McDermon and Alderman Leonard voted in support of the Motion. Aldermen Benson and Peters voted against the Motion. Mayor Tuman voted in support of the Motion and broke the tie.

Alderman Benson inquired as to whether this situation allowed for the Mayor's vote. The Town Attorney advised that there was a tie among the Aldermen and that the Mayor may cast a vote. The Budget passed with a vote of 3-2.

Alderman Peters expressed concern for the increase in the Board's compensation. He asked the Mayor to offer an explanation to citizens.

Mayor Tuman stated that he conducted a pay analysis for other elected officials in the area, considering which entities were comparable to North Topsail Beach. He reminded board members that they do not have to accept the compensation. Alderman Leonard provided his analysis as to why the figures are adequately supported. Additionally, addressing concerns that the Board is comprised of newer members, Alderman Leonard disagreed.

## **VII. Manager's Report**

Interim Town Manager Hill presented the following report:

- Introduced Kate Winzler as the new permitting specialist
- Reminded the Board that the Harden Structure Meeting will occur on June 26<sup>th</sup>
- New River Inlet Storm Damage Mitigation Grant is in progress
- Comprehensive Shoreline Engineer Plans RFQ Distribution



- The Town received three qualifications
- Mayor Pro Tem suggested that staff send a matrix to the Board that outlines project needs. The Board could review and edit. This way, when the Board does meet, it will be more efficient.
- Staff contacted the representatives of the Jeffries Parking Lot to discuss renewal of leases. They will be in touch.
- The Town is enforcing the tent and other beach equipment removal ordinance.
- North Topsail Beach is hosting this quarter's Four Town Meeting. It will be on June 28<sup>th</sup>.
- The first phase of the proposed multiuse path was submitted to the State's STIP program. The Interim Town Manager recommended that the Town's share of funding be included in the Fiscal Year 2019-2020. Public comment period will be in the September or October time frame. For those who support this plan, consider attending the meeting.

**VIII. Consent Agenda**

- A. Approval of Minutes –May 3, 2018
- B. Department Head Reports
  - 1. Finance Department
  - 2. Fire Department
  - 3. Inspections Department
  - 4. Planning Department
  - 5. Police Department
- C. Committee Reports
  - 1. Planning Board
  - 2. Board of Adjustment
  - 3. TISPC (Topsail Island Shoreline Protection Commission)
  - 4. ONWASA (Onslow Water and Sewer Authority): FY 2018-2019 Proposed Rate and Fee Schedule
- D. Request for Support from the Ocean City Jazz Festival Committee
- E. March Tax Refunds
- F. 2018-6 Resolution of Objection to Changing the Distribution of Sales Tax in Onslow County
- G. Amended Audit Contract from Carr, Riggs & Ingram
- H. Budget Amendment # 4

Alderman Leonard made a motion to approve the items on the Consent Agenda. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

**IX. Continuing Business**

**A. Update on the Revetment Restoration Project**

Aldermen Benson provided an update on the revetment project. He thanked Mr. Thomas Best for working with CAMA to re-open the Port Drive access.

Regarding the Restoration Project, the Board asked the Plaintiffs to present a second engineering proposal. The Town Attorney reminded the Board that this was a requirement of the Settlement Agreement and not a Board request. Alderman Benson reported that there is not a second engineer proposal to consider.

Alderman Benson informed the Board that the Plaintiffs have contacted many engineer firms, but they have only received one proposal. One firm, Greene, expressed interest. However, they have not produced a proposal. Alderman Benson asked for the Board's opinion as to whether the Plaintiffs have exercised due diligence.

The Town Attorney responded that he cannot properly assess the Plaintiffs level of due diligence, because he has not been given enough information. The Town Attorney suggested that the Board direct its representatives on the Committee to prepare a comprehensive report of efforts. The Board directed Alderman Benson to communicate this recommendation to the Committee.

Alderman Leonard made a motion to appoint the Town Manager position to the committee. Alderman Peters seconded. The Motion passed unanimously.

**X. New Business**

**A. Comprehensive Shoreline Engineering Plans- Staff Recommendation to set a workshop date**

Mayor Tuman stated that this was covered in the Town Manager's Report. The Matrix will be distributed for review. Once the Matrix is complete, the Town Clerk will schedule a formal review.

**XI. Open Forum**

Jeannine Myers of 2224 New River Inlet Road addressed the Board. Speaking more specifically to Alderman Peters and Benson, the increase in Board compensation may help future citizens to serve on the Board. Alderman Peters expressed gratitude for her comments. Alderman Benson expressed that his intent is to protect taxpayer money.

**XII. Attorney's Report**

Town Attorney did not have a report, but he does have items for the Closed Session.

**XIII. Mayor's Report**

The Mayor reported that a lot of time was devoted to requests made to Onslow County for beach maintenance. In the past, the County has allocated approximately \$60,000 each year to the Town. This year, we requested \$350,000 a year. Mayor Tuman, Alderman Leonard and Mr. Steve Foster attended the County's budget review meeting. The request was approved.

Also, the Town is working to release \$2 million of funds that have been appropriated. This process is also time consuming for the members of the Board who are participating and staff.

**XIV. Aldermen's Report**

Alderman Leonard reported that the Town's representatives who attended Onslow County's budget meeting asked county administrators if the new proposals figures were being presented. The presentation initially showed the Town's old request and not the updated numbers. The error was corrected. If Town representatives had not been present, the new request may not have been considered. Also, he acknowledged that the day was Flag Day and provided a brief history. He thanked everyone for their attendance. Additionally, the Onslow County's tax evaluation decreased everywhere except North Topsail Beach. There is a public meeting to discuss tax increases in the County. He suggested that interested parties attend the meeting. Lastly, he was nominated and approved to replace former Alderman Macartney's position at NCBIWA.

Mayor Pro Tem thanked the Clerk for the Four Town Meeting preparation. She welcomed Mr. Chadwick and Ms. Winzler to North Topsail Beach. Also, the Mayor Pro Tem thanked Ms. Brothers and staff for their work with the budget. As a reminder, summer is here and the local population will increase. She suggested that full time residents exercise patience.

Alderman Peters thanked the attendees. He stated that his intent with earlier actions was to receive citizen feedback. He thanked staff for their work.

Alderman Benson reported that he and Alderman Peters attended a meeting with a purpose to encourage the Army Corps of Engineers to maintain the inlets of North Carolina. He reports that as a result of these efforts, he expects sand to be added to the Town's beaches in the Fall or Winter months. Also, the Corps will not continue to certain waterways in Topsail Beach. This will mean that boaters will have an 8 mile detour from the intercoastal to the ocean. Additionally, the Army

Corps is proposing a \$3.5 million project for next year to dredge the channel from the Intercoastal Waterway to Jacksonville. It will be a pipeline dredge.

At the New River Inlet Stakeholders meeting, the Army Corps suggested an advanced maintenance dredge to improve navigation and extend the timeframe in which the channel would need maintenance.

Neighbor Helping Neighbor is moving to the beach for the summer. This month's project is picking up plastic on the beach.

Alderman Leonard pointed out that the Board is not using hardcopy packets. The Planning Director and Clerk, at the Board's direction, obtained tablets in order to distribute material. In particular, Ms. Hill worked to ensure the new method of delivery worked smoothly. The previous method required several manhours and supplies. Considering staff time, the tablets will pay for themselves in approximately six months. When the cost of materials are added to the savings, the tablets will likely pay for themselves in four months.

- XV.** Mayor Pro Tem made a motion to enter into closed session to consult with the Town Attorney. Alderman Peters seconded. The Motion passed unanimously.

**Closed Session per N.C.G.S. 143-318.11 (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged**

Mayor Pro Tem made a motion to come out of closed session. Alderman Leonard seconded. The Motion passed unanimously.

The Town Attorney stepped outside of the meeting room to announce the closed session ended.

Mayor Pro Tem McDermon made a motion to execute the contract for employment for the new town manager. Alderman Leonard seconded. The Motion passed unanimously.

- XVI. Adjournment**

Mayor Pro Tem made a motion to adjourn. Alderman Leonard seconded. The Motion passed unanimously.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

Approved: 07/ /2018

DRAFT

DRAFT

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Agenda Workshop Minutes Monday, July 2, 2018 9:00 A.M.**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard and Peters; Town Manager Chadwick; Town Clerk Oxley**

### **I. Call to Order**

Mayor Tuman called the Meeting to order at 9:01 A.M.

### **II. Approval of Agenda**

Alderman Leonard made a motion to approve the Agenda. Alderman Benson seconded. The Motion passed unanimously.

### **III. Open Forum- 3 minute limit**

The Mayor opened the Meeting's Open Forum. No one came forward.

### **IV. Discuss Agenda for the Board of Aldermen's July**

The Board discussed the Agenda for the upcoming July Regular Meeting. No action was taken.

### **V. Public Comment**

The Mayor opened the Meeting for public comment. No one came forward.

### **VI. Adjournment**

Alderman Leonard made a motion to adjourn. Alderman Peters seconded. The Motion passed unanimously.

The Meeting adjourned at 9:55 A.M.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

Approved: 08/ /2018



# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Regular Meeting Minutes Thursday, July 5, 2018 6:30 P.M.**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard, Peters and Yurek; Town Manager Chadwick; Planning Director Hill; Town Attorney Edes; Town Clerk Oxley**

### **I. Call to Order**

Mayor Tuman called the Meeting to order at 6:30 P.M.

### **II. Invocation**

Alderman Yurek gave the invocation.

### **III. Pledge of Allegiance**

Mayor Tuman led the attendees in the Pledge of Allegiance.

### **IV. Approval of Agenda**

Alderman Leonard made a motion to approve the Agenda. Alderman Benson seconded. The Motion passed unanimously.

### **V. Open Forum- 3 minute limit**

Christopher Lassen of 102 Calinda Cay thanked the Mayor for responding to his letter. He stated his belief that the Board successfully manages the Town's affairs. He read a letter from the President of the Board of Home Owners Association for Calinda Cay Townhouses. There is an ongoing concern in this community with the use and availability of a private crossover.

Mr. Lassen understands that the matter is private, and the Town is not involved. However, he asks that Town representatives be mindful of this potential issue and be clear in communications to those who may otherwise misunderstand the availability of the crossover to the public.

Jeremy Grove of 2210 New River Inlet Road expressed his support to the Board to hire Holland Associates to conduct the CAMA Land Use Study.

Susan Meyer of 2224 New River Inlet Road stated her support in hiring Holland Associates for the CAMA Land Use Plan. She believes the decision to hire an outside firm would allow staff to focus on other areas.

Fred Burns of 1669 New River Inlet Road addressed the Board regarding the Revetment Committee's ongoing search for potential firms to assist with the project. He thanked Alderman Benson for his hard work on the project. He stated that Fran Way of ATM was contacted but declined the project. Additionally, Chris Gibson declined. Also, Mr. Burns met with Moffat and Nichol. Arendell Engineering submitted some materials for consideration. Coastal Science and Engineering expressed interest but did not submit materials for consideration. Greene Engineering submitted a letter in January, and recently submitted a proposal.

It is Mr. Burn's opinion that Arendell has more experience working with sandbags. Mr. Greene has experience with at least four geotube projects but no known sandbag projects.

Steve Goldberg of 1840 New River Inlet Road addressed the Board with his concerns with tents and other beach equipment left out overnight. He thanked the officials who are actively enforcing the ordinance. His concern is the aesthetics, safety, liability and environmental issues related to the debris. Some of his neighbors want exemptions. While he is compassionate for their issues, he does not support exceptions to the rule.

Jeannine Meyers of 2224 New River Inlet Road spoke in support of the CAMA Land Use Plan. She believes the Plan provides direction to the Town. The process is important and labor-intensive. She does not believe it is fair to ask Town staff to conduct this project in addition to their daily duties. Holland Associates managed North Topsail Beach's previous Plan, which may give them added insight. She encouraged the Board to hire Holland Associates for the CAMA Land Use Plan.

Hanna McCloud of 1835 New River Inlet Road addressed the Board. First, she thanked the Town's first responders for "doing a fabulous job." She appreciates their presence around her neighborhood as it encourages drivers to adhere to the 35 miles per hour speed limit. She had one suggestion. If the gator that

responds to emergencies on the beach had lights, it would alert individuals on the beach of an emergency and the presence of quickly-moving vehicles. She again expressed her gratitude for the Town's emergency services.

Second, Ms. McCloud spoke to the enforcement of the Town's ordinance to remove beach debris left on the beach overnight. She respectfully disagrees with Mr. Goldberg. From her perspective, the Code is not being enforced around her unit. She resubmitted her request that the Town provide an exemption that is similar to an exemption she believes Emerald Isle codified.

Lastly, Ms. McCloud believes the Land Use Plan is quite time consuming. She believes it is beneficial to hire a professional firm to do the work. She believes Town staff is capable of the work, but her concern is the amount of work this project creates. She believes staff's experience will add value, but the bulk of the should be shifted to an outside firm for efficiency.

#### **VI. Resolution of Appreciation**

Alderman Leonard presented the Resolution of Appreciation to Ms. Deborah Hill. In the previous months, Ms. Hill led many projects for the Town. She was the key staff member who transitioned the Board from hardcopy board packets to more streamlined electronic copies. Also, during a recent phone outage, Ms. Hill quickly created workarounds, dedicate afterhours work to support said workarounds and met with vendors to reestablish the Town's phone system. Lastly, during a period of personnel turnover, Ms. Hill served as Interim Town Manager while simultaneously serving as Planning Director.

Ms. Hill acknowledged Town staff's hard work and support during the obstacles of the previous months.

#### **VII. Manager's Report**

Mr. Chadwick presented the following report:

The first week on the job was busy.

I attended several meetings including:

- Hardened Structure "pre-scoping" meeting in Wilmington
- Resource Institute for funding possibilities
- Topsail Island Shoreline Protection Committee Meeting
- Four Town Meeting hosted by NTB

#### **Department Meetings**

I have been meeting with department heads to discuss various issues pertaining to each department. Over the next couple of months, I'll be working with them on possible updates they feel are needed to policies and procedures. Over the next couple of weeks, I'll be visiting the departments for meeting and getting to know employees.

### **Mid-Year Planning Retreat Report**

Since we have a few new staff members that were not a part of the January Planning Retreat, I would like to have a mid-year report meeting. This will allow any new staff to become familiar with the Board goals set for the year and to find out what goals have been met, are still in process, or could be updated. We may also use this time to update you on items we think could be addressed.

### **Hardened Structure Update**

The "pre-scoping meeting" was held on June 26<sup>th</sup> with several regulatory agencies to evaluate the project and for Dial Cordy to receive comments that may affect the project. Our engineer, Fran Way, with ATM made the presentation. Mayor Tuman, Aldermen Benson and Leonard, and myself attended. We were given recommendations about our next steps. We will be working with Dial Cordy to compile the information needed which will probably include a federal EIS.

### **Comprehensive Shoreline Engineering Plans RFQ Distribution**

As you know we received responses to our RFQ plans from three qualified engineering companies. The firms include:

- ATM Engineering
- Moffat and Nichol
- Aptim Coastal Planning and Engineering Co.

We will be working on a matrix for you. Once that is completed, we will be in contact with you to establish a date (or possible dates) to hear presentations from these firms.

### **Four Town Meeting**

The Town of North Topsail Beach hosted this past quarter's Four Town Meeting. It was held on June 28th. Spencer Rogers was the guest speaker. I would like to commend the Town Clerk in orchestrating the event. The attendees were extremely complementary of the food, venue and speaker.

### **New Phone System**

As you know, the phone system in town hall was struck by lightning. It pretty much crippled our communication for a couple of weeks. We have a new system but are asking everyone to be patient. It is new so we are still learning how to use it.

I would like to commend the town hall staff during the down time. They were able to adapt and overcome. I would especially like to commend Deb Hill for getting us through the situation. She was contacting vendors and trying to reroute lines to cell phones. Laura Oxley and Betsy Brothers made sure web sites and Facebook were updated and even contacting insurance companies and approving funding on a Friday night. I know there are others involved but these are just the only ones in which I had contact. This is a testament how all our town employees operate daily. They go above and beyond to make sure the mission is accomplished.

**VIII. Consent Agenda**

- A.** Approval of Minutes –June 4, 2018 Agenda Workshop; June 14, 2018 Regular Meeting
- B.** Department Head Reports
  - 1. Finance Department
  - 2. Fire Department
  - 3. Inspections Department
  - 4. Planning Department
  - 5. Police Department
- C.** Committee Reports
  - 1. Planning Board
  - 2. Board of Adjustment
  - 3. TISPC
  - 4. ONWASA (Onslow Water and Sewer Authority)
- D.** May Tax Refunds
- E.** Accounting Services Contract
- F.** Equipment for Surplus

Alderman Peters made a motion to approve the items in the Consent Agenda. Alderman Benson seconded. The Motion passed unanimously.

**IX. Continuing Business**

### **A. CAMA Land Use Plan**

Ms. Hill presented information to the Board regarding this topic. The Town's most recent edition of the Land Use Plan was prepared by Holland and Consultants and adopted by the Board of Aldermen in July of 2009. The Coastal Resource Commission approved the Plan in August of 2009. Most communities update the plan within 5-7 years. With recent changes in state regulations, staff and state representatives recommend updating the CAMA Land Use Plan at this time. Furthermore, as Planning Director, Ms. Hill recommends approving the contract with Holland and Consultant Planners.

Alderman Leonard made a motion that the North Topsail Beach Board of Aldermen approve the CAMA Land Use Plan contract with Holland and Associates. Mayor Pro Tem McDermon seconded.

Alderman Benson stated that a Land Use Plan is a living document; it is not prepared and then left on the shelf. It needs to be updated. He asked Ms. Hill if the Planning Board discussed any actions that would necessitate amending the Plan. Ms. Hill answered that minor updates have occurred over the years, but as a more comprehensive update has been discussed, other adjustments to the CAMA Land Use Plan have been paused so that these edits could occur more efficiently in the Plan's update.

Alderman Benson's concern is that pursuing this project this year would take money away from a potential hardened structure. Alderman Benson suggested delaying the project until the Beach fund is more in balance.

Ms. Hill responded to these concerns. Updating the CAMA Land Use Plan has been discussed for a few years. Ms. Hill expressed that there will always be a project that is competing for priority or money. Most communities update this plan every 5-7 years. North Topsail Beach is approaching ten years without an update.

Alderman Leonard asked if the staff had a recommendation or guidance from the state. The Town Manager stated that in his experience, the longer a town delays this process, the more expensive it becomes, because more updates are required. Mr. Chadwick recommended approving the Contract with Holland at this time.

Alderman Peters asked about other quotes. Ms. Hill stated that Holland and Associates lowered their original quote in order to match the quote from the ECC.

Alderman Leonard restated that Town staff, attorney and citizens demonstrated their support for the Contract with Holland.

The Mayor directed the Clerk to call the roll. The Motion passed 4-1. Alderman Benson voted against the Motion.

**B. Revetment Restoration: Selection of Engineer**

Alderman Benson provided an update to the Board. He presented an assessment of the submitted proposals from firms Arendell and Greene.

Mr. Edes advised the Board that if the Revetment Committee is prepared to make its recommendations to the Board of Aldermen, it should do so formally. Additionally, he recommended that the Committee vote so that it can convey its primary and secondary selections. His recommendations are based on the Settlement Agreement.

Alderman Benson stated that the Plaintiffs have met their obligation by providing two proposals. Mr. Edes stated that, per the Settlement Agreement, the Revetment Committee must present their first and second choice to the Board of Aldermen.

Alderman Leonard expressed a concern that formal meetings with all members have been lacking. He recommended more formal meetings with more structure and better documentation.

With no action to be taken on this item, the Mayor closed the Continuing Business portion of the Agenda.

**X. Open Forum**

Cameron Kuegel of 3902 River Road address the Board. He believes the Revetment Committee should schedule a formal meeting. He believes it has been three months since the last formal meeting. He is pleased that the Town Attorney stated it is the Committee's role to make formal recommendations to the Board. He does not believe there will be enough money to complete either plan proposed at this time.

Mr. Edes suggested to all Revetment Committee members in attendance that the engineering firms be made aware that the Town is only bound to fund a finite amount of money to the project.

**XI. Attorney's Report**

The Town Attorney only has matters for the Closed Session.

**XII. Mayor's Report**

The Mayor reminded attendees of the Ocean City Jazz Festival's schedule of events.

**XIII. Aldermen's Report**

Alderman Leonard thanked the audience for their attendance. He thanked the Board for passing the CAMA Land Use Update Contract. Also, he thanked the Town's police and fire for their work this summer.

Mayor Pro Tem McDermon updated the Board that she joined a committee of representatives from the surrounding towns- Surf City, Topsail and Holly Ridge. The name is the Greater Topsail Community Alliance Committee. The reason for the group is to research possible economic development opportunities that would benefit citizens.

Alderman Yurek also stated his support for the Ocean City Jazz Festival. Due to recent life events, Mr. Yurek does not believe he can devote the amount of time that he would like to give to the position of Aldermen. He is sad to announce his resignation from the Board effective August 3, 2018. He was honored to have the opportunity to serve.

Alderman Peters thanked those who attended the Meeting. He stated that he solicits the input of the citizens, and he especially appreciated the citizens' input regarding the CAMA Land Use Plan.

Alderman Benson echoed the Board's comments. He stated that during a Board planning meeting, the Mayor delegated future need assessment projects, such as the South-End Fire Station, to Aldermen Benson and Peters. Alderman Benson stated that he welcomes this role and looks forward to working with department heads.

Mayor Tuman reminded the Board that Alderman Peters was also delegated the Multi-Use Bike Path.

Also, the Mayor announced that with Alderman Yurek's departure, there will be an opening on the Board of Aldermen.

**XIV. Mayor Pro Tem made a motion to enter into close session. Alderman Peters seconded. The Motion passed unanimously.**

**Closed Session per N.C.G.S. 143-318.11 (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged**



Alderman Leonard made a motion to come out of closed session. Mayor Pro Tem seconded. The Motion passed unanimously.

The Mayor announced that no decision was made.

**XV. Adjournment**

Alderman Leonard made a motion to adjourn. Alderman Yurek seconded. The Motion passed unanimously.

The Meeting ended at 7:56 P.M.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Special Meeting Wednesday, July 25, 2018 9:00 A.M.**

### **Minutes**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard and Peters; Alderman Yurek was present via conference call; Town Manager Chadwick; Town Clerk Oxley**

#### **I. Call to Order**

Mayor Tuman called the Meeting to order at 9:00 AM.

#### **II. Approval of Agenda**

Alderman Leonard made a motion to approve the Agenda. Alderman Benson seconded. The Motion passed unanimously.

#### **III. Comprehensive Shoreline Protection Presentations**

Representatives from the following companies presented proposals for the Board's consideration.

9:00 AM Dawn York and Robert Neal of Moffatt & Nichol

10:00 AM Ken Wilson of APTIM

11:00 AM Fran Way of ATM

#### **IV. Public Comment**

The Mayor opened the Meeting to Open Comment. No one came forward.

**\*There are attachments to the Minutes.**

**V. Adjournment**

Alderman Leonard made a motion to adjourn. Mayor Pro Tem seconded. The Motion passed unanimously.

The Meeting concluded at 11:53 A.M.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

Approved: 08/ /2018

# PROFESSIONAL COASTAL ENGINEERING AND CONSULTING SERVICES

JULY 25, 2018



# Shoreline Management History

- **The Town of North Topsail Beach (NTB) initiated a significant shoreline management effort in 2002 in response to impacts from major storm events from the late 1990's (Fran, Floyd, T.S. Bertha).**
- **The Town constructed Phase 1 of the management plan in 2013 with the realignment of New River Inlet. However, the project performance did not meet expectations along the northern 2,000 ft of the island.**
- **In 2015, the Town constructed Phase 5 of the shoreline management plan along the southern ~3.5 miles of NTB. Construction occurred successfully, but the borrow material required unforeseen screening and rock removal which increased the overall cost.**
- **Phase 2-4 have not been constructed and face significant concerns due to offshore hardbottom, CBRA designation, and increased erosion adjacent to New River Inlet.**

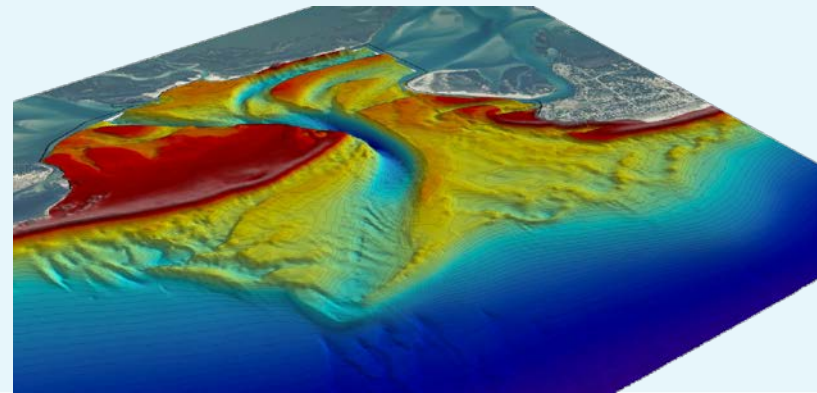
# Current Town Efforts

- **Permitting & Construction of Phase I**
- **Hurricane Recovery Efforts for Phase 5**
- **Discussions with USACE to Expand New River Inlet Realignment Corridor**
- **Investigations to Enlarge Maintenance Footprint of Cedar Bush Cut**
- **On-going Permitting Efforts to Authorize DA143 for Phase 2 (Hardbottom)**
- **Coordination Efforts with Wilmington District to Fund & Construct the Federal CSDR Project**
- **Independent Efforts to Revise CBRA (Coastal Resource Barrier Act) Maps**



# Current Project Constraints

- **Erosion Along North End of Phase 1 Greater than Anticipated from Relocation of New River Inlet**
- **Phase 2 & 4 Contain Nearshore Hardbottom and Have Sediment Criteria Constraints**
- **Offshore Borrow Area Contains Excessive > 3" Clasts**
- **4-Year Minimum Maintenance Interval Required by Permit**
- **Phase 2 – 4 Within a CBRA Zone and Not Eligible for Federal Funding**
- **New River Inlet Maintenance Dredging Postponed Until After Completion of North End Groyne.**
- **North Topsail Beach / Surf City Federal Project On-Hold For Federal Action**
- **Maintenance Dredging of New River Inlet, Cedar Bush Cut & AIWW Will Not Provide Sufficient Volume to Construct & Maintain Phase 1 – 5 With Current Design**



# Shoreline Management Goals

- **One (1) Consulting Firm to Represent the Town Initiatives**
- **Provide Long-Term Strategy to Protect Town's Coastal Infrastructure**
- **Safeguard or Enhance the Town's Tourist Destination Potential**
- **Engineer Plan for Initial Restoration / Continued Maintenance of All Shoreline Phases w/ Realistic Cost & Schedule Estimates**
- **Include Inlet Management Strategy to Address North End Erosion**
- **Evaluate All Potential Sand Sources for Cost Effectiveness**
  - ✓ **New River Inlet**
  - ✓ **Cedar Bush Cut**
  - ✓ **DA143**
  - ✓ **Offshore**
  - ✓ **Truck Haul**
  - ✓ **Combinations or Hybrid Mixture**



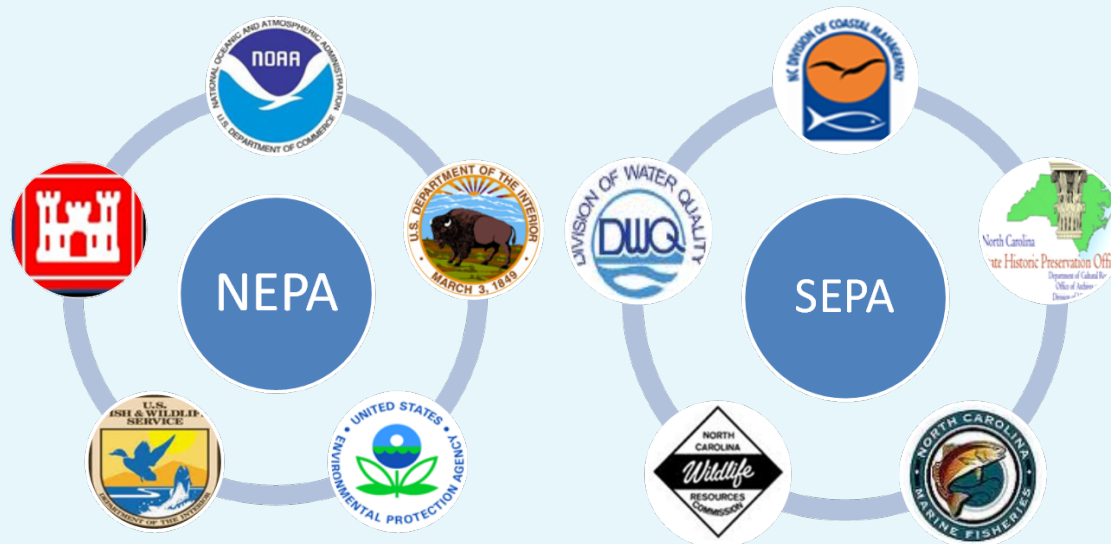
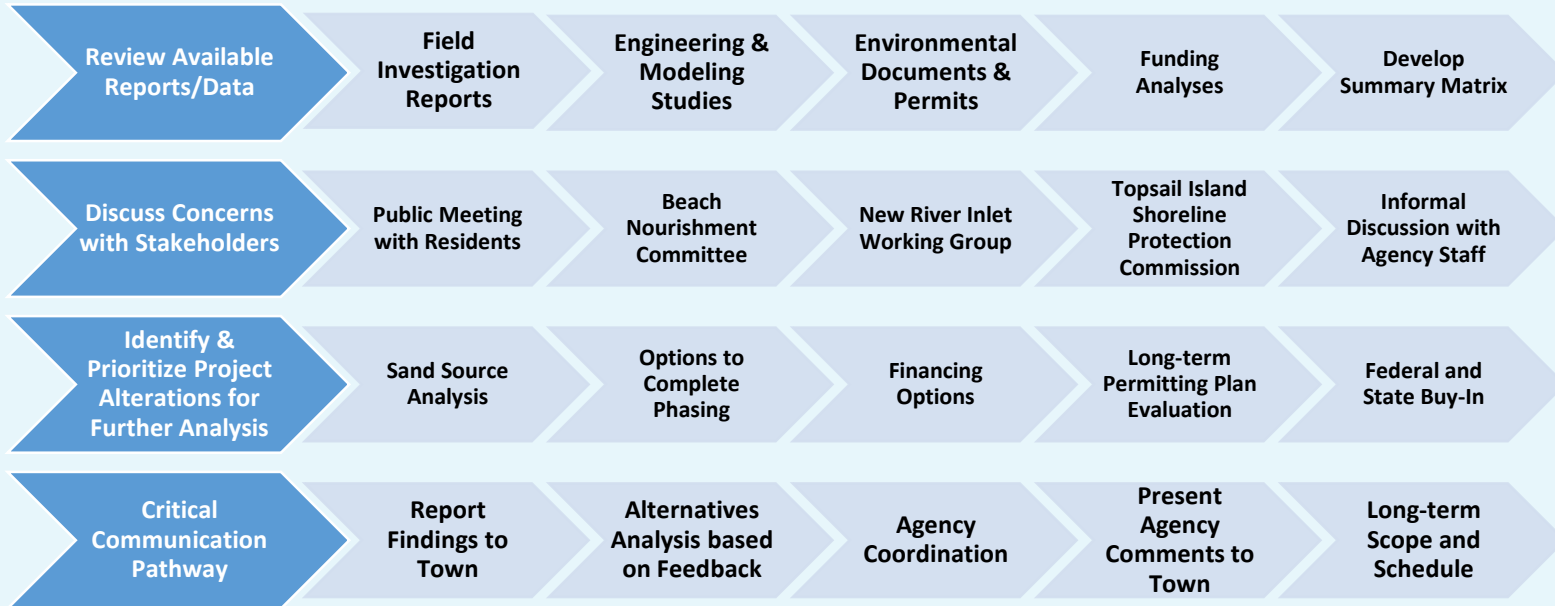
# Moffat & Nichol Team Goals

- **Open Communication with All Stakeholders & Agencies**
- **Seamless Working Relationship With Current Consultants & Contractors**
- **Provide One (1) Long-Term Shoreline Management Plan that Works for the Town and Residents of North Topsail Beach**
  - ✓ **Plan Must Balance the Available Resources (Financial & Environmental) with the Level of Risk Acceptable to the Town**
  - ✓ **Plan Should Consolidate & Streamline Efforts to Focus on the Town's Overall Long-Term Shoreline Management Goal**



The Town of North Topsail Beach currently has multiple Shoreline Management initiatives underway, without a clear path to completion. The new / revised plan will prioritize options & timelines moving forward so efforts can proceed towards a uniform goal.

# Moffatt & Nichol Team Approach



*DC&A's agency relationships will facilitate the success of the Project*

# Moffatt & Nichol Team

## Moffatt & Nichol: Unique Firm Advantages

- **Over 70 Years In Business And 30 Years In North Carolina (ENR Top 100 Firm)**
- **Proven Cost Effective Solutions For Comprehensive Long-Term Coastal Projects**
- **Has The Most Shoreline Management Experience Of Any Team**
- **8 Coastal Engineers In 2 NC Offices and Over 50 Firm Wide**
- **Excellent Understanding of Agency & Permitting Processes**
- **In-House Access to Engineering & Dredging Experts**
- **Strong State & USACE Staff Relationships**
- **Over 90% of Work Is for Existing Clients**



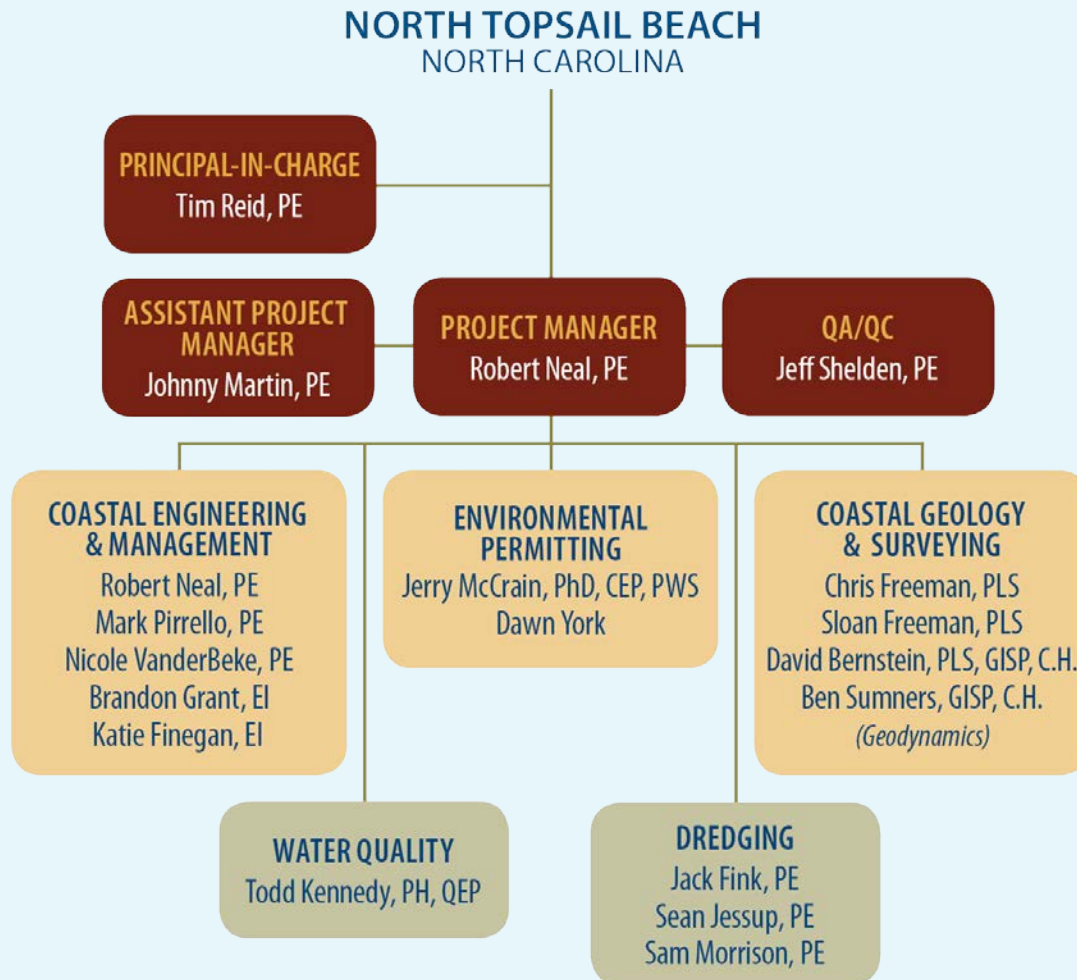
# Moffatt & Nichol Team

## Geodynamics: Unique Firm Advantages

- In Business for Over a Decade Completing ONLY Coastal Mapping Projects
- Focus ALL Business Development, Technology Infrastructure & Staff ONLY On Coastal Mapping
- Extremely Low Employee Turnover - Staff Both Acquire & Process Data (Cradle to Grave Ownership)
- Company Owned Custom Equipment Designed For Environment Specific Tasks
- Local Staff Able to Mobilize Quickly for Storm Damage Assessment
- Woman Owned Small Business
- Blind Eye QA/QC review



# Your Shoreline Management Team



- **Local, State and Regional Staff Available to Assist as Needed.**
- **Internal Environmental Group for Permitting and EIS Documentation**
- **Raleigh and Norfolk Offices Equipped for 1-D, 2-D, & 3-D Modeling Capabilities**

# Key Staff Qualifications

## **Robert Neal, PM**

- ✓ **Over 20 Years Experience in Coastal Engineering & Project Management**
- ✓ **Understands the Local Government Process for Completing Large-Scale Construction Projects**
- ✓ **Engineering Lead for Wilmington, NC M&N Office**
- ✓ **Personal Experience with NTB Shoreline Management Plan (Phase I)**

## **Johnny Martin, Assistant PM**

- ✓ **More Than 24 Years of Coastal Engineering Experience in North Carolina**
- ✓ **Responsible for NC BIMP (Authorizing Document for Shallow Draft Fund & CSDR Fund)**
- ✓ **Project Manager for Two (2) On-Going Master Beach Nourishment Plans**
- ✓ **Project Manger for NC Terminal Groin Study**

## **Dawn York, Environmental Lead**

- ✓ **Over 15 Years Experience in Environmental Permitting for Large-Scale Beach Nourishment Projects**
- ✓ **Environmental Permitting Lead for Bogue Banks Master Beach Nourishment Plan**
- ✓ **Coastal Environmental Lead for M&N in NC**
- ✓ **Previous Experience with NTB 5-Phased EIS and Terminal Groin Study**

# Key Staff Qualifications

## Sam Morrison (Newest Addition to M&N)

- ✓ Brings Excellent Perspective from Contractor's Viewpoint for Cost Controls and Constructability of All Types of Coastal Initiatives
- ✓ Served as Vice President and Area Manager For GLDD
- ✓ Responsible for All Aspects of Dredging Projects from Estimating, Client Relations, Scheduling, Construction Operations



- ✓ Completed Projects in Rio Puerto Nuevo, Port Manatee, Miami Beach, Nags Head, Wilmington Harbor Deepening, Miami Harbor Deepening (Phase III), Bogue Banks and Others.



# Project Experience

- **Bogue Banks Master Beach Nourishment Plan**
  - ✓ **Determine Sand Volume for 50-Yr Beach Nourishment Project**
  - ✓ **Geological Investigations to Determine Feasible Sand Sources**
  - ✓ **Retool FEMA Triggers Level of Protection / Renourishment Threshold (25-Year Level of Protection)**
  - ✓ **Define Dredge Alignment for Bogue Inlet to Enhance Stability**
  - ✓ **Joint Federal and State Environmental Documentation (EIS, BA, EFH)**

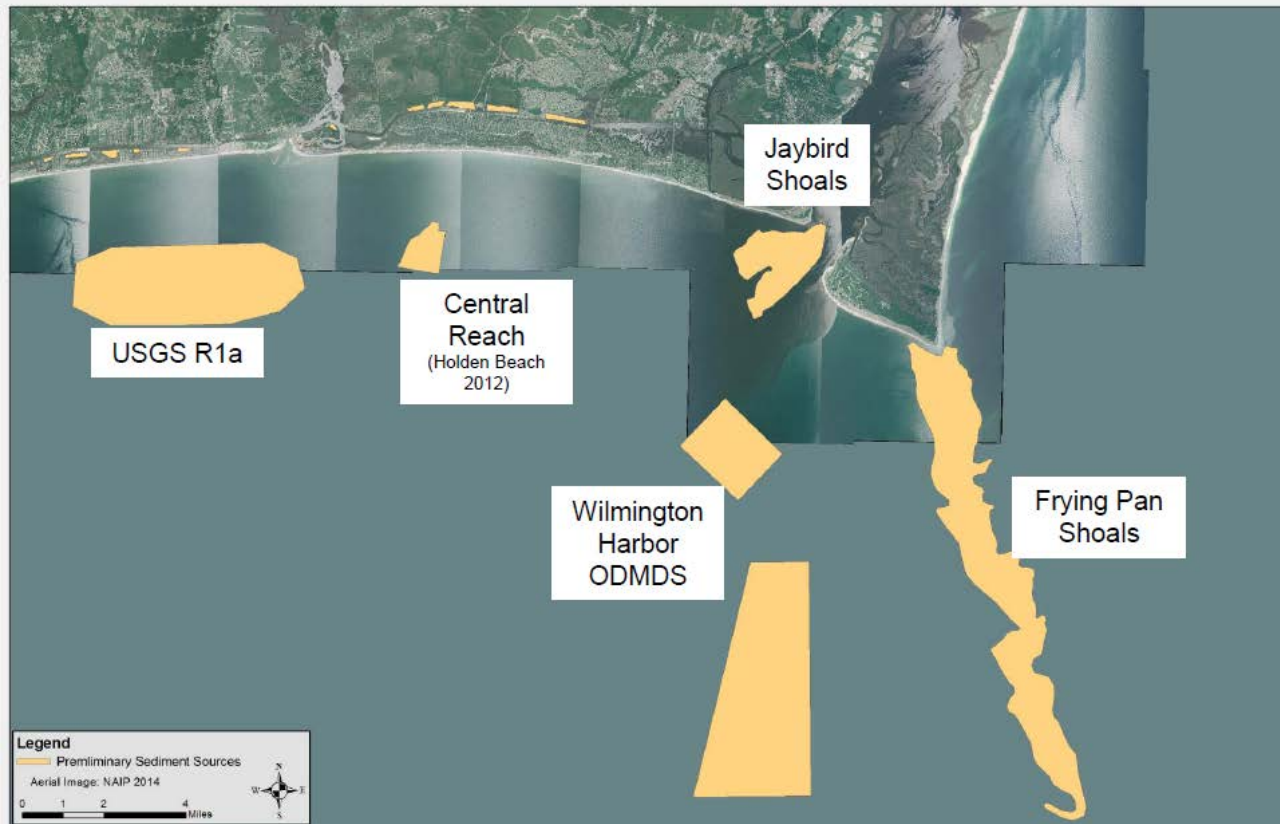




# Similar Ongoing Projects

## ➤ Town of Oak Island Multi-Decadal Master Plan

- ✓ Combine Inlet Maintenance, Upland Sand Sources, & Offshore Borrow Areas to Provide A Minimum 30-Year Protection for Shoreline Management
- ✓ Working with USACE & Neighboring Municipalities to Provide Cost Effective Shoreline Management Solutions
- ✓ Coordinating FEMA Reimbursement Funds to Help Offset Construction Costs
- ✓ Helping the Client Investigate Funding Sources



# Why Moffatt & Nichol Team

- **Local Staff Familiar with North Topsail Beach Shoreline Management History**
- **Able to Provide a Fresh Perspective with National Expertise**
- **Sufficient Local Staff to Handle All Future Shoreline Management Needs**
- **Excellent Relationships with State and Federal Agency Staff**
- **Experienced Staff with Similar Multi-Decadal Plans Completed**
- **Professional Relationships with Current Town Consultants**



***We Want to Support North Topsail Beach in  
Developing a Successful Beach and Inlet  
Management Plan!***

# TOWN OF NORTH TOPSAIL BEACH BEACH MANAGEMENT PLAN

Ken Willson

Adam Priest

Brad Rosov

**July 25, 2018**

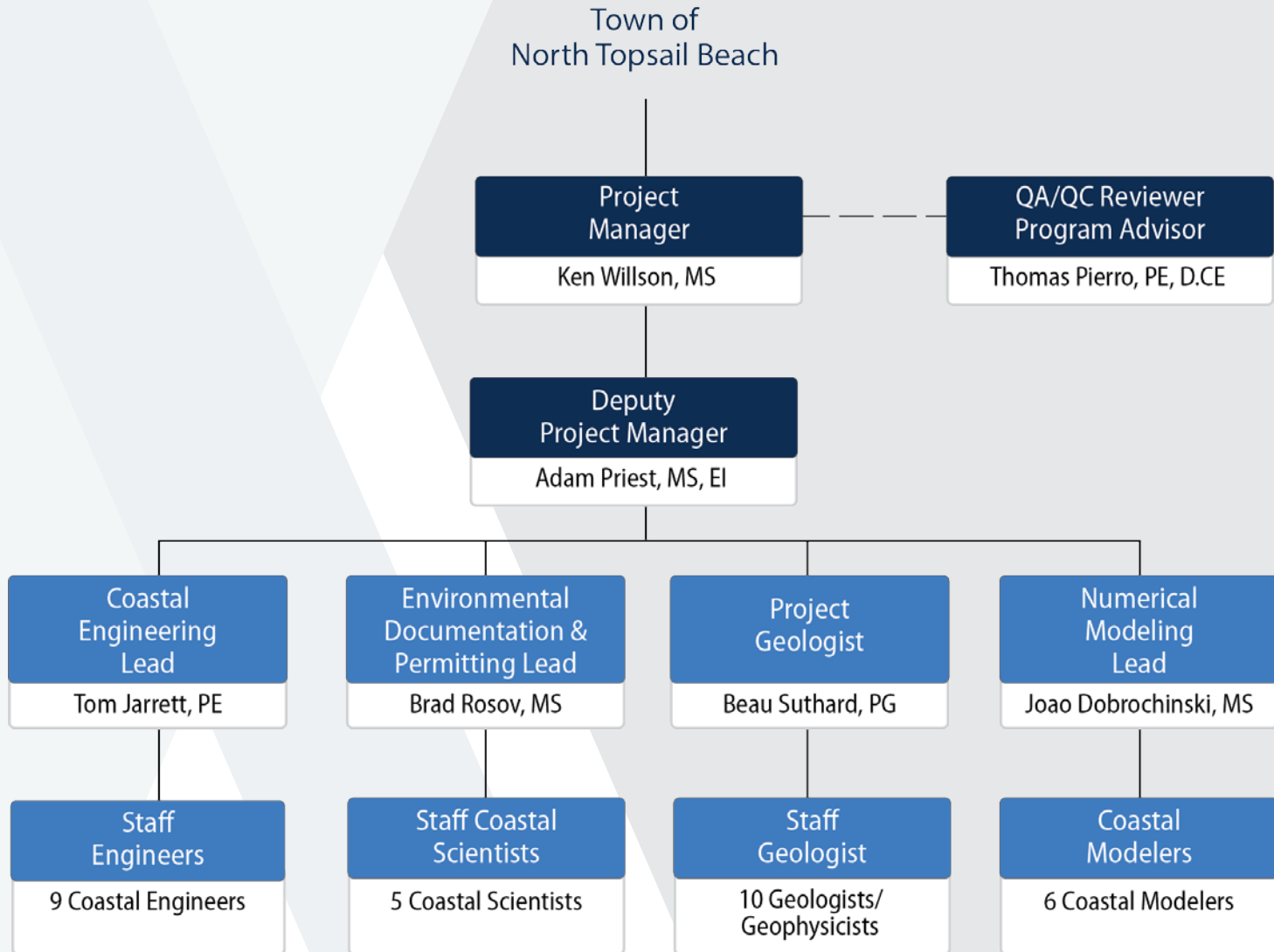


# PRESENTATION OUTLINE:

- I. Project Team
- II. Approach
- III. Why Select APTIM
- IV. Questions



# PROJECT TEAM



TNTB\_500\_2

# APTIM HIGHLIGHTS:

- Coastal services provide to 19 different coastal communities in North Carolina.
- Six (6) Long-Term Comprehensive Shoreline Management Plans
- Seven (7) Beach Nourishment Design/Permitting/Construction Administration
- Nine (9) Financial Strategies Developed
- Three (3) Hardened Structures Alternative Analysis
- Eleven (11) Inlet Management Projects



# OUR APPROACH

# TOWN'S STATED SCOPE

- 1) Develop an overall comprehensive shoreline management plan
  - Work with the Board and Staff to determine Goals/Objectives and Community Priorities
  - Support the Town as they engage with property owners/citizens to determine Community priorities
  - Maximize cost sharing (Shallow Draft Navigation Fund, Beach Nourishment Fund, and Local Government Funds).
  - Incorporate the experiences of Phase 1 and 5 into the shoreline management plan
  - Identify permit modifications required to implement the comprehensive shoreline management plan to be implemented (leverage existing work and findings).
  - Incorporate storm vulnerability analysis method previously used to objectively determine priority areas.
  - Include cost estimates for implementation in the plan to allow fiscal planning
  - Draft Comprehensive Shoreline Management Plan – Delivered in 6 Months



# TOWN'S STATED SCOPE (ADDITIONAL ITEMS)

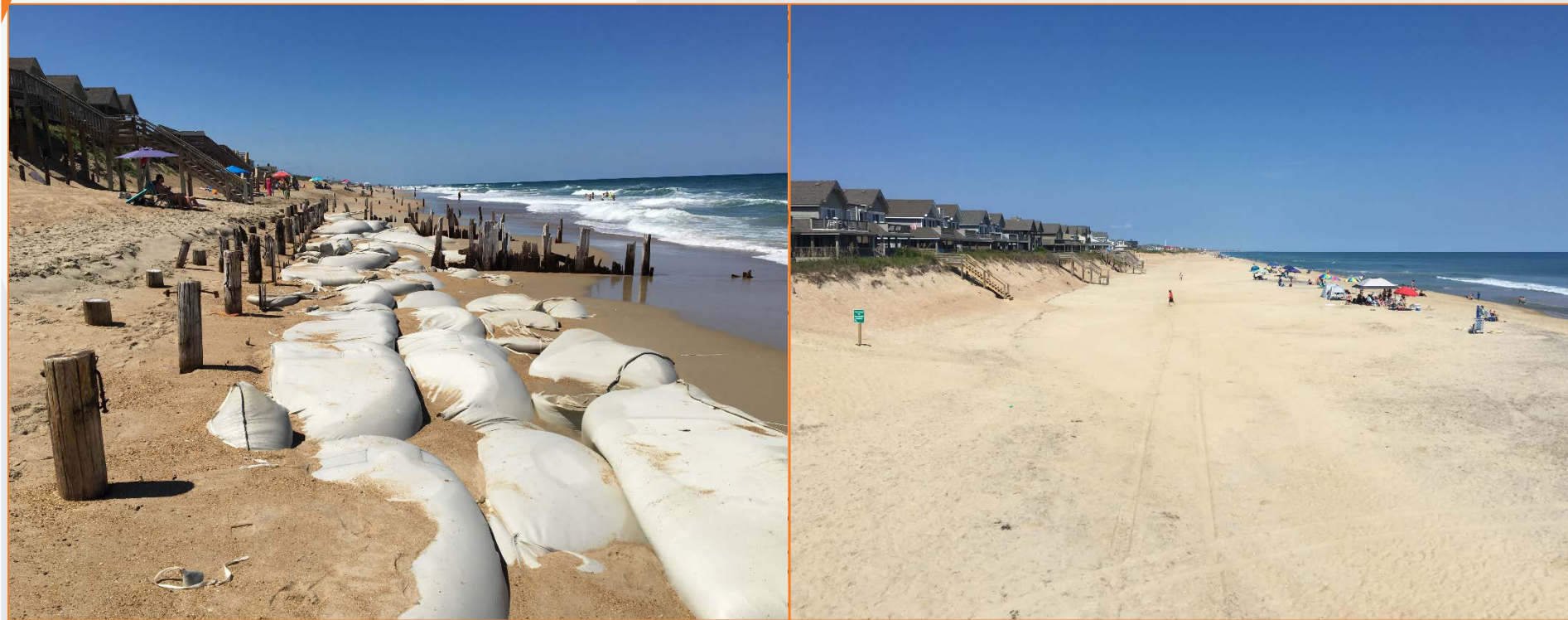




WHY SELECT APTIM?

# HOW WE STACK UP:

## Evaluation Criteria:



Coastline projects, approach to work required, and contractual relationship with local firms.

- **Proximity of the firm's office to the Town of North Topsail Beach (5 Points):**

# QUESTIONS?



# Comprehensive Coastal Engineering and Beach Management

Town of North Topsail Beach

July 25, 2018

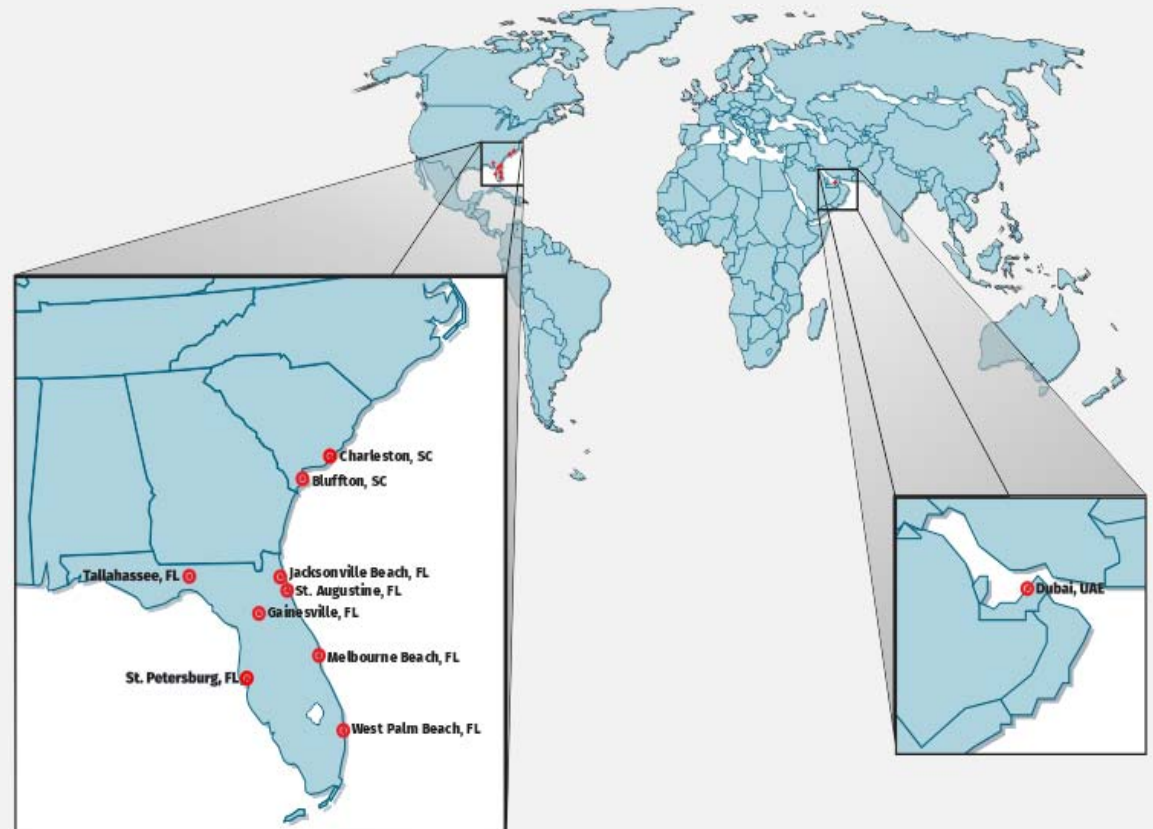


**APPLIED TECHNOLOGY & MANAGEMENT, INC.**



# About ATM

- ▶ **Design, Engineering, and Consulting Firm**
- ▶ **Formed in 1984**
- ▶ **Coastal, Marine, Environmental, and Water Resources Engineering**
- ▶ **Expertise and experience includes the depth and breadth of the Coastal Engineering Discipline**





# ATM TEAM

- ▶ DIALY CORDY & ASSOCIATES

- ▶ Steve Dial
- ▶ Rahlff Ingle

- ▶ Topsail Island Coastal

- ▶ Chris Gibson

# Relevant ATM Experience

- ▶ **Dozens of Coastal Protection projects**
- ▶ **NC projects**
  - ▶ North Topsail Beach
  - ▶ Holden Beach
  - ▶ Wrightsville Beach
  - ▶ Jacksonville
  - ▶ Topsail Beach
- ▶ **Coastal Structures**
- ▶ **Coastal Resiliency**
- ▶ **Funding and Economic Analyses**



Nourishment







## Corporate Summary

- ★ Formed as FL Corporation in 1996
- ★ Offices located in Wilmington NC, Jacksonville Beach and Miami, FL
- ★ 20 employees –Scientists, Planners, and Regulatory Specialists
- ★ Planning, environmental, and regulatory compliance services for federal and state agencies, local governments and the dredging industry
- ★ Recognized leader in NEPA documentation, coastal and marine science, and regulatory services throughout the greater southeast



# Coastal Science, NEPA and Regulatory Compliance



- ★ Prepare 3rd Party NEPA Documents
- ★ Conduct Public Scoping
- ★ Facilitate Agency Consultation
- ★ Develop Supporting Documentation
- ★ Compile Administrative Record
- ★ Coordinate Public Involvement
- ★ Marine Resource Studies
- ★ Monitoring Programs
- ★ Borrow Area Studies
- ★ Secure Permits

*DC&A has extensive experience in marine resource assessments, NEPA/SEPA documentation, and permitting within Onslow Bay.*



Oregon Inlet

PCS Phosphate

Bogue Inlet

Bogue Banks

Fort Macon

North Topsail Beach

Topsail Beach

Figure Eight Island

Brunswick Beaches

69 mi

Data SIO, NOAA, U.S. Navy, NGA, GEBCO

Image USDA Farm Service Agency  
Image U.S. Geological Survey



## Corps of Engineer's Contract Experience

- ★ Support Corps of Engineers since 1989
- ★ Navigation, Flood Control, Shore Protection, Ecosystem Restoration, and Regulatory Programs
- ★ Multi-year contracts held with Savannah, Charleston, Wilmington, Mobile, Jacksonville Districts
- ★ Subcontractor for Nashville, Huntington, Pittsburgh, Norfolk, Omaha, Mobile, Jacksonville, Wilmington, Huntsville, Honolulu, Savannah, and Charleston Districts



## Relevant Shore Protection and Dredging Projects

- ★ Brunswick Beaches Study
- ★ Holden Beach EIS
- ★ Topsail Beach Study
- ★ North Topsail Beach Terminal Groin EIS
- ★ NC DCM Terminal Groin Study
- ★ Ocean Isle Shore Protection Bird Survey
- ★ Oak Island –Long Beach Permitting and Surveys
- ★ Bogue Banks EIS
- ★ Emerald Isle FEMA Project
- ★ PCS Phosphate EIS
- ★ Bonner Bridge EIS
- ★ Port of Wilmington Harbor Deepening EIS
- ★ Dare County Borrow Area Study
- ★ 46 Shore Protection and Inlet Management Projects in the Southeast over 25 years

# Key Staff

- ▶ **Mike Jenkins, PhD, PE – *Principal-in-Charge***
- ▶ **Fran Way, PE – *Project Manager & Associate Principal***
- ▶ **Heath Hansell, PE**
- ▶ **Marc Gold, EI**
- ▶ **Technical/support staff – *CHS (5 P.E.s), JAX, WPB offices***
  
- ▶ **Steve Dial- *Environmental Permitting***
- ▶ **Rahlff Ingle- *Environmental Permitting***
- ▶ **Chris Gibson, PE – *Local Support and Advisory Role***

# Overview

## Recent Phase 1 and Phase 5 Issues

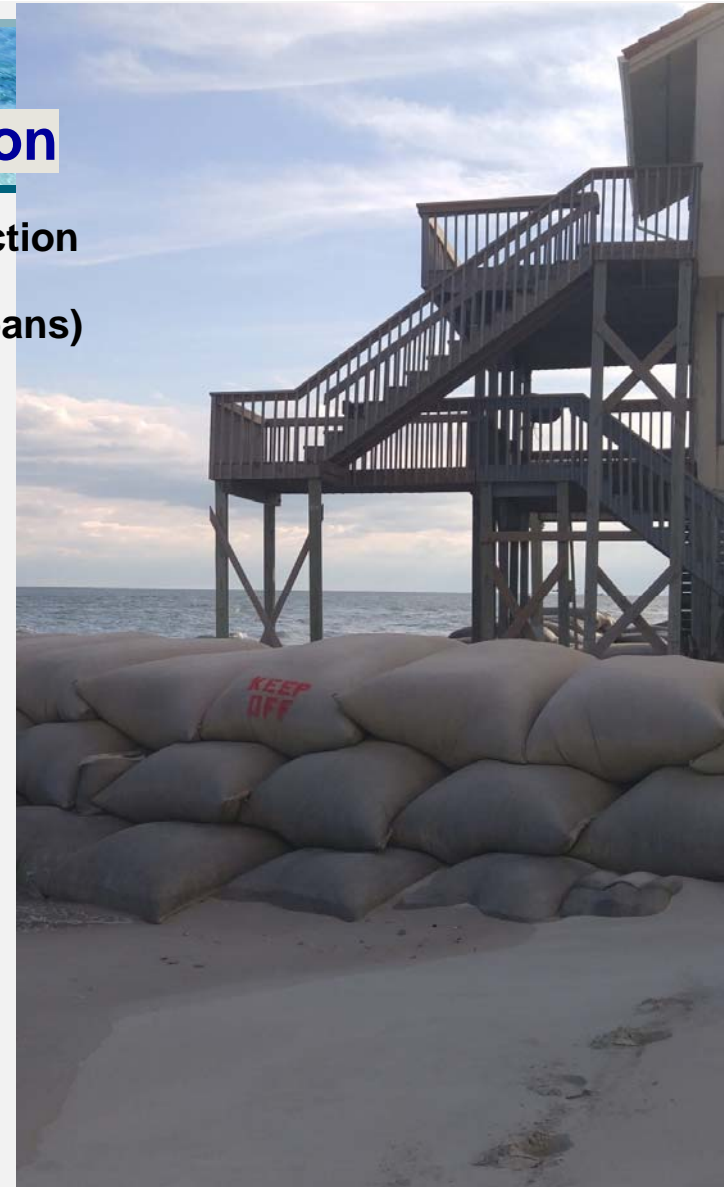


## Phase 5 Rocks



## Factors Influencing the Town's Current Direction

- ▶ Town focus has shifted from interim to long-term shore protection
- ▶ COBRA limiting federal involvement (FEMA, USACE, USDA Loans)
- ▶ State Funding (Dredging and Beach Management)
- ▶ Current north end strategy not working
  - Construction of 3,600-ft sandbag revetment in 2014/2015*
  - >40 homes imminently threatened*
- ▶ Offshore borrow area compatibility issues (rock)
- ▶ Phase 5 in CSDR project
- ▶ Phases 2-4





# Project History

- ▶ **2011 - Final EIS/ROD – 30 year Beach and Inlet Management Plan**
- ▶ **2012 - Permit Modification** - *Increase inlet compatible material volume + Increase Phase 1 beach fill density*
- ▶ **2013 - Permit Modification** - *Jump to Phase 5 + increase Phase 5 beach fill density*
- ▶ **2017- Permit Modification** - *Modify inlet channel alignment (pivot channel)*

Table 3-1. Recent and Planned Nourishment Town Activities along all NTB Shorelines.

Date Completed	Project Name	Volume (cy)	Length (ft)	Volume (cy/ft)	Borrow Area	Stations	Cost (Total)	Cost (\$/cy)
2009	EIS included all 5 shoreline reaches	-	-	-	-	-	-	-
March 2013	Channel Realignment 1	600,000	7,300	82.2	NRI Ebb Channel	1163 1090	\$5,600,000	\$9.33
2014	Sandbag Revetment (including geotube)	50,000	3,600	13.9	NTB "Spit"	1170 1135	\$3,500,000	\$70.00
April 2016	Cedar Bush Cut (CBC)	130,000	1,100	118.2	CBC	1163 1152	\$2,450,000	\$18.85
June 2016	Phase 5 (2nd Event)	1,300,000	18,500	70.3	Offshore	582 767	\$16,800,000	\$12.92
2018/2019	FEMA Truck Haul - Phase 5 Matthew Related	160,000	18,500	8.6	Upland	582 767	\$5,300,000	\$33.13
2018/2019	Channel Realignment 2 (Pivot Channel). Phase 1 and 2 shorelines (3rd Event)	700,000	18,200	38.5	NRI Ebb Channel	970 1152	-	-

# General Approach

## ▶ APPROACH:

- ▶ Continue with “3<sup>rd</sup> Event”
- ▶ Minimize Permitting/Design Fees (Put money into sand)
- ▶ Continue Annual Monitoring
- ▶ Get a suitable offshore borrow area permitted (possible partial funding with State Beach Management fund and FEMA [where applicable])
- ▶ DA-143 alternative
- ▶ Support Town in COBRA issue

Table 6-4. Volumes Available for Borrow Area Alternatives

Location	Volume Available	Reusable
Offshore Borrow Area	6,000,000	Possible
DA-143	1,900,000	No
Cedar Bush Cut	100,000 to 700,000	Yes
AIWW/New River Dredging	50,000	Yes
Outer Ebb Channel	600,000	Yes
Upland Borrow Areas	>200,000	Yes

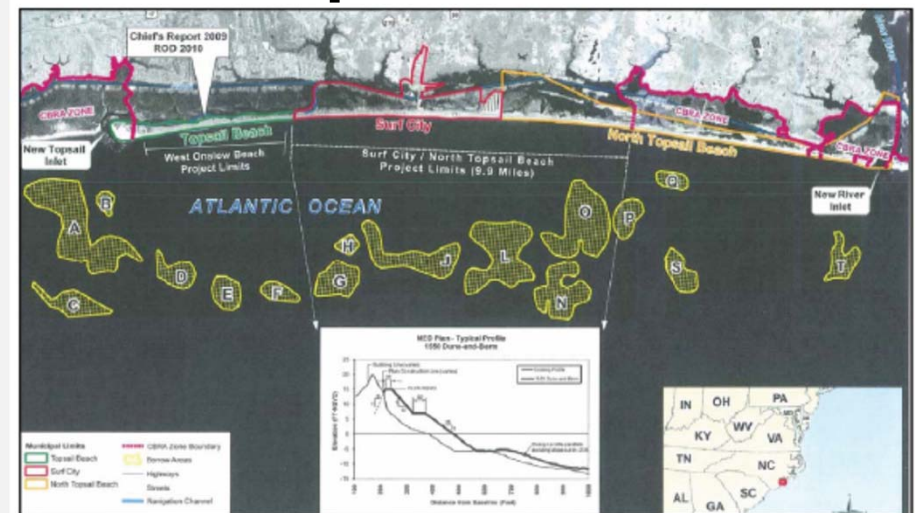


Figure 6-8 Offshore borrow areas identified for the Surf City/NTR USACE project (source: ...)

# 3<sup>rd</sup> Event

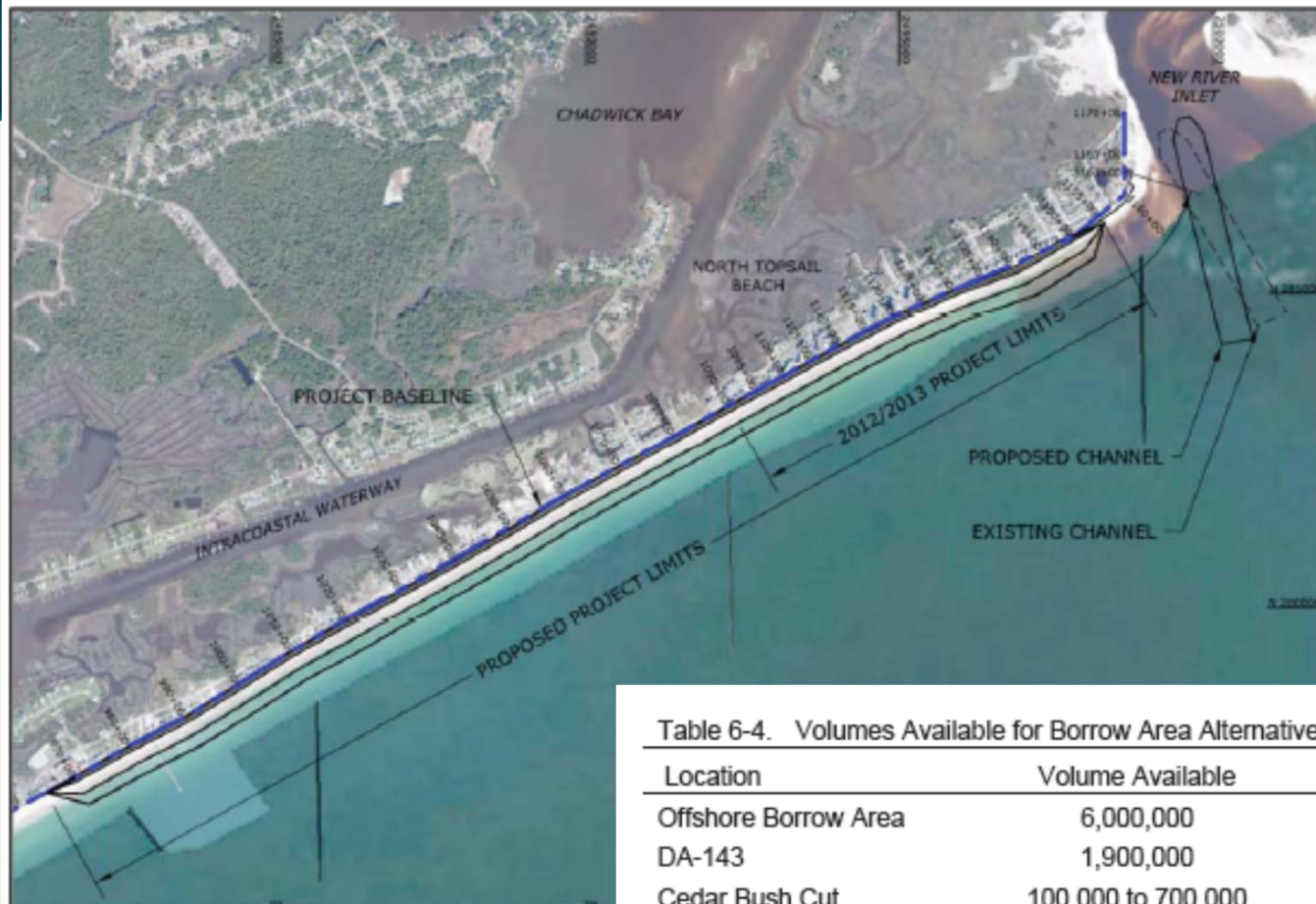


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Cedar Bush Cut	100,000 to 700,000	Yes
AIWW/New River Dredging	50,000	Yes
Outer Ebb Channel	600,000	Yes
Upland Borrow Areas	>200,000	Yes

# Benefits of our Team

- ▶ Specialized niche of ATM, TI Coastal and DCA (not a huge marine engineering firm with high rates and overhead)
- ▶ Strong local presence and experience with NC coastal counties
- ▶ 3rd Party EIS contractor on board –unlike other firms
- ▶ Ability to utilize past studies, modeling etc. to save Town money and value engineer program
- ▶ Long -term representation of NC coastal governments
- ▶ Local staff to support field surveys, monitoring and regulatory meetings – our team has this in-house and can actually do field work.

Thank You



**Coastal, Environmental, Marine & Water Resources Engineering**



# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Workshop Minutes Monday, July 30, 2018 9:00 AM**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard and Peters; Town Manager Chadwick; Planning Director Hill; Town Clerk Oxley**

- I. Mayor Tuman called the Meeting to order at 9:05 AM.
- II. The Board discussed the upcoming Board packet for the August Regular Meeting.
- III. When needed, staff members in attendance provided information.
- IV. No action was taken at this meeting.
- V. Alderman Leonard made a motion to adjourn. Mayor Pro Tem seconded. The Motion passed unanimously. The Workshop adjourned at 10:08 AM

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

Approved: 08/ /2018

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Regular Meeting Minutes Thursday, August 2, 2018 6:30 P.M.**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard, Peters and Yurek; Town Manager Chadwick; Town Clerk Oxley; Town Attorney Edes**

### **I. Call to Order**

Mayor Tuman called the Meeting to order at 6:30 P.M.

### **II. Invocation**

Alderman Peters gave an invocation.

### **III. Pledge of Allegiance**

Mayor Tuman led the attendees in the Pledge of Allegiance.

### **IV. Approval of Agenda**

Mr. Edes recommended adding a closed session to the Agenda for the purpose of consulting with Town's counsel. Also, he recommended that item IX. A. Offer to Purchase Tax Parcel # 779C-8 be removed and discussed in closed session. Alderman Peters made a motion to approve the Agenda as amended. Alderman Leonard seconded. The Motion passed unanimously.

### **V. Open Forum- 3 minute limit**

Mayor Tuman opened the Meeting to an Open Forum. No one came forward to address the Mayor and Board.

\*There is an Attachment to these Minutes.

**VI. Public Presentations and Hearings**

**A. Mr. Kenneth Chestnut of the Ocean City Jazz Festival- Festival Summary**

Mr. Kenneth Chestnut and Mr. Craig Torrey of the Ocean City Beach Citizens Council presented commissioned posters in appreciation for the Town's support of the 2018 Ocean City Jazz Festival. The Mayor received the gifts on behalf of the Town.

**B. Resolution to Honor Ms. Martin**

Mayor Tuman welcomed former Mayor Donald Martin and his family to the Meeting. Mayor Tuman proceeded to read a resolution to honor Mr. Martin's late wife. Alderman Leonard presented a copy of the Resolution to the family.

**C. Resolution of Appreciation for Alderman Yurek**

Mayor Tuman presented a resolution of appreciation to Alderman Yurek for his service to North Topsail Beach. Mr. Yurek previously announced his resignation to be effective after the August 2, 2018 Regular Board Meeting.

**D. Public Hearing: CAMA Land Use Plan Update: Citizen Participation Plan**

Planning Director Hill presented information to the Board regarding the CAMA Land Use Plan. More specifically, she delivered the Planning Board's recommendation to proceed with the Citizen Participation Plan.

Alderman Leonard made a motion to open the public hearing. Alderman Peters seconded the Motion. The Motion passed unanimously. He opened the forum to allow anyone in the audience to provide comments or responses to the information presented by Director Hill. No one came forward.

Mayor Pro Tem made a motion to close the public hearing. Alderman Peters seconded. The Motion passed unanimously.

Mayor Pro Tem made a motion adopt the Citizen Participation Plan for the CAMA Land Use Plan as presented. Alderman Leonard seconded. The Motion passed unanimously.

**E. Public Hearing: Public Hearing Case # 17-03 Bradshaw Subdivision**

Alderman Peters made a motion to open the public hearing. Alderman Benson seconded. The Motion passed unanimously.



Ms. Hill presented information to the Board regarding this matter. She answered questions. She stated that the Planning Board recommends approval of the plat.

Mayor Tuman opened the Hearing for public comment. No one came forward.

Mayor Pro Tem McDermon made a motion to close the Hearing. Alderman Leonard seconded. The Motion passed unanimously.

Alderman Peters asked Town Counsel for his opinion on whether the matter is ready for a vote. Mr. Edes answered that it is appropriate for the Board to vote on the matter at this meeting.

Alderman Peters made a motion to approve the Plan as presented. Alderman Leonard seconded. The Motion passed unanimously.

## **VII. Manager's Report**

Mr. Bryan Chadwick presented the following report:

### **Mid-Year Planning Retreat Report**

We will have our Planning Retreat Mid-Year Update on August 9<sup>th</sup> at 9am. This meeting will help familiarize the new staff with Board five priorities set in February. We want to review them. This will give you the opportunity to let us know how you arrived at these priorities and what has transpired since you listed them. We will also use this time to update you on items we think can be addressed.

### **Hardened Structure Update**

Mayor Tuman and I have been in contact with Dial Cordy. We are planning a meeting with DCM to discuss financing options. In the meantime, ATM and Dial Cordy are working on an EIS for issues raised at the pre-scoping meeting. We are also planning a meeting with Senator Brown and Resource Institute for future funding possibilities.

### **Comprehensive Shoreline Engineering Plans RFQ Distribution**

As you know we met with the three engineering companies that submitted RFQ's last Wednesday. The firms include:

- ATM Engineering
- Moffat and Nichol
- Aptim Coastal Planning and Engineering Co.

**This is on tonight's agenda for discussion and possible action.**

**Meeting with the County Manager**

I have a meeting planned with the County Manager and Assistant County Manager. We will be discussing issues affecting both the Town and the County. We will also discuss how we can work together to “tackle” these issues.

**Ocean City Jazz Festival**

The 9<sup>th</sup> Annual Jazz Festival was a great success this year. I want to thank Mr. Kenneth Chestnutt and Carla and Craig Torey for their hard work in bringing this to our community. Their continued dedication and leadership has allowed this festival to grow every year since its inception. They, as well as all of the volunteers, need to be commended on making this a milestone for North Topsail Beach. We need to remember that next year will be the 10<sup>th</sup> anniversary.

**Alderman Yurek Replacement**

With this being Alderman Yurek’s last meeting, you need to consider a special meeting to discuss his replacement. We have received several applications and you will need to decide how you want to proceed.

**Police Needs Study**

Aldermen Benson and Peters, Chief Younginer, Lieutenant Padgett and I met to discuss preliminary results of the space needs study for the police department. We may discuss this further at the planning retreat mid-year report or at September’s meeting. It will depend on the time needed for the report out.

**Solid Waste Contract**

We have had a number of complaints over the past few months concerning the performance of Waste Industries for refuse collection. Barry and the rest of the staff have had to endure some extremely dissatisfied customers. I am not sure if any of you have had complaints but you may in the future. We will continue to work on this until it is rectified.

**Rescue Tubes**

The rescue tubes have been placed on Town beach accesses by the Sneads Ferry Rotary. We have received a lot of positive feedback for these devices. We will formally recognize them at the September meeting for this donation. Partnerships like this are what makes North Topsail Beach and our community such a wonderful place to visit and live.

**Jeffreys’ Lease**

I have been in contact with the Jeffreys concerning the leasing of the accesses. They will be in contact within the next few days. Our leases will expire on March 31, 2019.

**Department of Environmental Quality Grant Agreement Contract**

We have signed the document for the \$2 million grant for reimbursement for the project at the North End. The State approved the addendum that the town attorney composed.

**Revetment Settlement Committee**

I am now here as a member of the Revetment Settlement Committee and not as town manager.

The revetment settlement committee has met a couple of times since the last Board of Aldermen Meeting. We clarified a few items with all involved.

We met on July 12th. I as a member reminded the committee that we need to follow the settlement agreement. Part of the agreement was to meet with all engineering firms being considered. There was also discussion if we needed to meet them in person. It was decided that we would meet them in person.

On July 31st, we met with both firms here in town hall. After meeting with them, there was discussion on each firm. It was also documented that no other elected official was in the room besides committee member Alderman Benson while discussion concerning each firm was happening. This included the final vote.

At that meeting, the committee selected their first and second choices for engineers. The first choice was Gary Greene Engineers out of Raleigh, NC with a vote of 6 on the committee. The second choice was Arendell Engineers out of Morehead City, NC with a vote of 2 on the committee.

A couple of members of the committee suggested the Town require proof of documentation that Greene has worked with a sandbag contractor. Another concern was if one of the options provided had the ability to receive CAMA approval.

As a member of the committee, I have copies of each proposal for you labeled 1st and 2nd.

**VIII. Consent Agenda**

**A. Approval of Minutes – July 02, 2018; July 5, 2018; July 25, 2018; July 30, 2018**

**B. Department Head Reports**

- 1. Finance Department**
- 2. Fire Department**
- 3. Inspections Department**
- 4. Planning Department**
- 5. Police Department**

**C. Committee Reports**

**1. Planning Board**

**2. Board of Adjustment**

**3. TISPC (Topsail Island Shoreline Protection Commission)- The June Minutes are not posted. The Committee did not meet in July.**

**4. ONWASA (Onslow Water and Sewer Authority)- Minutes have not been posted at this time.**

**D. CodeRed Update**

**E. Applicants for Upcoming Board Vacancy**

Mayor Pro Tem McDermon made a motion to approve the items on the Consent Agenda. Alderman Leonard seconded. The Motion passed unanimously.

**IX. Continuing Business**

**~~A. Offer to Purchase Tax Parcel # 779C-8~~**

**~~(Ms. Deb Hill & Mr. Brian Edes)~~**

This matter deals with the disposition of property, and as such, the Town Attorney recommends moving the item to the Closed Session.

**B. Comprehensive Shoreline Protection Project: Select Engineer Firm**

**(Mr. Bryan Chadwick)**

Mayor Tuman introduced the item. As referenced in the Manager's report, three firms previously presented proposals to the Board. The Mayor asked each Alderman to state his or her vote. ATM received 4 out of 5 votes. Alderman Benson voted for Moffatt and Nichol.

Alderman Leonard made a motion to select ATM. Mayor Pro Tem seconded. The Motion passed unanimously.

**X. Open Forum**

Mayor Tuman invited any audience members to come forward during the Open Forum to address the Board.

Susan Meyer of 2224 New River Inlet Road #138 came forward. She offered her endorsement for Mr. Jeremy Grove for the Board of Aldermen vacancy. She

believes his experience and involvement in the North Topsail Community would be an asset to the Board.

**XI. Attorney's Report**

The Town Attorney wished Alderman Yurek the best in his future endeavors.

**XII. Mayor's Report**

Mayor Tuman provided his well wishes for Alderman Yurek.

**XIII. Aldermen's Reports**

Alderman Benson thanked Alderman Yurek for his service to the Town. He specifically thanked Alderman Yurek for his guidance during Mr. Benson's first months of office, particularly the guidance offered for town financial matters. Also, he provided an update on the Topsail Island Shoreline Protection Committee. North Topsail Beach and Surf City will send representatives to meet with representatives of the South Atlantic Division of the USACE in Atlanta.

Alderman Peters thanked the attendees. Also, he thanked Alderman Yurek for his service to the Town.

Alderman Yurek stated that it was an honor to serve the Board. He appreciated the diverse professional experiences of the Mayor and Aldermen. He stated the backgrounds are strong, and he appreciated the attitude of the group to do the best work they could. He encouraged the Board to stay active in the CAMA Land Use update. As a private citizen, he will continue to support the Town in its efforts to create strategic plans.

Mayor Pro Tem stated it was a pleasuring running for office and serving with Alderman Yurek. She thanked those in attendance at the meeting.

Alderman Leonard thanked everyone who attended the meeting. He thanked Alderman Yurek for his service to the Town and noted that he will be missed. He thanked the Clerk and Planning Director Hill for assisting in the Town's efforts to honor Ms. Martin. Lastly, town representatives participated in the Marine Raiders March. Out of the 7 town participants, 6 people were prior Marine or Navy.

**XIV. Closed Session per N.C.G.S. 143-318.11 (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount**

**of compensation and other material terms of an employment contract or proposed employment contract.**

Alderman Peters made a motion to enter Closed Session. Alderman Benson seconded. The Motion passed unanimously.

Alderman Leonard made a motion to come out of Closed Session. Alderman Peters seconded. The Motion passed unanimously.

The Mayor announced that no decision was made in Closed Session.

**XV. Adjournment**

Alderman Leonard made a motion to adjourn. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

**STAFF REPORT** CONTACT INFORMATION

Deborah J. Hill, MPA AICP CFM CZO/Planning Director/910.328.1349 ext 0027 dhill@ntbnc.org

DOCKET/CASE/APPLICATION NUMBER  
Case #SD-17-03 Final Subdivision

APPLICANT/PROPERTY OWNER  
Durwood T & Janice S Bradshaw

PUBLIC HEARING DATE  
August 2, 2018

PROPERTY ADDRESS/LOCATION  
4021 Island Drive

**BRIEF SUMMARY OF REQUEST**

On behalf of the owners, Durwood T and Janice S Bradshaw, Pete Vinal is requesting final approval of subdivision plat by V. Derek Danford/Danford & Associates Land Surveying dated April 26, 2017.



MAP SOURCE  
V. Derek Danford sketch plat 11/3/2017

EXISTING ZONING <b>B-1 (COMMERCIAL)</b>	EXISTING LAND USE <b>COMMERCIAL</b>	SURROUNDING ZONING & LAND USE <b>B-1 ROGERS BAY</b>	SITE IMPROVEMENTS <b>RURAL RETAIL ICE VENDING</b>	SIZE OF PROPERTY <b>2.822 ACRES/ 122,917 SQ FT</b>
--	--	--	--	---

**APPROVE<sup>1</sup>**

PLANNING BOARD RECOMMENDATION  
**APPROVE WITH CONDITIONS**

**DENY**

**COMPATIBILITY with the LAND USE PLAN  
MIXED USE BUSINESS**



**PROPERTY HISTORY**

Existing commercial development compatible with adjacent land use, travel trailer park

Development plans for new construction of commercial space will be reviewed for compliance with traffic/parking; public works/utilities; engineering/flood plain/soil; building code/fire or design.

**COMPATIBILITY with the ZONING ORDINANCE**

The property is zoned B-1, existing land use is commercial. The applicant eliminated Lot 6 and all lots are below maximum impervious surface 30%. Development plans involving new construction of commercial space must be approved by the Board of Aldermen before issuance of a zoning permit (ref UDO 2.06.07 (A)(1))

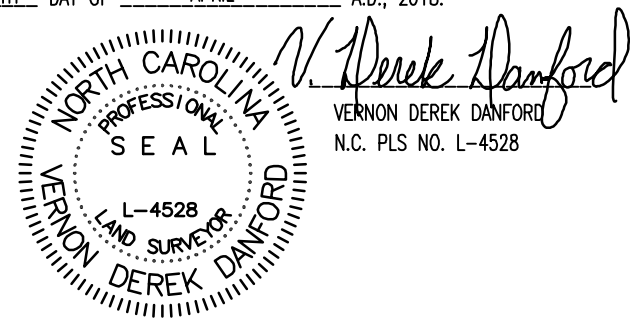
**ATTACHMENTS (CIRCLE)**

- SUBMITTED PLANS
- PUBLIC HEARING PETITION/ APPLICATION FORM
- LEGAL NOTICE
- LEGAL DESCRIPTION
- PUBLIC COMMENTS
- AGENCY COMMENTS
- RESPONSE TO STANDARDS

**OTHER (DESCRIBE)**

<sup>1</sup> The Planning Board conducted a special meeting on June 21, 2018. Include proper certifications. Mr. Dorazio made a motion to recommend to the Board of Aldermen to conduct a public hearing and approve the final plat, with the condition that the final plat include the proper certifications. Mr. Matthews seconded the motion, motion passed unanimously. The surveyor has since included the proper certifications. (NOTE: See Public Comments)

ONSLOW COUNTY NORTH CAROLINA  
 I, VERNON DEREK DANFORD, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK \_\_\_\_\_ AS \_\_\_\_\_ PAGE \_\_\_\_\_, SHOWN \_\_\_\_\_); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK \_\_\_\_\_ AS \_\_\_\_\_ PAGE \_\_\_\_\_, SHOWN \_\_\_\_\_; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10000; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2018.



ONSLOW COUNTY NORTH CAROLINA  
 THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A TOWN THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

Vernon Derek Danford  
 N.C. PLS NO. L-4528

LINE	BEARING	LENGTH
L1	S52°10'54"W	92.23
L2	N37°49'06"W	14.83
L3	S60°27'16"W	30.07
L4	N31°43'18"W	13.92
L5	N37°23'46"W	28.98
L6	N75°13'13"W	14.93
L7	N50°14'40"W	34.90
L8	N30°35'39"W	28.34
L9	N13°55'54"W	33.80
L10	S65°03'29"W	175.94
L11	N27°31'43"W	14.51
L12	N62°41'48"E	171.20
L13	N65°10'54"E	15.27
L14	N03°51'59"W	16.07
L15	N24°09'48"W	89.97
L16	N56°55'42"E	60.62
L17	S82°03'30"W	4.22
L18	S24°34'51"W	20.92
L19	S14°46'51"E	12.82
L20	S12°00'16"E	16.52
L21	S30°35'39"E	20.26
L22	S50°14'40"E	25.43
L23	S75°13'13"E	9.61
L24	S61°08'59"E	37.77

ONSLOW COUNTY NORTH CAROLINA  
 FILED FOR REGISTRATION ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018,  
 AT \_\_\_\_\_ AM/PM AND DULY RECORDED IN MAP BOOK \_\_\_\_\_ AT PAGE \_\_\_\_\_

Rebecca L. Pollard  
 REGISTER OF DEEDS  
 BY: \_\_\_\_\_

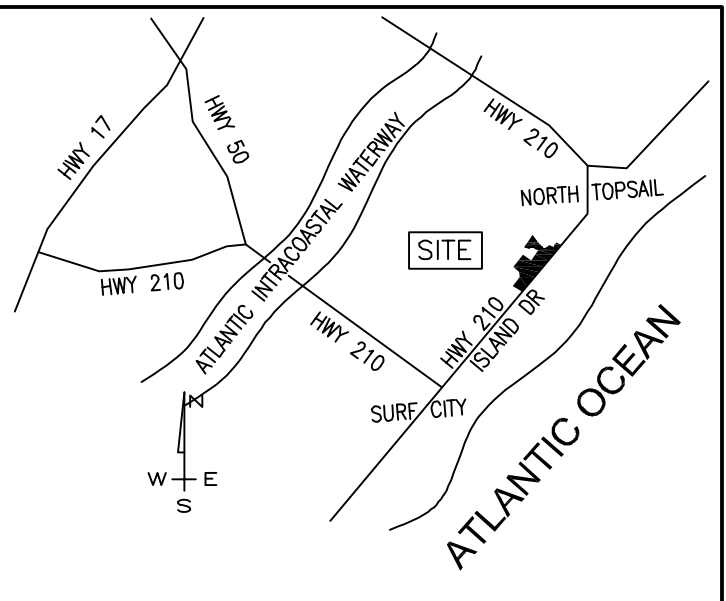
CERTIFICATE OF OWNERSHIP, DEDICATION AND JURISDICTION:  
 THE UNDERSIGNED HEREBY ACKNOWLEDGES THIS PLAT AND ALLOTMENT TO BE (HIS, HER, THEIR) FREE ACT AND DEED, AND HEREBY DEDICATES TO PUBLIC USE AS STREETS, PLAYGROUNDS, PARKS, OPEN SPACES, AND EASEMENTS FOREVER ALL AREAS SO SHOWN OR INDICATED ON SAID PLAT.

DATE \_\_\_\_\_ OWNER(S) / AGENT \_\_\_\_\_

DURWOOD T. BRADSHAW and wife, JANICE S. BRADSHAW  
 1777 KINGS LANDING ROAD  
 HAMPSTEAD, NORTH CAROLINA 28443

REVIEW OFFICER OF ONSLOW COUNTY,  
 CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL REQUIREMENTS FOR RECORDING.

DATE \_\_\_\_\_ REVIEW OFFICER \_\_\_\_\_



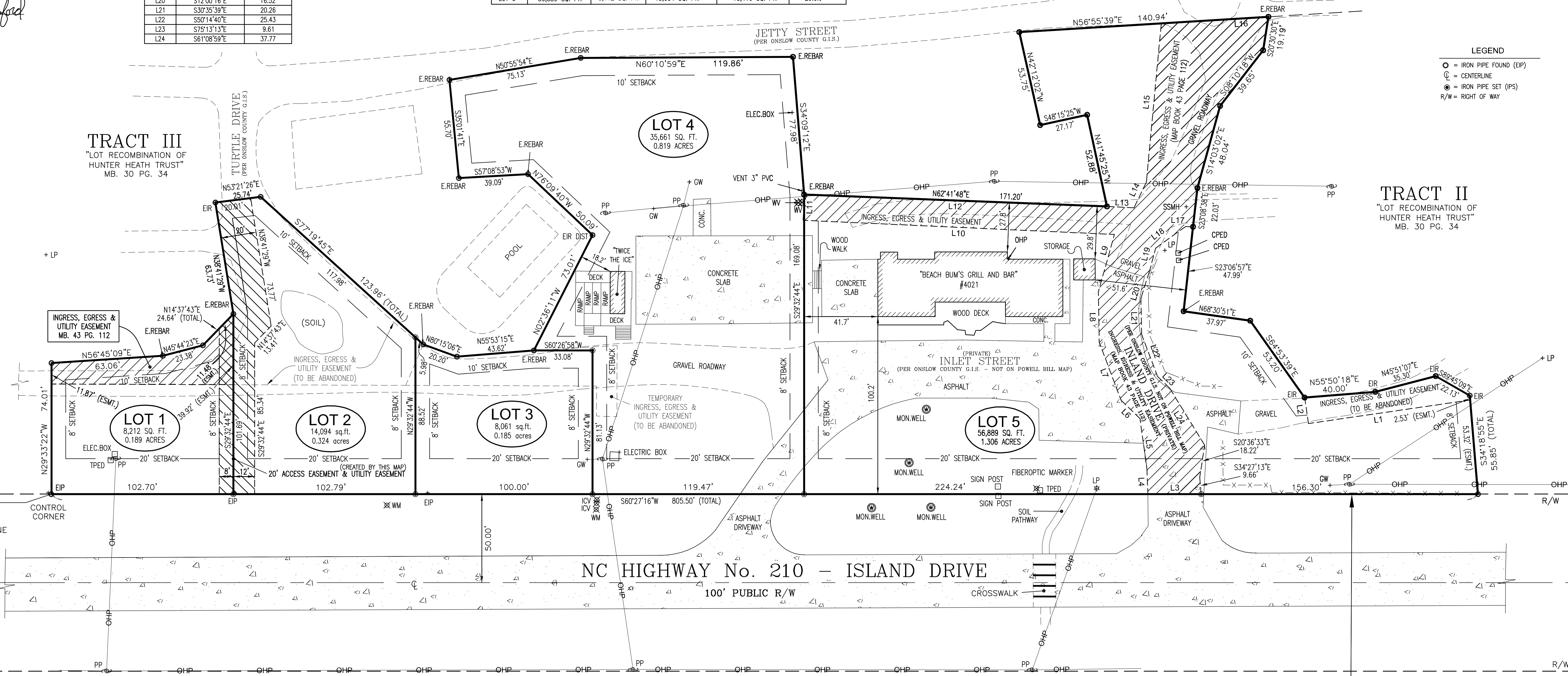
LOCATION MAP  
 NOT TO SCALE

IMPERVIOUS CALCULATIONS					
LOT	LOT AREA	BUILDINGS	CONCRETE/ASPHALT	TOTAL IMPERVIOUS AREA	% OF COVERAGE
LOT 1	8,212 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0%
LOT 2	14,094 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0%
LOT 3	8,061 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0 SQ. FT.	0%
LOT 4	35,661 SQ. FT.	198 SQ. FT.	5,690 SQ. FT.	5,888 SQ. FT.	16.5%
LOT 5	56,889 SQ. FT.	3,412 SQ. FT.	15,004 SQ. FT.	18,416 SQ. FT.	29.9%

**TRACT III**  
 "LOT RECOMBINATION OF HUNTER HEATH TRUST"  
 MB. 30 PG. 34

- NOTES**
- THESE LOTS ARE LOCATED IN ZONE AE (EL. 11) (EFFECTIVE) AS EL. 12 (PRELIMINARY) PER FRIS ON FIRM MAP NUMBER # 3720426800 J DATED: NOVEMBER 3, 2005 THIS LOT IS LOCATED IN A COBRA ZONE
  - THESE LOTS ARE SUBJECT TO ALL EASEMENTS, RESTRICTIONS, OR
  - THIS SURVEY WAS PREPARED UNDER THE BENEFIT OF A TITLE REPORT, WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS OR RIGHT OF WAYS NOT SHOWN HEREIN.
  - NO APPARENT WETLANDS ON SITE.
  - THE PURPOSE OF THIS MAP IS TO DIVIDE ONE PARCEL INTO FIVE.
  - ZONING: B-1 MINIMUM LOT SIZE: 8,000 SQ.FT. MINIMUM SETBACKS: FRONT 20' SIDE 8' REAR 10'
  - MINIMUM LOT WIDTH: 50' MAXIMUM BUILDING HEIGHT: 48' MAXIMUM LOT COVERAGE: 30%
  - ALL DISTANCES ARE GROUND HORIZONTAL.
  - ALL IMPROVEMENTS ARE DIGITIZED FROM ONSLOW COUNTY G.I.S.
  - NO STREETS ARE PROPOSED TO BE CREATED OR ALTERED. ALL LOTS HAVE FRONTAGE AND ACCESS TO PUBLIC RIGHT OF WAY, NC HIGHWAY No. 210.
  - TOTAL AREA: 2.822 ACRES.
  - WATER SERVICE BY PLURIS.
  - SEWER SERVICE BY ONKAWA.
  - ELECTRIC SERVICE BY JONES-ONSLOW ELECTRIC MEMBERSHIP CORPORATION.
  - PER JASON DAIL, FIELD REPRESENTATIVE WITH THE NC DEPARTMENT OF ENVIRONMENTAL QUALITY, THE PRELIMINARY FINDINGS ARE THAT THIS PROPERTY IS NOT CONSIDERED TO BE PART OF THE "D" OR "C" CLASSIFICATION WITH THAT SAID, PROVIDED NO DEVELOPMENT TAKES PLACE WITHIN 75' OF THE NORMAL HIGH WATER LINE ASSOCIATED WITH ALL WATERS COMPRISING ROYERS BAY, DOES NOT FALL WITHIN 575' OF WATERS LOCATED SOUTH OF HUNTER HEATH DRIVE, AND DOES NOT REST WITHIN 160' OF THE FIRST LINE OF STABLE NATURAL VEGETATION (FLSN), NO CMAA PERMIT WILL BE REQUIRED.

**TRACT III**  
 "LOT RECOMBINATION OF HUNTER HEATH TRUST"  
 MB. 30 PG. 34



- LEGEND**
- = IRON PIPE FOUND (IPF)
  - = CENTERLINE
  - ⊙ = IRON PIPE SET (IPS)
  - R/W = RIGHT OF WAY

**TRACT II**  
 "LOT RECOMBINATION OF HUNTER HEATH TRUST"  
 MB. 30 PG. 34

**OWNER'S CERTIFICATE AS TO SEWER SERVICE**

I CERTIFY (i) THAT I AM THE OWNER OF THE LANDS SHOWN ON THIS MAP AND OF ALL OF THE SEWER SERVICE INFRASTRUCTURE LOCATED ON SUCH LANDS, (ii) THAT ALL REQUIRED SEWER SERVICE IMPROVEMENTS HAVE BEEN CONSTRUCTED WITHIN THE STREETS AND/OR UTILITY EASEMENTS SHOWN ON THIS MAP IN ACCORDANCE WITH PLANS AND SPECIFICATIONS APPROVED BY THE SEWER SERVICE PROVIDER, FREE OF LIENS AND ENCUMBRANCES, (iii) THAT THE SEWER SERVICE PROVIDER IS HEREBY GRANTED A PERPETUAL EASEMENT OVER ALL STREETS AND UTILITY EASEMENTS SHOWN ON THIS MAP, AND (iv) THAT THE UNDERSIGNED WARRANTS TO THE SEWER SERVICE PROVIDER FOR A PERIOD OF 18 MONTHS FROM THE DATE OF THIS CERTIFICATION THAT SUCH IMPROVEMENTS ARE FREE FROM DEFECTS IN MATERIALS AND WORKMANSHIP.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018,  
 DURWOOD T. & JANICE S. BRADSHAW  
 BY: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

**CERTIFICATE AS TO SEWER UTILITIES AND DEDICATION**

I HEREBY CERTIFY THAT THE PLANS AND SPECIFICATIONS FOR THE SEWER SERVICE IMPROVEMENTS FOR DURWOOD T. & JANICE S. BRADSHAW DIVISION HAVE BEEN REVIEWED BY THE SEWER SERVICE PROVIDER, THAT SUCH SEWER SERVICE IMPROVEMENTS HAVE BEEN CONSTRUCTED, AND THAT THE SEWER SERVICE PROVIDER HEREBY ACCEPTS THE DEDICATION OF THE SEWER SERVICE IMPROVEMENTS ALONG WITH ASSOCIATED EASEMENTS.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018,  
 [NAME OF SEWER SERVICE PROVIDER]  
 BY: \_\_\_\_\_  
 PRINT NAME: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

**OWNER'S CERTIFICATION AS TO WATER SERVICE**

I CERTIFY (i) THAT I AM THE OWNER OF THE LANDS SHOWN ON THIS MAP AND OF ALL OF THE WATER AND/OR SEWER INFRASTRUCTURE LOCATED ON SUCH LANDS, (ii) THAT ALL REQUIRED WATER AND/OR SEWER IMPROVEMENTS HAVE BEEN CONSTRUCTED WITHIN THE STREETS AND/OR UTILITY EASEMENTS SHOWN ON THIS MAP IN ACCORDANCE WITH PLANS AND SPECIFICATIONS APPROVED BY THE ONSLOW WATER AND SEWER AUTHORITY (ONWSA), (iii) THAT ALL SUCH WATER AND/OR SEWER IMPROVEMENTS ARE HEREBY DEDICATED AND CONVEYED TO ONWSA, FREE OF LIENS AND ENCUMBRANCES, (iv) THAT ONWSA IS HEREBY GRANTED A PERPETUAL EASEMENT OVER ALL STREETS AND UTILITY EASEMENTS SHOWN ON THIS MAP, AND (v) THAT THE UNDERSIGNED WARRANTS TO ONWSA FOR A PERIOD OF 18 MONTHS FROM THE DATE OF THIS CERTIFICATION THAT SUCH IMPROVEMENTS ARE FREE FROM DEFECTS IN MATERIALS AND WORKMANSHIP.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018,  
 DURWOOD T. & JANICE S. BRADSHAW  
 BY: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

**CERTIFICATE AS TO WATER UTILITIES AND DEDICATION**

I HEREBY CERTIFY THAT THE PLANS AND SPECIFICATIONS FOR THE WATER AND/OR SEWER IMPROVEMENTS FOR THIS SUBDIVISION HAVE BEEN REVIEWED AND APPROVED BY ONSLOW WATER AND SEWER AUTHORITY THAT SUCH WATER AND/OR SEWER IMPROVEMENTS HAVE BEEN CONSTRUCTED, AND THAT THE ONSLOW WATER AND SEWER AUTHORITY HEREBY ACCEPTS THE DEDICATION OF THE WATER AND/OR SEWER IMPROVEMENTS ALONG WITH ASSOCIATED EASEMENTS.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018,  
 ONSLOW WATER AND SEWER AUTHORITY  
 BY: \_\_\_\_\_  
 PRINT NAME: \_\_\_\_\_  
 TITLE: \_\_\_\_\_

THIS SUBDIVISION CONFORMS TO THE STANDARDS OF THE NORTH CAROLINA COASTAL AREA MANAGEMENT ACT OF 1974, BEING G.S. §§ 113A-100 ET SEQ. AND IS NOT LOCATED WITHIN AN AREA OF ENVIRONMENTAL CONCERN.

NORTH TOPSAIL BEACH PLANNING DIRECTOR

"APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF NORTH TOPSAIL BEACH, NORTH CAROLINA, EFFECTIVE ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

SIGNED MAYOR, TOWN OF NORTH TOPSAIL BEACH"

FIRST LINE OF STABLE NATURAL VEGETATION FLAGGED BY JASON DAIL, FIELD REPRESENTATIVE WITH THE NC DEPARTMENT OF ENVIRONMENTAL QUALITY, ON JANUARY 18, 2018.

Land Projects\HUNTER HEATH TRUST-TRACT 1-SIDE SOUND PROPERTY.DWG\HUNTER HEATH TRUST-TRACT 1-SIDE SOUND PROPERTY.dwg

**DANFORD & ASSOCIATES**  
 LAND SURVEYING, P.C.  
 4002 1/2 OLEANDER DRIVE  
 SUITE 203  
 WILMINGTON, NC 28403  
 PHONE (910) 799-4916  
 FIRM LIC# C-2797  
 email: ddanf@danfordsurveying.com

**FINAL PLAT**  
**DURWOOD T. & JANICE S. BRADSHAW DIVISION**  
 TRACT 1 HUNTER HEATH TRUST RECOMBINATION 4021 ISLAND DRIVE  
 MAP BOOK 43 PAGE 112 4021 ISLAND DRIVE TAX PARCEL ID # 053150 DEED BOOK 3265 PAGE 25  
 TOWN OF NORTH TOPSAIL ONSLOW COUNTY NORTH CAROLINA

APRIL 26, 2018  
 30 0 15 30 60  
 1 INCH = 30 FEET  
 © DANFORD & ASSOCIATES LAND SURVEYING, PC





Town of North Topsail Beach

SUBDIVISION & SITE PLAN APPLICATION

Date: 3.13.18  
~~1-12-18~~

CASE NO. SD- 17 - 03

Check #: 4044

Receipt #- \_\_\_\_\_

Name of Subdivision: DURWOOD T. & JANICE S. BRADSHAW DIVISION (FORMERLY HUNTER HEATH)

Location: (Road name & SR number) \_\_\_\_\_

Subdivisions/PUDs

- Sketch \$300
- Preliminary \$300
- Final \$150

R = REVIEW BODY; D = DECISION-MAKING BODY; A = APPEALS BODY; H = PUBLIC HEARING REQUIRED; N = NEWSPAPER NOTICE; M = MAILED NOTICE; P = POSTED NOTICE				
Subdivision of Land (reference: Sec. 2.06.05; Sec. 6.01) Planned Unit Developments (Sec. 2.06.03; Sec. 6.02)	REVIEW, DECISION-MAKING			PUBLIC NOTICE REQUIRED
	STAFF	PB	BOA	
Sketch plan	R <sub>10</sub>	D		
Preliminary	R <sub>10</sub>	R <sub>10</sub>	D/H*	M,P
Final	R <sub>10</sub>	R <sub>10</sub>	D/H*	M,P

Exemptions

- \$50.00
- Site Plans**
- Special Requirement Site Plans (includes CUP fee) \$750.00
- Commercial Site Plan Review (includes CUP fee) \$750.00

Tax Parcel ID: 053150  
 Total acreage: 2.822 ACRES  
 Number of lots: 6 (six)

Smallest lot: 7,362  
 Average lot size: 20,488 SQ. FT.  
 Zoning District: B-1

Infrastructure:

- Water Supply:  ONWASA     well     community system
- Sewer Type:  Pluris     septic     community system
- Streets:  public     private

Surveyor/Engineer: VERNON DEDEK DANFORD NCPS / DANFORD & ASSOC. LAND SURVEYING, PC  
 Address: 4002 1/2 Oleander Dr. Suite 203  
 Phone: 910-799-4916  
 Email address: ddanfod@danfordsurveying.com

Developer

Address \_\_\_\_\_  
 Phone Fax \_\_\_\_\_  
 Email address \_\_\_\_\_

Property Owner

Durwood & Janice Bradshaw  
 Address: 1777 King Landing Rd  
 Phone Fax \_\_\_\_\_  
 Email address: bradshaw.janice1@gmail.com  
cc = Noannie II@BOA.com

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters  
Walter Yurek



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

NOTICE OF PUBLIC MEETING  
Town of North Topsail Beach  
Board of Aldermen  
Thursday, August 2, 2018  
6:30 p.m.

The North Topsail Beach Board of Aldermen will hold a public hearing on Case #SD-17-03 at 6:30 p.m. on Thursday, August 2, 2018, in the 1st floor conference room located at 2008 Loggerhead Court, North Topsail Beach, North Carolina.

Owners, Durwood T & Janice S Bradshaw are requesting approval of the final subdivision plat of their property at 4021 Island Drive, TR1 HUNTER HEATH TRUST (Tax Map # 769-4.2). The property, zoned B-1 Business District, is located approximately 1.5 miles southwest of the intersection of Island Drive and New River Inlet Road.

All information pertaining to this public hearing may be viewed at the Town Hall, Monday through Friday between the hours of 8:00 am and 5:00 pm. All property owners and interested citizens are encouraged to attend and will be given an opportunity to be heard at this meeting. For more information, please contact the Planning Director at (910) 328-1349 ext. 0027.

2008 Loggerhead Court  
North Topsail Beach NC 28460

[ntbnc.org](http://ntbnc.org)

phone (910) 328-1349  
fax (910) 328-4508

**EXHIBIT "A"**

**BEING all of Tract I containing 2.822 acres, more or less, as shown on that Boundary & Easement Survey for Islandcamp, Inc., prepared by Charles F. Riggs & Associates, Inc., and recorded in Map Book 43, Page 112, Slide K-1539, in the office of the Register of Deeds of Onslow County.**

---



**FALERIS LAW FIRM, PLLC**

BETH A. FALERIS, ATTORNEY AT LAW  
*LICENSED IN NC & SC*

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

July 20, 2018

Mr. and Mrs. Durwood Bradshaw  
1777 Kings Landing Road  
Hampstead, North Carolina 28443

***RE: Easements with Rogers Bay Campground***

Dear Mr. and Mrs. Bradshaw:

Regarding the proposed subdivision of your parcel adjoining Rogers Bay Campground, I am writing on behalf of my clients to remind you that there is still an existing easement on the proposed map you submitted to the Town of North Topsail Beach which has been identified as "to be abandoned" on proposed Lot 5.

Per our meeting with you and Mr. Vinal, we collectively decided to enter into an easement agreement in which the existing easement along proposed Lots 3 and 4 were to be extinguished by mutual agreement, in exchange for creating a new easement between Lots 1 and 2. However, Rogers Bay did not agree in any way to give up their deeded easement access on Lot 5, or more identified as "Area B", on the original Boundary and Easement Survey prepared by Charles Riggs & Associates. These easements are included in your deed as well, as it references that survey.

I have attached a copy of your deed which identifies the Riggs survey and a copy of the Amendment to the Covenants of Rogers Bay that identify the easements they own over your parcel, which is identified as Tract 1 in the Riggs survey. Rogers Bay previously owned Tract 1 before conveying it to Park Lake Properties, who in turn conveyed it to you. Before doing so, Rogers Bay had the survey prepared and the easements created to which your parcel is bound.

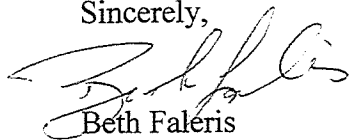
We are concerned that this plat is moving forward in the approval process without have the notation "to be abandoned" removed from the Area B section of Lot 5. This is erroneous as it is not be abandoned by anyone, and certainly not by Rogers Bay who owns the easement, as this would create landlocked parcels or campsites within Rogers Bay.

We respectfully request the notation "to be abandoned" removed from the easement on Lot 5 prior to any recording or approval by the Town of North Topsail Beach. To continue to assume that the easement will be abandoned by mere filing of a plat is in error and not legally sufficient to

accomplish. My clients are prepared to pursue civil litigation to enforce their easement rights in this matter should their request be ignored or denied.

Please do not hesitate to contact my offices if you have any further questions or concerns regarding this matter.

Sincerely,



Beth Faléris

Enclosures

cc: Mr. William South, President, Rogers Bay Property Owners Association, Inc.  
Mr. Peter Vinal  
Ms. Deb Hill, Planning Director, Town of North Topsail Beach  
File

This certifies that there are no delinquent ad valorem taxes, or other taxes which the Onslow County Tax Collector is entitled to collect, that are a lien on:

Parcel Identification Number: 769-4,2  
Tax Parcel Identification Number: 426608797436  
Parcel description:

[Signature]  
Tax Collections Supervisor  
Date: 7-17-09



Doc ID: 007463460003 Type: CRP  
Recorded: 07/17/2009 at 02:39:11 PM  
Fee Amt: \$20.00 Page 1 of 3  
Excise Tax: \$0.00  
Onslow County, NC  
Rebecca L. Pollard Reg. of Deeds

BK **3265** PG **25-27**

This deed presented to  
The Onslow Co Tax Office  
Date 7/17/09 Clerk [Signature]

(Excise Tax) \$ 0.00 Recording time, Book and Page

Tax Parcel No. 769-4,2  
Pin No. 426608797436

Prepared By and Return To: James A. MacDonald, Attorney  
Allen, MacDonald and Davis, PLLC  
1508 Military Cutoff Road, Suite 102  
Wilmington, North Carolina 28403

After recording mail to: Durwood and Janice Bradshaw  
1777 Kings Landing Road  
Hampstead, North Carolina 28443

STATE OF NORTH CAROLINA

WARRANTY DEED

COUNTY OF ONSLOW

THIS DEED, made this 15<sup>th</sup> day of July, 2009, by and between **PARK LAKE PROPERTIES, LLC**, a North Carolina limited liability company, hereinafter called the Grantor, and **DURWOOD T. BRADSHAW and wife, JANICE S. BRADSHAW**, hereinafter called the Grantees. The designation Grantor and Grantees as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH:

THAT said Grantor, for a valuable consideration paid by the Grantees, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does hereby grant, bargain, sell and convey unto the said Grantees, their heirs and assigns, in fee simple, all that certain lot or parcel of land situated in Onslow County, North Carolina, and more particularly described as follows:

**BEING ALL OF THAT PROPERTY SHOWN ON EXHIBIT "A" WHICH IS HERETO ATTACHED AND INCORPORATED BY REFERENCE.**

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantees in fee simple.

And the Grantor covenants with the Grantees, that Grantor is seized of the premises in fee simple and has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, except 2009 ad valorem taxes, and ordinances and municipal building code restrictions, if any, and that Grantor will WARRANT and DEFEND the title against the lawful claims of all persons whomsoever except for exceptions herein stated.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed by its duly authorized manager, the day and year first above written.

**PARK LAKE PROPERTIES, LLC,**  
a North Carolina limited liability company

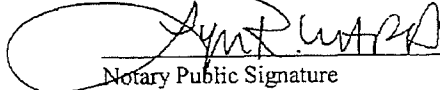
BY:   
JON T. VINCENT, Manager

STATE OF NORTH CAROLINA

COUNTY OF PENDER

I certify that the following person personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **JON T. VINCENT, Manager of, PARK LAKE PROPERTIES, LLC, a North Carolina limited liability company** [CHECK ONE]  (i) I have personal knowledge of the identity of the principal; or  (ii) I have seen satisfactory evidence of the principal's identity by a current state or federal identification, with the principal's photograph, in the form of a \_\_\_\_\_.

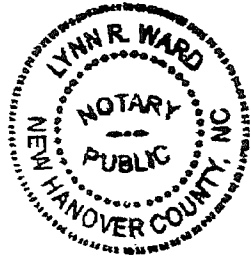
Date: July 15, 2009.

  
\_\_\_\_\_  
Notary Public Signature

Lynn R. Ward  
Notary Public's Printed Name

My Commission Expires: 5/18/2013

(Official Seal of Notary)



**EXHIBIT "A"**

**BEING all of Tract I containing 2.822 acres, more or less, as shown on that Boundary & Easement Survey for Islandcamp, Inc., prepared by Charles F. Riggs & Associates, Inc., and recorded in Map Book 43, Page 112, Slide K-1539, in the office of the Register of Deeds of Onslow County.**



BOOK 1947 PAGE 464

23  
Kup

2002 DEC 23 PM 2:39

**AMENDMENT TO DECLARATION OF ROGERS BAY FAMILY CAMPWAY**

Prepared by: Schell Bray Aycock Abel & Livingston P.L.L.C. (JAM)  
(Without Title Examination)

**NORTH CAROLINA - ONSLOW COUNTY**

THIS AMENDMENT TO DECLARATION is made on December 17, 2002, by Islandcamp, Inc., a North Carolina corporation, as Declarant under that Joint Tenancy Agreement and Declaration of Covenants, Conditions, Restrictions and Easements of Rogers Bay Family Campway dated November 4, 1993 and recorded in Book 1146, Page 279, Onslow County Registry (the "Declaration").

**WITNESSETH:**

WHEREAS, Declarant was the owner of the Campground, as defined and described in the Declaration (unless otherwise defined herein, the definitions in the Declaration shall apply to terms used in this Deed);

WHEREAS, Declarant currently owns a tract of land located between a portion of the Campground and NC Highway 210 and more particularly described as follows:

Being that tract containing 2.822 acres and shown as Tract I on that Boundary & Easement Survey for Islandcamp, Inc. prepared by Charles F. Riggs & Associates, Inc. and recorded in Map Book 43, Page 112, Slide K-1539, Onslow County Registry (said tract is hereinafter referred to as "Tract I" and said recorded survey is hereinafter referred to as the "Tract I Survey");

WHEREAS, pursuant to Article XIII and Exhibit D of the Declaration, Tract I is subject to an easement for egress and ingress for vehicular or pedestrian traffic for the benefit of the Co-Owners of the Campground and Rogers Bay Property Owners Association, Inc. (the "Association"), said easement being on certain roadways and pathways as located from time to time; and

109891\_7.DOC

CCOK 1947 PAGE 465

WHEREAS, Declarant has agreed to execute this Amendment for the purpose of more specifically defining and specifying the locations and conditions of use of such egress and ingress easement, and for the purpose of granting certain temporary and additional easements as hereinafter set forth.

NOW, THEREFORE, Declarant hereby declares that Tract I is and shall be subject to the easements shown on the Tract I Survey and described in this Amendment, subject to the conditions hereinafter set forth.

1. Egress and Ingress Easement - Area A. Area A, as shown on the Tract I Survey, is and shall be subject to an easement for the benefit of the Co-Owners and the Association, for vehicular and pedestrian ingress and egress, and for maintenance of utilities, between the Campground and NC Highway 210, and to the Camp Sites located adjacent to said Area A. Any damage to Tract I resulting from the use of such easement shall be repaired by the Association. Declarant, or any successor owner of the land subject to such easement, shall have the right to make minor changes in the location of the easement, provided that the resulting easement area allows equally convenient and comparable access from Highway 210 to the Campground. Any such modification shall be made by written instrument executed by such landowner and recorded in the Onslow County Registry.

2. Egress and Ingress Easement - Area B. Area B, as shown on the Tract I Survey, is and shall be subject to an easement for the benefit of the Co-Owners and the Association, for vehicular and pedestrian ingress and egress, and for maintenance of utilities, from within the Campground to the Camp Sites located adjacent to said Area B. Any damage to Tract I resulting from the use of such easement shall be repaired by the Association.

3. Egress and Ingress Easement - Area C. Area C, as shown on the Tract I Survey, is and shall be subject to an easement for the benefit of the Co-Owners and the Association, for vehicular and pedestrian ingress and egress, and for maintenance of utilities, from within the Campground to those portions of the Campground located adjacent to and to the west of said Area C. The easement on Area C may also be used for access to Area D for the purposes described below, for as long as the easement on said Area D shall exist. Any damage to Tract I resulting from the use of such easement shall be repaired by the Association.

4. Temporary Sewage Dump Station Easement - Area D. Area D, as shown on the Tract I Survey, is and shall be subject to a temporary easement for the benefit of the Co-Owners and the Association, for vehicular and pedestrian ingress and egress, and for maintenance of utilities, from within the Campground to the existing sewage dump station location within said Area D. Any damage to Tract I resulting from the use of such easement shall be repaired by the Association. The Association shall operate and maintain such dump station in compliance with all applicable laws, ordinances and regulations, and in a manner that does not cause a nuisance. Declarant, or any successor owner of the land subject to such easement, shall have the right to relocate the easement and provide a substitute dump station for the use of the Co-Owners and the Association, provided that the substitute dump station allows reasonably convenient and comparable service. Further, Declarant or any successor

109891\_7.DOC

- 2 -

BOOK 1947 PAGE 466

owner of the land subject to such easement shall have the right to terminate the easement and remove the dump station at such time that all of the Camp Sites have access to a public or central sewer system. Any such modification or termination shall be made by written instrument executed by such landowner and recorded in the Onslow County Registry.

5. **Additional Emergency Egress Easement.** In addition to the easement areas described above, the Co-Owners shall have an additional easement for vehicular egress, in the event of an evacuation order or other emergency, as follows: (a) through Area B and continuing directly to Area A, provided that the owner of Tract I shall have the right to install a gate and/or fence, and to otherwise restrict egress from Area B to Area A except for such emergency evacuation purposes; and (b) from Area C in an easterly or southeasterly direction to NC Highway 210, provided that the owner of Tract I shall have the right to designate the exact location of such egress easement and to move or adjust the location thereof from time to time, and provided further that the owner of Tract I shall have the right to install a gate and/or fence, and to otherwise restrict egress in this area except for such emergency evacuation purposes. Any damage to Tract I (including any gate or fence located on Tract I) resulting from the use of such easements shall be repaired by the Association.

6. **Additional Pedestrian Easement.** In addition to the easements described above, the Co-Owners shall have an additional easement for pedestrian use only, five (5) feet in width, from the southwestern portion of Area C proceeding in a southeasterly direction to NC Highway 210, provided that the owner of Tract I shall have the right to designate the exact location of such pedestrian easement and to move or adjust the location thereof from time to time, and provided further that the owner of Tract I shall have the right to install a gate and/or fence, and to otherwise restrict access in this area except for such pedestrian easement as specifically provided herein. Any damage to Tract I (including any gate or fence located on Tract I) resulting from the use of such easement shall be repaired by the Association.

7. **No Other Easements.** Except as shown on the Tract I Survey and more specifically described in this Amendment, Tract I is not and shall not be subject to any easement or other rights for the use or benefit of any Co-Owner or the Association.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be duly executed as of the day and year first above written.

ISLANDCAMP, INC.

By Marion R. Fields  
Marion R. Fields, Treasurer

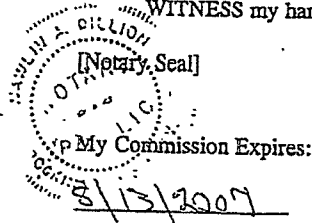
BOOK 1947 PAGE 467

STATE OF NORTH CAROLINA

COUNTY OF Rockingham

I, Nawlin Dillion, a Notary Public of said County and State, certify that MARION R. FIELDS personally came before me this day and acknowledged that she is the Treasurer of ISLANDCAMP, INC., a corporation, and that she, as Treasurer, being authorized to do so, executed the foregoing on behalf of the corporation.

WITNESS my hand and official seal, this 17 day of December, 2002.



Nawlin Dillion  
Notary Public

NORTH CAROLINA, ONSLOW COUNTY      Nawlin A Dillion  
The foregoing certificate(s) of \_\_\_\_\_  
Notary(ies) Public is (are) certified to be correct. This instrument was presented for registration and recorded in this office in  
Book 1947 Page 464 This 23 day of December  
2002      A.D. at 2:39 o'clock      P. M.  
Michael M. Howard By \_\_\_\_\_  
Register of Deeds, Onslow County      Register of Deeds

I, CHARLES FRANCIS RIGGS, PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN DEED BOOK 43, PAGE 5200-01) THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES AND DRAWN FROM INFORMATION FOUND IN DEED BOOK 43, PAGE 5200-01 THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000+1 THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-39 AS AMENDED, WITNESS MY ORIGINAL SIGNATURE, BUSINESS NUMBER AND SEAL THIS 28TH DAY OF AUGUST 2002.

*Charles F. Riggs*  
 CHARLES FRANCIS RIGGS, P.L.S.  
 SURVEYED 10/09/93 & 08/28/02

TO ONE OR MORE OF THE FOLLOWING AS INDICATED THUS.

D. THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION.

*Charles F. Riggs*  
 CHARLES FRANCIS RIGGS, PROFESSIONAL LAND SURVEYOR

NOTE:  
 THE 0.047 ACRE PARCEL SHOWN TO BE CONVEYED TO THE CO-OWNERS OF ROGER'S BAY CAMPGROUND AS COMMON PROPERTY IS TO BE COMBINED INTO THE ADJOINING TRACT OWNED BY SUCH CO-OWNERS AS DESCRIBED IN THAT JOINT TENANCY AGREEMENT AND DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF ROGER'S BAY FAMILY CAMPWAY DATED NOVEMBER 4, 1993 AND RECORDED IN BOOK 1146, PAGE 279, ONSLOW COUNTY REGISTRY, AS AMENDED, TRACT I AS SHOWN ON THIS PLAT IS OWNED BY ISLANDCAMP, INC. SUBJECT TO THE EASEMENTS SHOWN HEREON, THE USES AND LIMITATIONS OF SUCH EASEMENTS BEING SPECIFICALLY DESCRIBED IN AN AMENDMENT TO DECLARATION TO BE RECORDED IN THE ONSLOW COUNTY REGISTRY.

NOW OR FORMERLY  
 ROGER'S BAY FAMILY CAMPWAY  
 D.B. 1142, P. 941  
 D.B. 1146, P. 279  
 M.B. 30, P. 34  
 M.B. 37, P. 101

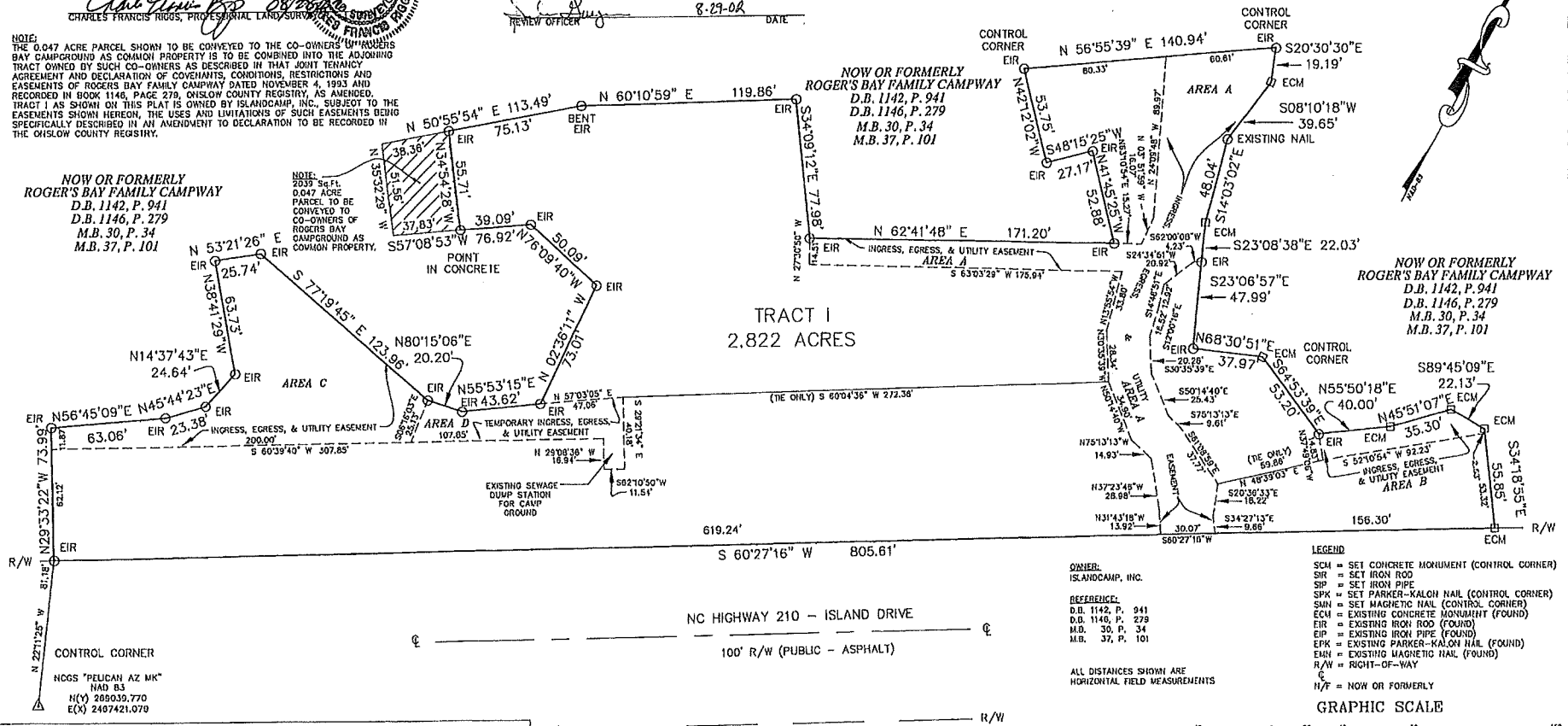
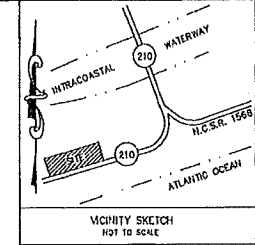
NOTE:  
 0.047 ACRES  
 PARCEL TO BE  
 CONVEYED TO  
 CO-OWNERS OF  
 ROGER'S BAY  
 CAMPGROUND AS  
 COMMON PROPERTY.

THIS PROPERTY IS NOT SUBJECT TO THE TOWN OF NORTH TOPSAIL BEACH SUBDIVISION REGULATIONS, AND IS AN EXEMPTION PER ARTICLE V (501 d), TOWN OF NORTH TOPSAIL BEACH SUBDIVISION REGULATIONS, WHICH STATES THE COMBINATION OR RECOMBINATION OF PORTIONS OF PREVIOUSLY SUBDIVIDED AND RECORDED LOTS WHERE THE TOTAL NUMBER OF LOTS IS NOT INCREASED AND THE RESULTANT LOTS ARE EQUAL TO OR EXCEED THE STANDARDS OF THE MUNICIPALITY AS SHOWN IN THIS ORDINANCE.

*Sue McLaughlin*  
 NORTH TOPSAIL BEACH SUBDIVISION ADMINISTRATOR  
 8/28/02 DATE

STATE OF NORTH CAROLINA, COUNTY OF ONSLOW  
 I, *Sharon K. Williams*, REVIEW OFFICER OF ONSLOW COUNTY CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
 REVIEW OFFICER 8-29-02 DATE

ONSLOW COUNTY NORTH CAROLINA  
 FILED FOR REGISTRATION AT 8:10 A.M. O'CLOCK ON  
 THE 28th DAY OF August 2002. RECORDED IN  
 MAP BOOK 43 PAGE 112 SLIDE K-1539  
*Michael M. Thomas*  
 REGISTER OF DEEDS



CHARLES F. RIGGS & ASSOCIATES, INC.  
 LAND SURVEYING - CONVENTIONAL & GLOBAL POSITIONING SYSTEMS,  
 LAND PLANNING & COMPUTER MAPPING  
 202 WARLUCK STREET  
 P.O. BOX 1570  
 JACKSONVILLE, N.C. 28541-1570  
 TELEPHONE: (910) 455-0877  
 FACSIMILE: (910) 455-0033  
 E-MAIL: riggsland@b1zccr.com

BOUNDARY & EASEMENT SURVEY FOR  
 ISLANDCAMP, INC.  
 TRACT I HUNTER HEATH TRUST  
 SIDE SOUND PROPERTY  
 N.C. HIGHWAY 210  
 STUMP SOUND TOWNSHIP, ONSLOW COUNTY, NORTH CAROLINA  
 TOWN OF NORTH TOPSAIL BEACH

J:\243-D\WORKSTATIONS\DRAWINGS\000816.dwg 8-28-02 11:53:28 3P EST

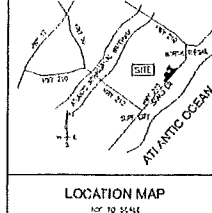
DATE: 01/16/18  
 TITLE: EASEMENT PLAN  
 PROJECT: TRACT III LOT RECONSTRUCTION OF HUNTER HEALTH TRUST  
 DRAWN BY: DANFORD & ASSOCIATES  
 CHECKED BY: DANFORD & ASSOCIATES  
 SCALE: AS SHOWN

LINE	BEARING	LENGTH
11	S28°15'44"W	30.23
12	N87°10'00"E	118.81
13	S02°21'00"W	30.97
14	N44°31'00"E	130.21
15	S27°16'00"E	75.38
16	N51°15'00"W	118.83
17	S22°10'00"W	34.80
18	N02°30'00"E	75.51
19	N37°30'00"E	318.00
20	S42°10'00"W	175.54
21	N07°11'00"E	104.51
22	S24°10'00"W	117.25
23	N85°28'00"E	133.23
24	N63°15'00"E	163.89
25	S24°10'00"W	88.89
26	N06°30'00"E	152.82
27	N72°00'00"W	1.07
28	N12°15'00"E	77.97
29	N44°31'00"E	132.00
30	N77°10'00"E	18.52
31	S02°15'00"W	18.52
32	S02°15'00"W	25.74
33	S02°15'00"W	25.74
34	N44°31'00"E	131.11
35	N44°31'00"E	30.73

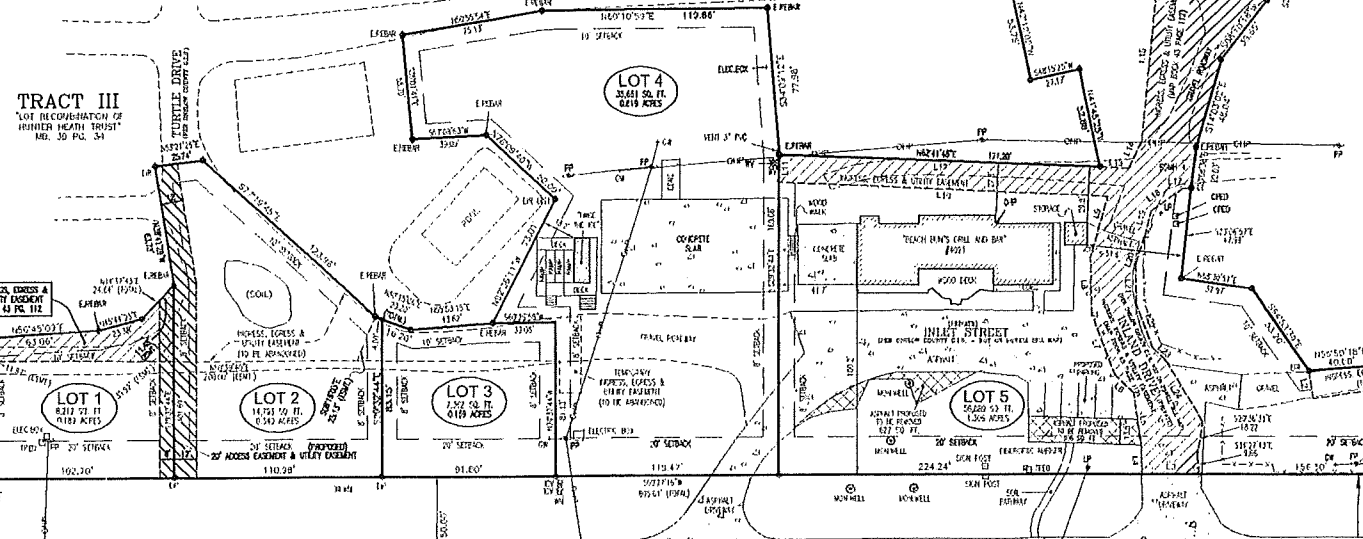


OWNER: HUNTER HEALTH TRUST  
 PROJECT: TRACT III LOT RECONSTRUCTION OF HUNTER HEALTH TRUST  
 DATE: JANUARY 18, 2018  
 SCALE: AS SHOWN

TRACT III LOT RECONSTRUCTION OF HUNTER HEALTH TRUST  
 MD. 50 PG. 34



- NOTES:**
1. THE LOTS ARE TO BE RECONSTRUCTED AS SHOWN ON THIS PLAN.
  2. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
  3. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
  4. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
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  19. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
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  24. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
  25. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
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  27. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
  28. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
  29. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
  30. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
  31. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
  32. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
  33. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
  34. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.
  35. THE LOTS ARE TO BE RECONSTRUCTED TO ALL EXISTING RECORDS.



MAP NOT SUBJECT TO ANY OF THE USUAL EASEMENT CONCEPTS  
 DATE: JANUARY 18, 2018  
 SCALE: AS SHOWN

TRACT II LOT RECONSTRUCTION OF HUNTER HEALTH TRUST  
 MD. 50 PG. 34

NC HIGHWAY No. 210 - ISLAND DRIVE  
 100' PUBLIC R/W

OFFICIAL: LANDSCAPE ARCHITECT

LOT AREA	PERCENTAGE	CONCRETE/PAVING	PERCENTAGE	PERCENTAGE	PERCENTAGE
LOT 1	0.054	0.53	0.53	0.53	0.53
LOT 2	0.430	0.53	0.53	0.53	0.53
LOT 3	0.062	0.53	0.53	0.53	0.53
LOT 4	0.603	0.53	0.53	0.53	0.53
LOT 5	0.051	0.53	0.53	0.53	0.53

FIRST LINE OF STABLE NATURAL VEGETATION FLAGGED BY JASON DALY, FIELD REPRESENTATIVE WITH THE NC DEPARTMENT OF ENVIRONMENTAL QUALITY, ON JANUARY 18, 2018.

**DANFORD & ASSOCIATES**  
 LANDSCAPE ARCHITECTS  
 1001 ISLAND DRIVE  
 HUNTER HEALTH TRUST

**PRELIMINARY PLAN**  
**DURWOOD T. & JANICE S. BRADSHAW DIVISION**  
 TRACT III HUNTER HEALTH TRUST RECONSTRUCTION 1001 ISLAND DRIVE  
 MAP BOOK 43 PAGE 112 1001 ISLAND DRIVE TAX PARCEL ID # 061150 DED BOOK 326 PAGE 25  
 TOWN OF HORTON TOPSAIL OHNLOW COUNTY HORTON CAROLINA

UPDATED: APRIL 16, 2018 - EASEMENT CHANGES  
 JANUARY 18, 2018

1" = 30 FEET

1" = 30 FEET

## AGENCY COMMENTS

- **CAMA:** Jason Dail stated that it is his understanding Rogers Bay is not considered to be part of the “ORW” classification anymore. With that said, provided no development takes place within 75’ of the normal high water line associated with all waters comprising Rogers Bay, does not fall within 575’ of waters located south of Hunter Heath Drive, and does not rest within 180’ of the First Line of Stable Natural Vegetation (FLSNV), no CAMA permit will be required. However, Stormwater and Sediment and Erosion Control permits will likely be required prior to any new development.
  - **FLOOD:** These lots are NOT eligible for federal flood insurance as they are located within the CBRS.
  - **ONWASA** is available. Water services are required to be perpendicular to the mains up to and including the meters. The owners here will all need to obtain private utility easements behind the ROW line for their new services behind the meters to reach the proposed lots.
  - **PLURIS** is available. Lots are to be served by Pluris, Inc. The final will have to meet minimum site design for DEQ.
  - **NTB FD:** The Fire Marshal has reviewed and approved the sketch plat.
  - **PUBLIC WORKS** has reviewed and approved the sketch plat.
  - **NCDOT:** lots front Island Drive. No streets are proposed to be created or altered.
-

RESPONSE TO STANDARDS

v. A copy of the proposed restrictions, covenants and assessments shall also be provided.

(o) Form for endorsement. A form for the endorsement of the Town Board of Aldermen shall be similar to the following:

“Approved by the Board of Aldermen of the Town of North Topsail Beach, North Carolina, effective on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.”

✓ corrected.

Signed Mayor, Town of North Topsail Beach”

(q) AEC Standards. The AEC certification shall be similar to the following:

i. “This subdivision conforms to the standards of the North Carolina Coastal Area Management Act of 1974, being G.S. §§ 113A-100 et seq. and is not located within an Area of Environmental Concern.

\_\_\_\_\_  
Signed Planning Director”

ii. “This subdivision conforms to the standards of the North Carolina Coastal Area Management Act of 1974, being G.S. §§ 113A-100 et seq., and portions of the subdivision located within an Area of Environmental Concern is duly noted.

\_\_\_\_\_  
Signed Planning Director”

(5) Conformity with preliminary plat. The final plat shall conform with the preliminary plat as approved, and, if desired by the owner or subdivider, it may constitute only that portion of the approved preliminary plat that he proposes to record and develop at the time provided that:

(a) The Planning Board shall find that the subdivision is reasonably located with respect to existing roads and utility lines; and

(b) Such portion shall conform to all requirements of this ordinance.

(6) State Board compliance. The final plat shall conform in all ways to the state statute G.S. § 47-30, as amended and to the State Board of Registration for Professional Engineers and Land Surveyors “Manual of Practice for Land Surveying”.

(7) AEC standards. Area of Environmental Concern standards certification shall be provided on the final plat by the local permit officer that the subdivision is either within or without a North Carolina Coastal Management Act of 1974 Area of Environmental Concern.

✓ corrected.

Table 5-1 Dimensional Requirements

Zoning District	Minimum Lot Size	Front Yard Setback	Lot Width	Side Yard Setback	Side Yard on Corner	Rear Yard Setback	Building Height	Maximum Lot Coverage
B-1	8,000 sq. ft. per building	20'	50'	8'	10'	10'	48'	30%

corrected.



# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Tom Leonard  
Richard Peters



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Special Meeting Minutes August 9, 2018 9:00 A.M.**

**Attendance: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Leonard and Peters; Town Manager Chadwick; Town Clerk Oxley**

### **I. Call to Order**

Mayor Tuman called the meeting to order at 9:00 AM.

### **II. Approval of Agenda**

Alderman Peters made a motion to approve the Agenda. Alderman Benson seconded. The Motion passed unanimously.

### **III. Outstanding Matters**

#### **a. Board Vacancy**

Alderman Peters made a motion to formally approve, in no particular order, the following applicants: Mr. Kevin Finger, Ms. Mia Green, Mr. Jeremy Grove and Mr. Ed Wirtz.

Alderman Peters seconded the Motion. The Motion passed unanimously.

Alderman Peters made a motion to vote by ballot. Alderman Leonard reminded the Board to include the voter's name on the ballot. Alderman Benson seconded the Motion. The Motion passed unanimously.

The Clerk read the ballots aloud. The following votes were cast:

Mayor Pro Tem McDermon voted for Mr. Grove.  
Alderman Leonard voted for Mr. Grove.

Alderman Peters voted for Mr. Finger.  
Alderman Benson voted for Mr. Finger

The vote was tied, 2-2. Mayor Tuman cast the deciding vote for Mr. Grove.  
With a vote of 3-2, Mr. Jeremy Grove was selected.

Mayor Tuman stated that the applicants were strong and encouraged those who were not selected to continue to pursue an active role in the Town.

Mr. Finger thanked the Board for its consideration. He is pleased in the direction of the Town with current Board and Staff.

**b. Revetment Committee Recommendation**

Alderman Peters made a motion to nominate Greene Engineering Firm based on the Revetment Committee's recommendation. Alderman Benson seconded. There was discussion. The Motion passed unanimously.

**IV. Strategic Planning**

**a. What were the goals set at prior retreat?**

- b. Mr. Chadwick presented information to the Board to summarize priorities set at their prior retreat.

**c. Additional Priorities**

Mr. Chadwick provided additional information for the Board's consideration related to short term and long range projects.

**V. Public Comment**

Mayor Tuman opened the Meeting to a public comment. No one came forward.

**VI. Adjournment**

Alderman Leonard made a motion to Adjourn. Mayor Pro Tem seconded. The Motion passed unanimously. The Meeting adjourned at 11:27 AM.

APPROVED:

---

Daniel Tuman  
Mayor

ATTEST:

---

Laura Oxley, JD, MPA  
Town Clerk

Approved: 09/ /2018

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Jeremy Grove  
Tom Leonard  
Richard Peters



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Regular Meeting Minutes Thursday, September 6, 2018**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Grove, Leonard and Peters; Town Manager Chadwick; Town Clerk Oxley; Town Attorney Edes**

I. Call to Order

Mayor Tuman called the Meeting to order at 6:30 P.M.

II. Invocation

Mayor Tuman led the attendees in an invocation.

III. Pledge of Allegiance

Mayor Tuman led the attendees in the Pledge of Allegiance.

IV. Approval of Agenda

Alderman Peters made a motion to amend the Agenda to add a closed session. Alderman Benson seconded the Motion. It passed unanimously.

V. Open Forum- 3 minute limit

No one came forward to address the Board.

VI. Public Presentations and Hearings

A. Resolution to Honor Ocean City Jazz Festival

Mr. Chadwick presented the Resolution to representatives of the Ocean City Beach Citizens Council.

VII. Manager's Report

Mr. Chadwick delivered the Manager's Report.

VIII. Consent Agenda

A. Approval of Minutes – April 19, 2018; April 25, 2018; May 7, 2018; June 4, 2018; July 2, 2018; July 25, 2018; July 30, 2018; August 2, 2018; August 9, 2018

B. Department Head Reports

1. Finance Department
2. Fire Department
3. Inspections Department
4. Planning Department
5. Police Department

C. Committee Reports

1. Planning Board
2. Board of Adjustment
3. TISPC (Topsail Island Shoreline Protection Commission)
4. ONWASA (Onslow Water and Sewer Authority)- Minutes have not been posted at this time.

D. CodeRed Update

E. Town Employee 457 Plan

F. Surplus Town Property

G. Autumn with Topsail Festival Donation

H. MOTV Tax Refund

Alderman Peters made a motion to approve the items on the Consent Agenda. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

IX. Continuing Business

A. Revetment Committee Update

Alderman Benson asked Mr. Chadwick to provided the update. Mr. Chadwick explained that the Committee met with Green Engineering. The Company will provide project options with costs.

B. New River Inlet Update

Mr. Chadwick presented information to the Board. The Army Corps of Engineers did not include the Inlet in their budget for a dredge. Mr. Chadwick has been in contact with Aptim Engineering.

Alderman Leonard made a motion to task the Town Manager and Staff to coordinate with our current costal engineers to have workshops with projected costs, risks and finance options. Alderman Grove seconded. The Motion passed unanimously.

X. New Business

A. NCBIWA donation

Alderman Leonard represents the Town on the NCBIWA Board. The Town traditionally donates money to the Organization. He made a motion to donate \$1,500 this year to be divided in the following manner:

- \$1,000 in the Fall
- \$500 in the Spring

Mayor Pro Tem seconded the Motion. The Motion passed unanimously.

XI. Open Forum

No one came forward to address the Board.

XII. Attorney's Report

The Town Attorney did not have a report to provide.

XIII. Mayor's Report

The Mayor stated his disappointment in the Army Corp of Engineer's decision to not include the Inlet. Also, he told attendees to be alert with the looming hurricane.

XIV. Aldermen's Report

Alderman Peters thanked the loyal core of attendees. He expressed gratitude for the Ocean City Beach Citizens Council for their efforts.

Alderman Benson echoed the Mayor's thoughts in hoping for a better outcome regarding the dredging of the Inlet. He provided a TISPC update.

Alderman Leonard thanked those in attendance. He congratulated Alderman Grove on his appointment to the Board.

Mayor Pro Tem McDermon welcomed Alderman Grove. She updated attendees on the pail project organized by the Greater Topsail Community Alliance.

Alderman Grove thanked all of those who supported his appointment. He thanked staff for their efforts to bring him up to date on Town matters.

- XV. Alderman Leonard made a motion to enter closed session. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

Closed Session to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body.

Alderman Leonard made a motion to return to open session. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

The Mayor announced that no action was taken during the Closed Session.

- XVI. Adjournment

Alderman Leonard made a motion to adjourn. Alderman Benson seconded. The Motion passed unanimously.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Jeremy Grove  
Tom Leonard  
Richard Peters



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## Notice of Cancelled Meeting Board of Aldermen- Regular Meeting September 28, 2018

The North Topsail Beach Board of Aldermen meeting that was previously scheduled for the evening of October 4<sup>th</sup> is cancelled due to several factors created by Hurricane Florence.

The next regular meeting will occur on November 1<sup>st</sup> at a location to be determined.

Laura Oxley, JD, MPA  
Town Clerk  
North Topsail Beach



# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Jeremy Grove  
Tom Leonard  
Richard Peters



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Special Meeting Minutes Monday, October 29, 2018**

**Present: Mayor Tuman; Mayor Pro Tem McDermon (by phone); Aldermen Benson, Grove, Leonard and Peters; Town Manager Chadwick; Town Clerk Oxley**

I. Call to Order

Mayor Tuman called the Meeting to order at 9:03 A.M.

II. Clerk Updates

Ms. Oxley provided updates and reminders for the Board.

III. General Update

Mr. Chadwick provided a status update for current town projects.

IV. Review Agenda

The Board discussed the Agenda for the November 1<sup>st</sup> meeting.

V. Adjourn

Alderman Leonard made a motion to adjourn. Alderman Benson seconded. The Motion passed unanimously. The Meeting closed at 10:12 A.M.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

Approved: 11/ /2018

# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Jeremy Grove  
Tom Leonard  
Richard Peters



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Regular Meeting Minutes Thursday, November 1, 2018**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Grove, Leonard and Peters; Town Manager Chadwick; Town Clerk Oxley; Town Attorney Edes**

### **I. Call to Order**

Mayor Tuman called the Meeting to order at 6:30 P.M.

### **II. Invocation**

Alderman Grove led the attendees in an invocation.

### **III. Pledge of Allegiance**

Mayor Tuman led the attendees in the Pledge of Allegiance.

### **IV. Approval of Agenda**

Mayor Pro Tem McDermon made a motion to approve the Agenda. Alderman Leonard seconded. The Motion passed unanimously.

### **V. Manager's Report & Recommendations to the Board**

Town Manager Chadwick presented his Report to the Board. He provided a synopsis of town staff's efforts during and after Hurricane Florence.

At the end of the Manager's Report, Mr. Chadwick gave three recommendations for Board approval:

1. Give three days of leave back to the employees who were absent during Hurricane Florence.

2. Give an additional day of holiday at Thanksgiving and an extra day of holiday at Christmas.
3. Collect used Christmas trees at the end of the season to use as a natural sand fence.

Alderman Leonard made a motion to approve all three recommendations. Mayor Pro Tem McDermon seconded. The Motion passed unanimously.

#### **VI. Public Presentations of Resolutions**

The Mayor and Town Manager presented resolutions of appreciation to the following businesses and individuals:

- A. Topsail Shores Inn
- B. Quality Inn and Suites
- C. Camp Lejeune
- D. North Shore Country Club
- E. Lenny DeNittis
- F. Dirty South Bar and Grill
- G. Baked Pizza Company
- H. Fat Burgers
- I. Damage Assessment Team

#### **VII. Public Presentations**

Mr. Fran Way of ATM and Mr. Chris Gibson of TI Coastal provided their assessment of our coastline. They explained that the next step to restoring the Town's beaches is to complete their survey, which should be complete within the next few weeks weather permitting.

#### **VIII. Open Forum- 3 minute limit**

The Mayor invited attendees to address the Board.

Ms. Jeannine Meyers of 2224 New River Inlet Road thanked town officials and employees for their long hours away from family during Hurricane Florence.

Mr. Jerry Heid of 2310 New River Inlet Road thanked the elected officials and staff for their hard work and professionalism during Hurricane Florence. He reminded all in attendance that people throughout the world are dealing with issues, and everyone should maintain perspective.

Mr. Jeff Meyer of 2224 New River Inlet Road thanked the Board and staff for their work during the storm. He believes the curfew should have remained in effect longer. Also, he believes the Town allowed nonresidents and non-property owners to return too soon.

Mr. Brian Johnson of 4430 Island Drive echoed appreciation for staff and officials. He encouraged officials to correct communication issues for future storm events.

Mr. Charlie Meyers of 2224 New River Inlet Road stated his appreciation for officials and staff. He offered preemptive rebuttals for criticisms online and on social media. First, he does not believe other coastal communities did a better job during the Hurricane. The issues were consistent throughout the local communities. Mitigation of damages would begin immediately after a storm event in an ideal world. Officials began mitigation as soon as they could. Also, elected officials represent all people & does not discriminate against property owners and residents. While inquiring about tactics and finance are legitimate questions, motives should not be called into question.

Mr. Jeffrey Zehner of 203 Pinellas Bay Drive addressed the Board. He stated that Hurricane Florence was one of the best tracked storms in history, the Town had time to prepare. He asked why berms were not closed as they have been in past storm events. Open berms caused over-wash.

Mayor Pro Tem McDermon suggested that this sand is so loose that it may not offer additional protection.

## **IX. Consent Agenda**

Alderman Benson suggested an amendment to the September 6, 2018 Minutes. For clarity, he would like for Alderman Leonard's Motion, which was made in response to the New River Inlet Update agenda item, to specifically state that the coastal engineer to be used for the workshops and other information is ATM. Mayor Pro Tem made a motion to approve the Consent items as amended by Alderman Benson. Alderman Grove seconded. The Motion passed unanimously.

A. Approval of Minutes – September 6, 2018; October 29, 2018

- B. Department Head Reports
1. Finance Department
  2. Fire Department
  3. Inspections Department
  4. Planning Department
  5. Police Department

- C. Committee Reports
  - 1. Planning Board
  - 2. Board of Adjustment
  - 3. TISPC (Topsail Island Shoreline Protection Commission)- Minutes have not been posted at this time
  - 4. ONWASA (Onslow Water and Sewer Authority)- Minutes have not been posted at this time.
- D. Resolution to Support Onslow County Board of Commissioners' Merger with the Southeastern NC Regional Hazard Mitigation Plan
- E. Resolution- Designation of Applicant's Agent
- F. Poll Ratifications

**X. Continuing Business**

A. Revetment Committee Update

Alderman Benson provided the update. He stated that the engineer, Mr. Green, would like to start soon due to nor'easters. He will bring this plan to the Committee after he speaks to contractors.

B. New River Inlet Update

Mr. Chadwick asked Mr. Steve Dial of Dial Cordy and Associates to speak on this agenda item. Mr. Dial stated that information had been submitted to the Army Corps of Engineers. He expects a reply from them in the next few weeks.

**XI. New Business**

A. Budget Amendment 1 for Fund 10 AND 30

Finance Officer Brothers presented the Budget Amendment. The Board asked questions. Ms. Brothers provided additional information.

Mayor Pro Tem McDermon made a motion to approve the Amendment. Alderman Leonard seconded. The Motion passed unanimously.

**XII. Open Forum**

Ms. Rebecca Dickson of 113 Barton Bay Court thanked the elected officials, Chief Poe, Chief Younginer and the emergency crews for their work during the Hurricane. She

stated that those who did not receive a reentry pass prior to the Storm were subject to the consequences of their own doing. She suggested that officials learn from the experience and fix the pieces of the plan that were not successful. She also recommended a community clean-up.

### **XIII. Attorney's Report**

Town Attorney Edes did not have a report for the Board.

### **XIV. Mayor's Report**

The Mayor published his report through the Town's website prior to the Meeting.

### **XV. Aldermen's Report**

Alderman Benson was asked by the Army Corps of Engineers to host a project to collect pictures to assess hurricane-related damage. To facilitate this process, Mr. Benson created a Facebook page for responses. He will provide the responses to the Corps. TISPC requested Spencer Rogers conduct a tour of the island. Mr. Rogers provided a report to the Committee. Lastly, the Army Corps surveyed the inlet to better understand navigation in the Channel and determine the impact of the Hurricane.

Alderman Peters thanked the attendees for their encouraging words. He thanked staff for their efforts during and after Hurricane Florence.

Alderman Grove thanked the attendees and the participation received. He hopes the Town will be able to move forward with the feedback received. He thanked staff, especially the building department and emergency services.

Mayor Pro Tem McDermon agreed with Alderman Grove's comments. She expressed an interest in bringing the local towns together to create a better sense of community. She stated that the Greater Topsail Community Alliance is working to bring this idea into reality. The Alliance is working to schedule a community cleanup in December or January.

Alderman Leonard stated that he did not know what to expect of tonight's meeting considering the comments on social media. He said that it was nice to see everyone's support. The Town will continue to work and improve. He believes that the staff performed superbly with their initiative and dedication during the Hurricane. He saw this firsthand as he worked along side of them. A lot of their efforts were behind the scenes, and they often put their own personal needs aside to serve the Town. He finished with a statement about Gunnery Sergeant D.W. Boatman, who died on November 4, 2005 from wounds sustained from an improvised explosive device while conducting combat operations in Iraq. A street in North Topsail Beach is named for the Gunnery Sergeant, and especially on the anniversary of his passing, Alderman Leonard wanted to honor his sacrifice.

**XVI. Adjournment**

Alderman Leonard made a motion to adjourn. Mayor Pro Tem seconded. The Motion passed unanimously.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

Approved: 12/ /2018



# *Town of North Topsail Beach*

Daniel Tuman, Mayor  
Joann M. McDermon, Mayor Pro Tem  
Aldermen:  
Mike Benson  
Jeremy Grove  
Tom Leonard  
Richard Peters



Bryan Chadwick, MPA  
Town Manager

Laura Oxley, JD, MPA  
Town Clerk

*Nature's Tranquil Beauty*

## **Board of Aldermen Regular Meeting Minutes Thursday, December 6, 2018**

**Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Grove and Peters; Town Manager Chadwick; Town Clerk Oxley; Town Attorney Edes**

I. Call to Order

Mayor Tuman called the Meeting to order at 6:30 P.M.

II. Invocation

Alderman Peters led the attendees in the invocation.

III. Pledge of Allegiance

Members of the Boy Scouts of America Troop 81 led the attendees in the Pledge of Allegiance.

IV. Approval of Agenda

Mayor Pro Tem McDermon made a motion to amend the Consent Agenda to add Budget Amendment 2018-2019.3.

Alderman Benson made a motion to remove the TISPC Report from the Consent Agenda and add it to Continuing Business.

Mayor Pro Tem McDermon made a motion to approve the Agenda as amended. Alderman Grove seconded. The Motion passed unanimously, 4-0.

V. Public Presentations and Hearings

A. Audit Presentation for FY2017-2018

Mr. Wade Greene of Greene PLLC presented his firm's budget audit for the Town's Fiscal Year 2017-2018. He stated that the Audit was accepted by the State.

The Board asked questions, and Mr. Greene provided supplemental information.

B. Hazard Mitigation Grant Programs

Mr. Landin Holland of Holland Consulting Planners & Ms. Deborah Hill, Planning Director for the Town of North Topsail Beach, presented information to the Board and answered questions. Mr. Holland recommended the Town send letters of interest with the application form to every property in the Town that sustained 50% or more of damage to the Fair Market Value of the home during Hurricane Florence.

The Board asked for the Town Manager's recommendation. He recommended that the Town give the necessary information to the home owners.

Mayor Pro Tem made a motion to task staff to work with the Town Attorney to notify property owners. Alderman Grove seconded. The Motion passed unanimously, 4-0.

VI. Manager's Report

Mr. Bryan Chadwick provided his monthly report to the Board. It is Attachment A.

VII. Open Forum- 3 minute limit

Mayor Tuman opened the Forum for public comment.

Ms. Rebecca Dickson came forward and thanked Mayor Pro Tem McDermon, Town Manager Chadwick and Chief Younginer in their quick response to an issue she experienced. She also thanked the Public Works Department for their work in putting up holiday decorations, specifically the street lights. Additionally, Ms. Dickson asked when the environmental impact study would be complete. Mr. Chadwick responded that the contract had been awarded to Dial Cordy, and we will be working with the firm to complete these projects. Lastly, Ms. Dickson asked about organizing residents to remove sand from the Town's tennis courts. The Town Manager stated he would need some time to consult with the Town Attorney and Public Works Director.

VIII. Consent Agenda

Mayor Pro Tem McDermon made a motion to approve the Consent Agenda as previously amended. Alderman Grove seconded. The Motion passed unanimously, 4-0.

- A. Approval of Minutes – November 1, 2018
- B. Department Head Reports
  - 1. Finance Department
  - 2. Fire Department
  - 3. Inspections Department
  - 4. Planning Department
  - 5. Police Department
- C. Committee Reports
  - 1. Planning Board
  - 2. Board of Adjustment
  - 3. ~~TISPC (Topsail Island Shoreline Protection Commission)– Draft Minutes were provided~~ (Removed by motion from Alderman Benson)
  - 4. ONWASA (Onslow Water and Sewer Authority)- Minutes have not been posted at this time.
- D. Poll Ratification
- E. Board Resolution to Approve Regular Schedule for 2019
- F. Board Resolution to Approve of 457 Plan
- G. Budget Amendment #2 for Fund 10 (General Fund) – Police Department
- H. Budget Amendment 2018-2019.3 (Added by motion from Mayor Pro Tem McDermon)

IX. Continuing Business

A. Revetment Committee Update

Alderman Benson provided an update from the Revetment Committee. He stated that an engineer, Mr. Greene, has been contacted. The firm is researching repairs needed to protect the project from the effects of nor'easters. The Committee is waiting for the engineer's scope of work to complete a contract.

B. TISPC (Topsail Island Shoreline Protection Commission)

Alderman Benson provided an update to the Board. The Committee held its monthly meeting earlier that day. He informed the Board that the

Coastal Research Commission will conduct a multi-year study to determine inlet hazards. These topics will be discussed at the February meeting.

Additionally, the Alderman asked the Board members to look at TISPC's goals. These will be updated at the Committee's January meeting, and Mr. Benson would like their feedback. He also requested that this be an agenda item for the Board's next meeting.

X. Open Forum

The Mayor opened the Forum, but no one came forward.

XI. Attorney's Report

The Town Attorney commended the Mayor on his work on securing \$2 million of appropriations for the Town.

XII. Mayor's Report

With the holiday season in effect, the Mayor wished everyone well and for safe travels. Additionally, he asked that property owners and citizens remain patient as the Town continues to work through the damages of Hurricane Florence.

XIII. Aldermen's Report

Mayor Pro Tem McDermon wished everyone a happy and safe holiday season. She thanked the Heid family for the lunch they provided to town officials and staff. This gesture was a demonstration of their appreciation for everyone's work during and after Hurricane Florence. Lastly, she encouraged those who have questions or have heard rumors about town action to reference town resources such as the official Facebook page, website or a phone call to townhall.

Alderman Grove thanked the attendees for their participation. He passed along a complaint he received from a three-year-old resident of North Topsail Beach. She wishes the Town would use some order or pattern to its holiday decorations.

Alderman Peters was pleased by the Auditors' report. He is encouraged to see the Town's management of funds in a fiscally responsible manner. He acknowledged that the Mayor's work with the appropriated funds was helpful. The Alderman also noted that each department was under budget for the previous fiscal year. Lastly, he wished everyone a Merry Christmas and a happy New Year.

Alderman Benson stated that the NCBIWA meeting was productive and interactive among peers. Presentations from the Conference are available online.

Additionally, he agreed that patience is needed as the Town works through the issues created by Hurricane Florence. Restoration will take time. Lastly, he wished everyone a joyful holiday season.

XIV. Adjournment

Mayor Pro Tem McDermon made a motion to adjourn the Meeting. Alderman Grove seconded. The Motion passed unanimously, 4-0. The Meeting adjourned at 8:07 P.M.

APPROVED:

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Daniel Tuman  
Mayor

ATTEST:

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Laura Oxley, JD, MPA  
Town Clerk

Approved: 01/ /2019