

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Tom Leonard
Richard Macartney
Deborah Snyder
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Regular Meeting Minutes* Wednesday, January 4, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Tom Leonard, Dick Macartney and Mike Yawn, Town Attorney Brian Edes, Town Manager Steve Foster and Town Clerk Carin Faulkner.

NOT PRESENT: Alderman Deborah Snyder (excused)

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Alderman Tom Leonard gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
 - Alderman Yawn made a motion to approve the agenda as presented.
 - Alderman Leonard seconded the motion.
 - The agenda was approved unanimously.
- V. **PUBLIC HEARINGS & PRESENTATIONS**
 - A. **Presentation of Certificate of Appreciation to Rogers Bay POA:** Mayor Tuman presented Mr. Ed Cramer, President of the Rogers Bay POA with a certificate of appreciation for their generous donations to the 2011 Toys for Tots campaign.
 - B. **Public Comment on PARTF Grant Application & Request for Board Approval of Application:**
 - Mayor Tuman introduced this item.
 - Ms. Hill asked for four letters to be added to the record (see Attachment A January 4, 2012 Board of Aldermen minutes).
 - Ms. Hill went over the application and described the features in the site plan.
 - Ms. Hill took questions from the Board.

*There are attachments to these minutes. (Attachment A & B – January 4, 2012 Board of Aldermen Minutes)

- Alderman Yawn made a motion to open the public hearing. Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

The following are comments made by the public:

Karl Chiang of 3634 Island Drive – Dr. Chiang said that the six neighbors that were here with him last month were not able to travel to attend the meeting but their views were expressed in their e-mails and they are all on the same page with his views. He said he was here to speak to the new Board and let them know that he feels that they need to reconsider the decision of the last Board. He pointed out that the PARTF Committee recommended for the Town not to apply for the PARTF grant at this time and that the Board of Aldermen did the opposite. He said that only one person spoke in favor of a crossover at the last public comment period and that there was not a public outcry for a park. He said that the Town already has a nice park and that it is underutilized. He said the purpose of purchasing the property was to fulfill the requirements for a beach nourishment project and not to build park. He said that the Town should survey all property owners to assess the need for a park. He said that the parking lot should be tabled as it does not have to be in place for the Federal project to happen, just when the funds are received. He said that the deed for the easement had originally been for three lots and then was subdivided to equal five lots and he questioned the legality of it. He asked the Board to consider the implications.

Greg Salotiolo – 3589 Island Drive – Mr. Salotiolo said he spoke at the December 1st meeting and also sent the Board an e-mail, he summarized his concerns. He said that a beach access is needed in that area and the two nearby accesses are posted private and are only to be used by the residents of Calinda Cay and Heron Cay. He said this is a public safety issue and that it is dangerous to have people walking on Highway 210. He said that a beach access will not only benefit the renters of the nearby properties and others in North Topsail Beach, but it will benefit the 12 sound side property owners in the area. He said that he feels that not having the access may put the beach nourishment project in jeopardy, and that would affect everyone. He said that he does not know of any problems at the existing Town Park. He said that we need to be realistic that this is a beach community and that it will be crowded here in the summer. He said the Town has spent the money on the property and that it makes sense to make the most use of this property. He said that he does not know of any permanent residents speaking out against the park and that the Town has advertised it well. He urged the Board to construct the walkway as soon as possible.

Ms. Hill said in response to questions about a survey of property owners, there was a survey conducted for the CAMA Land Use Plan and it will be used for the PARTF grant application. She said the results of this survey show that property owners want more park facilities.

- Alderman Yawn made a motion to close the public hearing. Alderman Leonard seconded the motion. The motion passed unanimously.
- Alderman Macartney made a motion to direct the Planning Director to submit the application as presented. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- Alderman Macartney withdrew his motion. Alderman Yawn seconded.

- Alderman Yawn made a motion to go forward with the application but without several of the amenities (picnic shelter, restroom, playground, fitness station, and water, sewer and electric utilities).
- This motion failed for lack of a second or consensus.
- Mayor Pro Tem Gray made a motion to direct the Planning Director to submit the PARTF grant application as presented. Alderman Leonard seconded the motion.
- There was discussion.
- The motion passed with Mayor Pro Tem Gray and Alderman Yawn voting in favor and Aldermen Yawn and Macartney voting against, Mayor Tuman broke the tie vote in favor of the motion.

VI. **MANAGER'S REPORT:**

- A. CBRA Update:** Mr. Foster reported that Daniel Sheehan, the Town's Washington legislative representative said at the last TISPC meeting that Congressman Jones is waiting for an optimum opportunity to introduce the bill which now looks as if it will be sometime in February. He announced that the Town will be getting two new legislative representatives from Marlowe & Company and they are Mike Willis and John Harms.
- B. Beach Pushing by Individuals under a Collective 2500 Permit:** Mr. Foster reported that the Town continues to work with property owners on collective pushes. The issue of exposed sandbags has arisen to complicate the effort. The Town is still working with three push areas and he is hoping to get everything resolved with CAMA and hopefully sand will be pushed soon. He thanked Ms. Hill for all of her work. He announced that CAMA has ordered the Town to remove the sandbags that are on the North end where the houses were, debris in the area is also an issue.
- C. Town is Now Officially Accepting Credit Cards for Payment:** Mr. Foster reported that the Town has finished installing the necessary software and equipment to be able to accept payment by credit or debit cards. There will be a small transaction fee charged by the vendor, Official Payments. Official Payments currently handles credit card transactions for over 150 units of government in North Carolina. He thanked the Town's permitting officer, Terrie Woodle for all of her efforts in facilitating the installation.
- D. Presentation by Mr. Wade Chestnut of Double Radius:** Mr. Foster reported that Mr. Wade Chestnut will be coming next month to talk to the Board about the concept of town Town-wide Wi-Fi. This is a concept that has been applied in a number of Towns and cities in North Carolina and other States. Mr. Chestnut will present several options to the Board for their information.

- E. Update on Spoil Island Survey by Mr. Chris Gibson of Gahagan and Bryant at the February Meeting:** Mr. Foster reported that Mr. Gibson will be making a presentation on the spoil islands that the Board directed him to investigate. He said the preliminary findings suggest that the material looks usable based on the boring material that has been collected. They will be analyzing that material through January and will be reporting their findings at the February meeting. Mr. Foster said that Mr. Gibson showed him some of the samples and they look good.
- F. Thank You All for Donations to Giving Tree and Toys for Tots:** Mr. Foster thanked everyone in Town for their contribution to the “Giving Tree” effort and well the “Toys for Tots” program. It was a smashing success. The Town Hall lobby was filled with gifts, bicycles, and toys. He said he would like to thank especially Roger’s Bay for their generous donation, and also Kim Weaver and Terrie Woodle for their help in shopping for the Giving Tree recipients.
- G. Update on Paving of Hwy 210 – Island Drive:** Mr. Foster reported that the State DOT will be opening bids this month for the sub grade work and paving of Highway 210 from the Pender and Onslow County line to the NTB Bridge. The surfacing will be from edge of pavement. Paving is set to begin in March and will hopefully be completed by Labor Day. The State indicated that they would do everything possible to coordinate construction to keep traffic issues at a minimum.
- H. Distribution of RFP’s for Post Hurricane Debris Removal:** Mr. Foster reported that the Town’s contract with Debris Removal Corporation expired December 31st; and the Town is in the process of rebidding the contract for a three year period.
- I. Report on RFQ- Terminal Groin:** Mr. Foster reported that Town Staff will be evaluating the RFQ’s for a proposed terminal groin project. The deadline for submittal was December 29th. This item will be on the February meeting agenda after staff has had a chance to evaluate the proposals.
- J. Town Volunteers can become Members of LGFCU:** Ms. Faulkner announced that the Local Government Federal Credit Union will allow all Town volunteers to become members of the credit union. She indicated that there were brochures available.
- K. Threatened Properties Report:** Mr. Foster reported that he and Town Staff have been on the North end on a constant basis even through the holidays to look at the erosion issues up there. He reported that there are 6 to 8 houses in the area that are in bad shape and that in January, February and March there may be more erosion caused by nor’easters. The Army Corps of Engineers did not place sand on the North end because of lack of money and sand. Mr. Foster said that Staff has been working with property owners to get them to the right contacts at CAMA

and elsewhere so that they can get sandbags and take other measures to protect their property on their own, the Town is not financially involved.

VII. **OPEN FORUM:**

Eric Emerich of 2250 New River Inlet Road (Topsail Reef) – Major Emerich made comments about the severe erosion at the Topsail Reef and stated that the Topsail Reef HOA is taking the extraordinary action, investment and expenditure of sandbagging all 8 buildings. He urged the Town to take action to stem the further destruction of the coastline to ensure the viability of the Town, specifically asking it to move forward with the realignment of the New River Inlet as soon as possible. He said that the following individuals who could not attend the Board meeting asked him to voice their sentiments on this issue:

Jerry and Mary Ann Heid of 2310 New River Inlet Road urge the town of NTB to go forward with realigning the New River inlet as a means of ensuring the future of the Town and also urges Onslow County to put in a greater share of the occupancy tax in which they derive from the Town back to where it is earned.

Paul Lawlor said that though he has been a full time year round resident of NTB for 12 years this past election was the first time he had voted since 1982. He voted for the current Board and urges them to go forward with straightening out the inlet and slowing the erosion we face on our island.

Staff Sergeant Hector Cordova of 2174 New River Inlet Road urges the realignment of the inlet as the right thing to do and states that it is “about time.”

Major Emerich said the following individuals also relayed messages in support of beach nourishment and inlet reconstruction:

Jennifer Royse (2072 NRI Rd.), Jeff Meyer (10 Sandpiper), Don Street (President of Topsail Reef HOA), Jesse and Christina Botkin, Patrick Morse (2074 NRI Rd.), Michelle Wheeler (2250 NRI Rd.), Rhonda Boyer, Bill Dunlap, Will Thorpe, Marie Kelley, Gloria Martinez-Lugo, J. Freeman, Mike Ford, Jay Greenspan (Treasurer of Topsail Reef HOA), Tommy and Mary Ann Gallagher (Bayview Circle), Nadine Morton (Building 5 Topsail Reef), Win Batten (Mayor of Warsaw and owner of 2174 NRI Rd.).

Major Emerich said that the list of names goes beyond what allotted time will allow. He stated that an 80% solution today is better than a 100% solution undertaken in a tomorrow we simply do not have. There is a time for action and it is now. He respectfully urged the Board to go forward with what they were elected to do, which is take decisive action in regards to the beach, specifically going forward with the realignment of the New River Inlet as soon as possible.

Eileen Teen of 2314 New River Inlet Road – Ms. Teen made comments about the loss of tons of sand that she has observed in the last three weeks. She is concerned that many property owners do not know that their property is in peril. She asked the Town to expedite the studies to realign the inlet. She stated that Onslow County is collecting taxes but not being helpful in this situation. She urged the Board to contact the County to urge them to support the Town. She said she does not know what she can do but she is willing to help.

Pam Kosar, owner at Topsail Reef and Secretary of Topsail Reef HOA – Ms. Kosar made comments about how she fell in love with North Topsail Beach and moved here within a year of her first visit in 1981. She said that this is not her permanent residence, but she considers it her home. She said she would be losing much more than a home if the ocean takes away this house, it would be more than just a financial loss. She asked that the Board do something to save their homes. She said she is hoping the Town will move forward with the channel realignment project.

Leona Zito, property owner at Topsail Reef and others on the island – Ms. Zito urged the Board to do something quickly. She said it is shocking how much sand has eroded from the area in the last few weeks.

Dr. John Harrington of 221 Oyster Lane – Dr. Harrington said he agrees with the previous speakers and expressed his concerns about the beach, he said it's gone, he said there is no use going over the crossover. He said it has been his joy to go to the beach. He urged the Board to please act soon.

Dale Davis, representing Topsail Reef HOA - Mr. Davis read a statement: *I think we can all agree on how important our beaches are to the success of not only the community of North Topsail Beach, but the County and the State of North Carolina as well. We all have a stake in maintaining our beaches and we need to do what we can to protect this wonderful resource that we all share. We represent 240 property owners at Topsail Reef who all pay local taxes and support our local businesses throughout the year. We love the North Topsail Beach area and we want it to flourish as we know it can and we support the Town and this channel realignment project.*

Mr. Davis thanked the Board for their time.

VIII. **CONSENT AGENDA:**

- A. Request to Approve Tax Refunds
- B. Request to Approve Budget Amendment #2
- C. Request to Adopt Resolution 2012-1 – Resolution Seeking Amendments to the N.C. General Statute Concerning Property Tax Exemptions for Certain Homeowner Association Property
- D. Approval of Minutes: December 1, 2011
- E. Department Head Reports: Finance, Fire (will submit with February report), Inspections, Planning, Police Departments
- F. Committee Reports: Planning Board, Board of Adjustment, TISPC, ONWASA, Beautification and Recreation Committee.

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

IX. **OLD BUSINESS:**

A. Report on Beach Push:

- Ms. Hill (Planning Director) identified the areas on the map that were identified as places that qualify to be pushed.
- Mr. Foster went over the bid tabulation sheet indicating the quotes that were given to the Town for per linear foot price and lump sum price for the footage that was identified as qualified for a push. He said based on the bids that Carter Construction is the lowest bidder on the project.
- There was discussion.
- Alderman Yawn made a motion for the Town to award the contract for repair of storm damaged berm and dune maintenance to Carter Construction for the 10,660 feet, less the 1,320 feet on the North end that does not seem worthwhile to push, at the per linear foot price of \$3.30. Alderman Gray seconded the motion.
- There was discussion.
- The motion failed with Alderman Yawn and Mayor Pro Tem Gray voting in favor, Aldermen Macartney and Leonard voting against, and Mayor Tuman breaking the tie with a vote against.

B. Report on Bids Received on Walkway and Crossover for 3623 Island Drive Purchase Agreement:

- Mayor Pro Tem Yawn made a motion to table this item. Alderman Macartney seconded the motion.
- There was discussion.
- Mayor Pro Tem Yawn amended his motion to table this item and put it on the June regular meeting agenda. Alderman Macartney seconded the amended motion.
- The motion passed unanimously.

X. **NEW BUSINESS:**

A. Request to Allow Subdivision Signs or Street Signs in Ocean City:

- Ms. Hill read the staff report and asked that the letters be entered into the record (see Attachment B January 4, 2012 Board of Aldermen minutes).
- Alderman Macartney made a motion for the Board of Aldermen to approve the purchase and installation of commemorative street signs within Ocean City and for the Board of Aldermen to support the erection of a historical marker by the residents of Ocean City.
- Mayor Pro Tem Gray seconded the motion.
- Alderman Yawn verified that the funds for the signs will be coming out of the Town's fund for streets.
- The motion passed unanimously.

B. Request to Appoint a Member to the Planning Board:

- Alderman Yawn made a motion to appoint Richard Gray to the Planning Board. Alderman Leonard seconded the motion.
- The motion passed unanimously.

C. Request to Appoint a Member to the Beautification & Recreation Committee:

- Alderman Yawn made a motion to appoint Zoe Dyer to the Beautification and Recreation Committee. Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

D. Request to Approve 2012 Contract with Marlowe & Company:

- Alderman Macartney made a motion for the Town of North Topsail Beach to renew the Marlowe & Company contract with no increase in fee which is a \$20,000 per year expenditure for the Town. Alderman Leonard seconded the motion.
- There was discussion.
- The motion passed 3 to 1 with Alderman Yawn voting against.

E. Discussion on 2012 Board Retreat:

- Alderman Yawn made a motion for the Board of Aldermen to schedule their annual retreat for February 28th from 9:00 a.m. to 4:00 p.m. in the Town Hall Meeting Room.
- Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

F. Request to Amend the Town of North Topsail Beach Personnel Policy:

- Mayor Pro Tem Gray made a motion to amend the Town of North Topsail Beach Personnel Policy as recommended by the Town Manager.
- Alderman Yawn seconded the motion.
- The Town Manager's recommendation was for the amended policy to read:

In a declared disaster or emergency situations requiring long and continuous hours of work, exempt employees shall be compensated at a rate of double time and/or be granted time off with pay for rest and recuperation to ensure safe working conditions for the duration of the emergency period...

- There was discussion.
- The motion passed unanimously.

G. Discussion on Recent Developments Concerning North End Beach Erosion:

- Aldermen Leonard described the conditions at the North end of the Town and indicated that the erosion is so severe that some houses may need to be moved and that some houses need to be sandbagged.

- Alderman Leonard made the following three part motion:
 - (1) That the Town proceed with the “Phase 1- Shoreline Protection Project” and that Coastal Planning and Engineering (CP&E), who developed the Project, review with potential contractors possible changes in the plan that would lead to cost savings in construction and implementation, and report back to this Board with their findings.
 - (2) After review and consent by the Board of those findings, proceed with directing CP&E to prepare the necessary design, engineering, and bid documents in order to begin construction as soon as practicable in 2012.
 - (3) Request that the Board schedule a workshop to review available funding sources and to develop a final financial plan for implementation.
- Alderman Macartney seconded the motion.
- There was discussion.
- The motion passed 3 to 1 with Alderman Yawn voting against.
- Alderman Yawn made a motion for the Town to suspend the permit application fee for moving a house for the calendar year 2012, provided the house is considered threatened per CAMA definition and that the house remains in North Topsail Beach.
- The motion passed unanimously.

XI. **OPEN FORUM:**

Eileen Teen of 2314 New River Inlet Road – Ms. Teen thanked the Board for taking the erosion problem seriously. She asked if only a few properties sandbag, if it makes the situation worse for their neighbors and if there is anything that can be done about it.

Eric Emerich of 2250 New River Inlet Road (Topsail Reef) – Major Emerich commended and applauded the Board of Aldermen for their historic action this evening in regard to the New River Inlet.

XII. **ATTORNEY'S REPORT:** Mr. Edes did not have a report.

XIII. **MAYOR'S REPORT:** Mayor Tuman said that the beach is a big issue in this Town and a wonderful gift to this Town is if this Board moves ahead, completes Phase One, and has a plan for the rest of the Town. He thanked everyone for coming.

XIV. **ALDERMEN'S REPORT:**

Alderman Macartney: Mr. Macartney said that he will not be able to attend the next regular meeting. He said he will be going to Scotland to curl and he will be back by the 28th to report back on how he did in Scotland.

Mayor Pro Tem Gray: Mrs. Gray said she is pleased that the Town got the beach erosion issue out on the table and moving forward. She said the Board is going to try to do everything they can for the whole Town.

Alderman Yawn: Mr. Yawn said “Happy New Year” and “Go Tigers!”

Alderman Leonard: Mr. Leonard thanked his fellow Board members for supporting him on beach nourishment. He said that this is the beginning and that there is a lot of work to do.

CLOSED SESSION: Alderman Yawn made a motion for the Board of Aldermen to go into 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. Alderman Leonard seconded the motion. The motion passed unanimously. The Board took a short recess.

Alderman Yawn made a motion for the Board to go out of Closed Session. Alderman Macartney seconded. The motion passed unanimously.

The Board notified the public that they were back in session. Mayor Pro Tem Gray announced that Board action was taken during the Closed Session and that the Board had voted unanimously to give Town Manager Steve Foster a rating of outstanding for his annual evaluation and to give him a bonus of \$4,000 per his employment contract with the Town.

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

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 2/2/2012

December 29, 2011

To the NTB Board of Aldermen meeting to be held January 4, 2012
NTB Planning Committee

If it were not for the fact that we are caring for an aging parent, we would be full time residents at North Topsail Beach which has always been our intent.

We live part time in a county whose policy is supposedly to keep "open space" for animal habitat and to provide a better living environment. However, it has been evident that it depends on how much money a developer has to secure development on open land. Marin County, California principles are difficult to understand given their reasons for open space, except for the government's desire to make decisions based on their own principles and money.

We would never have contemplated that a town such as North Topsail Beach would also have the same principles. This is revealed through the stipulation on the "beach crossover" that the real estate company "Treasure Realty" has imposed through the sale of the lot to the town. Mr. Baker has stipulated that the "beach crossover" be built before the end of 2012. The town has not secured funds for the parking lot or park at this time. However, moving forward in putting in this "beach crossover" before a public facility or homes are built for residents to use this crossover makes no sense. There is no reason except for the financial gain of Mr. Baker to do so. The governing Aldermen appear to find no problem in Mr. Baker's gain of the sale of the lot to the town of NTB.

The next revealed attitude is the projected park and parking lot to meet federal regulations for securing government funding for beach nourishment. The property owners of the area of NTB that most need beach nourishment have rejected the idea. However, a survey has been given to the balance of the NTB property owners to give their opinion on beach nourishment. The committee making such decision seems to have been shaped by the town Aldermen - who appear to be on their own agenda.

We find it difficult to understand Marin County's ethical principles. We find it distressing that the town of North Topsail Beach has also demonstrated that it depends on the "money" as to how it will conduct itself. There has been little thought as to what the property owners want and very little thought was given to what the property owners have objected to. This has been demonstrated by the Board of Aldermen for the PARTF grant.

Again, we submit to you our disagreement that the projected park and parking lot is for the benefit of NTB property owners. Rather it is to benefit the real estate owner and the committee providing beach nourishment.

We are more if we think the government is for the "good" of the people that it governs. How disappointing to know that we are represented by such poor ethics in governing decisions in California as well as in North Topsail Beach.

William C. Swanback & Maria C. Luna
3632 Island Drive
North Topsail Beach, North Carolina

D J Hill AICP

From: Greg Salottolo [vorticity123@gmail.com]
Sent: Monday, December 19, 2011 1:55 PM
To: ntopsail@charter.net; suzannegrays456@gmail.com; beachmonger@yahoo.com; debbi.snyder@yahoo.com; cmyawn@charter.net; tom.leonardNTB@yahoo.com
Cc: dhill@north-topsail-beach.org
Subject: Beach Access and Park at 3623 Island Drive

December 19, 2011

Good Afternoon:

We would like to reiterate our comments made at the Board meeting on December 1, 2011 regarding the beach access and proposed park at 3623 Island Drive. In addition, several other comments are offered.

1) We noted at the meeting that public beach access is needed in this area. As Michael Yawn correctly noted the lack of close beach access is a public safety issue and a dune crossover should be built ASAP across from 3623 Island Drive. All of NTB, both permanent and part time residents as well as renters, will benefit from the access. In addition, according to our count there are approximately 12 sound side properties in the immediate area that would benefit from this access. Although, close beach accesses exist (two private posted accesses) they are for the exclusive use of the residents of Calinda Cay and Heron Cay.

2) It is our understanding that not developing a beach access at this location will result in NTB not being included in the Federal Beach Nourishment Project. This obviously affects everyone at the beach especially ocean front owners. I find it interesting that objections to the access are made by a few ocean front owners in this area when they would benefit the most by beach nourishment. Our current observations are that at high tide there is very little dry beach in this area.

3) The objections to the beach access and park, number of people, noise, litter, operating hours, lighting, signage, buffers, fences, and availability of electrical power are not valid in our opinion. As far as we know there have been no significant issues regarding the park at the north end. The NTB police do an excellent job of protecting the citizens of NTB. Let us be realistic, this is a beach community. It is crowded in the summer and almost empty at other times of the year. For instance, there are 2 beach house rentals across from us. In the summer there can be over 50 people renting these houses. We realize that this is what can be expected at the beach during the summer months. If this bothered us we would have moved to a gated community somewhere else not NTB.

4) The town has paid \$125,000 (taxpayer's money) for the property at 3623 Island Drive. The rear of this property backs up to the water. It makes sense to include in the park plans a kayak launch and other amenities to make the best use of the property for the town.

We hope the Board will address this public safety issue and proceed quickly with the construction of a dune crossover and sand path to the beach. Also, the Board should proceed with development of a park at 3623 Island Drive that makes best use of the property.

Thank you for giving us the opportunity to comment on this matter.

--
Gregory and Madeline Salottolo
3589 Island Drive
North Topsail Beach NC 28460
Permanent NTB Residents since August 2005
vorticity123@gmail.com
[910.328.9748](tel:910.328.9748)

From: Bill O'Donnell [mailto:billodnc@aol.com]

Sent: Monday, January 02, 2012 7:52 AM

To: ntopsail@charter.net; suzannegrays456@gmail.com; beachmonger@yahoo.com; debbi.snyder@yahoo.com; cmyawn@charter.net; tom.leonardNTB@yahoo.com; stevefoster@north-topsail-beach.org; dhill@north-topsail-beach.org

Subject: Public Hearing on January 4, 2012, on Proposed Park

Mr. Mayor, Aldermen, Town Manager, and Interested Citizens

Unfortunately I will be unable to attend the Public Hearing on the Proposed Park on Island Drive as I will be on my way to Singapore for my granddaughter's seventh birthday.

As I said at the December Public Hearing: "Please do no MORE harm."

This lot was purchased for the purpose of satisfying a beach access requirement if the Town receives beach nourishment funds. Unfortunately, this is a big "if."

At this time, no further action needs to be taken. Please do nothing more at this time.

A dune cross-over is NOT currently needed. There is absolutely no one who would use it because the other sound-side residences in the area have their own beach accesses or have much closer beach accesses. Legally, the Town cannot build a cross-over until it has clear title to the property. I doubt the Land Trust would want to build a cross-over.

Richard Baker likely does not have the legal authority to increase the number of easements by 66% from 3 to 5 without the consent of the owners of the land on which the easement rest. The original easement was granted by the land owner at that time. The current Landowners have not been consulted by Richard Baker.

Another Town park is not currently needed. The Town already has a very nice and very large park within a few miles of the proposed new park. This park is rarely used and requires constant maintenance and upkeep.

More parking on Island Drive is not currently needed. There is a very large County parking area (ocean- and sound-side, to the south, and the former Myrtle Drive ocean-side parking lot the north. Visitors would obviously opt to use ocean-side parking first.

In closing, I would like to ask two things:

1) Please do nothing more with the property; no park, no parking spaces, no crossover until beach nourishment is funded. This would save unnecessary expense and costly maintenance.

2) Please survey property owners in the proposed beach nourishment area AS SOON AS POSSIBLE to determine degree of support for beach nourishment (like was done at the North-end) and proceed according to their wishes.

–Thank you.

Bill O'Donnell
3612 Island Drive

D J Hill AICP

From: Don Barnes [donbarnes1@aol.com]
Sent: Tuesday, January 03, 2012 10:20 PM
To: dhill@north-topsail-beach.org
Cc: stevefoster@north-topsail-beach.org; chiang@easternrad.com; ntopsail@charter.net; suzannegrays456@gmail.com; beachmonger@yahoo.com; debbisnyder@yahoo.com; cmyawn@charter.net; tom.leonardNTB@yahoo.com
Subject: PARTF Grant Public Hearing

Debra as discussed I will not be able to attend tomorrow evenings Public Hearing. As agreed please accept this letter as my statement and submit it as part of the record.

I oppose the Town of North Topsail applying for a PARTF Grant to construct a park at 3623 Island Drive. The town's own planning commission unanimously voted to recommend that the town not apply for the grant. The Planning Commission took this stand because they understand that the purpose of public service is to whenever possible listen to the wishes of its citizens. Of those who have spoken on this issue the overwhelming majority are opposed to it. And the citizens who oppose it the most are the ones who would be affected by it the most; those who live in closest proximity to the proposed park location. There is no need for the park and in fact it is simply an add on to a project related to Beach Renourishment.

It is quite possible Federal Funding for beach renourishment will never happen. If it does not then the people living closest to this proposed park will already be left with a Public access that is also unwanted. Since the town foolishly legally committed themselves to this access project it appears the property owners will be stuck with it no matter what happens with ReN. Please do not also leave us to deal with increased traffic, noise, trash and other unwanted factors of a park. It is unnecessary and unwanted.

Finally in closing, my past experience with PARTF Grants leaves me confused as to why the town would apply for a grant without first surveying its citizens to see if they are in favor of this project. A public hearing in January that cannot be attended by a large percentage of properties owners and is unknown by an even larger percentage is not the correct way to go about this project. Especially in a town such as NTB with such a large percentage of less than full time residents. A project such as this should be looked at from all aspects, including future costs, by all who have a stake, mainly the tax payers. The process you have followed with this Grant does not meet those guidelines.

Thank you

Don Barnes
3638 Island Drive
North Topsail Beach NC
919) 734-0233
(919) 921-2844 (m)
(919) 734-0238 (f)

On Thu, Dec 8, 2011 at 10:30 AM, Linda Upperman Smith <luppsmith@ec.rr.com> wrote:

Mr. Mayor and members of the North Topsail Beach Board of Alderman,

I am writing to enlist your support of the installation of street signs in the Ocean City section of North Topsail Beach with an Ocean City logo. Developed in 1949, Ocean City today has descendents of the original residents, including myself, who continue to work to strengthen the community and keep alive the historical significance of the area. From the Sunday church services at the Wade Chestnut Memorial Chapel (Memorial weekend thru Labor Day weekend) to the now annual Jazz Festival, residents are working to bring more visitors and residents to the area and strengthen the sense of community which has been in existence from the beginning.

Ocean City, a historically Black development, has seen many changes since the area was developed by Wade Chestnut and the first homes were built in 1949. Ravaged by several hurricanes, families rebuilt and kept the community alive. Many properties have changed hands over the years, but still families return to Ocean City to visit, because of their memories of the sense of community and welcomeness felt there. Even today, traveling around the state and sometimes further away, many of us have met others who remember swimming or fishing in the area as children. Some even attended Camp Oceanside and have fond memories of the area. Ocean City continues to be recognized as a safe, nurturing community for families.

There have been several articles and references in books of Ocean City and its historical significance as the only beach in North Carolina where Blacks were allowed to own property in the late 1940's and 1950's. The Ocean City Beach Citizens Council is working towards receiving historic designation by the state of our area. Ocean City property owners continue to work to build the imade of our community and therefore the Town of North Topsail Beach. We feel that recognition of the area with street signs would enhance our image and help add value to the Town of North Topsail Beach with having an historic area within the town.

I hope that you will seriously consider allowing the motion for Ocean City street signs to move forward.

Thank you.

Sincerely,

Linda Upperman Smith
508 Ocean Drive
North Topsail Beach

D J Hill AICP

From: Kenneth and Carol Chestnut [ches1318@bellsouth.net]
Sent: Thursday, December 29, 2011 2:47 PM
To: ntopsail@charter.net; suzannegray456@gmail.com; beachmonger@yahoo.com; debbi.snyder@yahoo.com; cmyawn@charter.net; tom.leonardNTB@yahoo.com
Cc: dhill@north-topsail-beach.org; stevefoster@north-topsail-beach.org; carinf@north-topsail-beach.org
Subject: FW: Street Sign Designation for Ocean City Beach Community

Mr. Mayor and members of the North Topsail Beach Board of Alderman,

As President of the Ocean City Beach Council and as the son of Wade H. Chestnut III and Caronell C. Chestnut, I want to notify you of my full and complete endorsement of the proposal before you at your January 2012 meeting to approve the designated street signs for the Ocean City Beach Community.

My Father brought his Family to Topsail Island in 1949 when I was three years old. Over the last 63 years, Ocean City has continued to be a thriving Community and an integral part of Topsail Island and the Town of North Topsail Beach. The history documenting the significance of this community has been well documented by the Historical Society of Topsail Island, with a prominent display in its Assembly Building, and by writers such as David Stallman in his book, "Echoes of Topsail". It has also been included in many newspaper articles and a video that of my Mother that is in the State Archives Records in Raleigh.

However, in spite of the written documentation, there is no physical designation of the Ocean City Community. We feel that this designation of Street Signs is a tasteful and appropriate way to address this concern. We appreciate the support and the relationship that we have had since the Towns inception. We know that will continue in the future and solicit your support of this initiative.

Thank you for your consideration and we hope all of you have a Happy and prosperous New Year.

**Sincerely,
Kenneth S. Chestnut SR**

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Tom Leonard
Richard Macartney
Deborah Snyder
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Special Meeting Minutes Monday, January 23, 2012 9:00 A.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Tom Leonard, Dick Macartney and Mike Yawn, Town Manager Steve Foster, and Town Clerk Carin Faulkner.

NOT PRESENT: Alderman Deborah Snyder

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 9:00 a.m. He recognized Onslow County Commissioner Barbara Ilkner and County Manager Jeffrey Hudson who were in attendance.
- II. **APPROVAL OF AGENDA:**
 - Mayor Pro Tem Gray made a motion to approve the agenda as presented.
 - Alderman Yawn seconded the motion.
 - The agenda was approved unanimously.
- III. **DISCUSSION OF CP&E PROPOSAL AND SERVICE AGREEMENT FOR SERVICES ASSOCIATED WITH THE NEW RIVER INLET REALIGNMENT PROJECT:**
 - Mayor Tuman introduced the item by giving background on what the Board had approved at their January 4, 2012 meeting (Alderman Leonard's three part motion – New Business Item G). He indicated that the services in the agreement have an estimated cost of \$12,684 to the Town.
 - Mr. Foster said that this proposal is based on what the Board had requested.
 - Mr. Ken Willson of CP&E explained that his firm will develop a project information document to send out ahead of time to the dredging contractors. He said then they will set up conference calls with the dredging contractors to do question and answer sessions and get ideas on cost savings. He said then they would determine if there needs to be design and permit modifications to allow for cost efficiencies by meeting with the Army Corps of Engineers and the State and determine the level of effort needed to do the modifications. He said they will also update the existing construction costs of the project. They will then come back to the

Board with a cost and schedule; he said he hopes to execute this contract within six weeks.

- Mayor Tuman gave a brief description of the project stating that it will widen, deepen, and lengthen the channel and that the sand from that effort will be deposited on the beach. He said that a benefit of the project is that it will enhance the navigation of the New River Inlet. He said the U.S. Army Corps of Engineers has dredged the inlet on a regular basis to maintain it at certain depth for navigation, and that the USACE said that it may be able to maintain the inlet this year, but will not be able to do so in future years. He said that the USACE has been able to deposit the sand from this dredging on the North end to mitigate the erosion there. He said that this has been a manageable situation all along until the Town is able to implement the engineered plan that they have been working on for almost a decade now. He said the Town is at a crossroads and if nothing is done now the Town has an impending disaster facing the North end.
- Alderman Macartney made a motion for the Board of Aldermen to award CP&E a contract in the amount of \$12,684 for services that were described in their letter to the Town dated January 13, 2012 to include options for cost savings.
- Alderman Leonard seconded the motion.
- There was discussion.
- The motion passed 3 to 1 with Alderman Yawn voting against.

IV. **ADJOURNMENT:** Alderman Yawn made a motion to adjourn. Alderman Macartney seconded the motion. The motion passed unanimously. The meeting adjourned at 9:26 a.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 2/2/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Tom Leonard
Richard Macartney
Deborah Snyder
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Regular Meeting Minutes Thursday, February 2, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Tom Leonard, and Mike Yawn, Town Attorney Brian Edes, Town Manager Steve Foster and Town Clerk Carin Faulkner.

NOT PRESENT: Aldermen Deborah Snyder & Dick Macartney

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Alderman Mike Yawn gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
 - Alderman Leonard made a motion to remove Old Business IX. Request to Award Contract for Town Wide Beach Push. Mayor Pro Tem Gray seconded.
 - Alderman Leonard made a motion to add a request to apply for the SAFER grant to new business. Mayor Pro Tem Gray seconded.
 - Alderman Yawn made a motion to delete Presentation V. B. since Mr. Gibson was not able to make it. Mayor Pro Tem Gray seconded.
 - Alderman Yawn made a motion to add a request to suspend the permit fees for piling reinforcement to new business. Mayor Pro Tem Gray seconded.
 - Alderman Yawn made a motion to approve the amended agenda. Mayor Pro Tem Gray seconded the motion.
 - The agenda was approved unanimously.
- V. **PUBLIC HEARINGS & PRESENTATIONS**
 - A. **Presentation on Town-wide WiFi – Wade Chestnut of DoubleRadius, Inc.:** Mr. Chestnut made a presentation to the Board about the benefits of Town-wide WiFi. He took questions from the Board. Mayor Tuman suggested that the Board add further discussion of this service to the agenda for the Board's retreat.

B. ~~Presentation on Spoil Island Analysis—Chris Gibson of Cahagan & Bryant:~~

- This item was removed from the agenda.

C. Public Hearing on Rezoning Case #R-12-01:

- Ms. Hill read the Staff report.
- Alderman Yawn made a motion to open the public hearing. Alderman Leonard seconded. The motion passed unanimously.

Mr. Keith Fisher – Mr. Fisher introduced himself as the attorney for the applicants. He said that he was available for questions if the Board had any for him and that the Staff's report was clear on the circumstances of the case. Mr. Fisher took questions from the Board and Town Attorney Edes and Ms. Hill made comments.

Mr. Nathan King – Mr. King is a real estate developer who has represented the applicants previously. He explained that he helped the applicants through the process and that they went through a lot of expense. He explained that they bought the property with the intention of building houses on both sides of the street like the other homes in the area. Ms. Hill clarified the statement that the zoning was incorrect and said that R-8 is dimensionally more appropriate, and that the current zoning is not incorrect.

- Alderman Yawn made a motion to close the public hearing. Mayor Pro Tem Gray seconded. The motion passed unanimously.
- There was discussion.
- Mayor Pro Tem Gray made a motion to approve the rezoning request. Alderman Leonard seconded the motion.
- The motion failed with a 2 to 1 vote with Alderman Yawn voting against. Rezoning requires a majority vote of the Board (3 affirmative votes) to pass.

VI. MANAGER'S REPORT:

- A. Update on the Channel Realignment Project:** Mr. Foster reported that there have been several meetings that have been held since the Board's last regular meeting in January regarding the project. He summarized the statements he gave in the following report:

Possible Financial Partners Discussion:

USACE – Mr. Foster reported that he and the Mayor and met with Colonel Steven Dixon of Wilmington District USACE, and Christine Brayman, Civilian Coordinator to discuss possible funding of the project by way of using the existing New River Inlet Dredging funding. He said they explained the project to them and how it would benefit the Corps, County, and all maritime interests.

He said that he and the Mayor and are working with Congressman Jones' staff to meet with him soon. The Corps indicated that funds for future dredging are not forthcoming, and the Corps had enough residual funding for just this year. Additionally, the dredging of the Inlet was authorized by Congress, and any deviation in that authorization would have to come from Congress. He said they thanked them for their efforts, and indicated that they would be in touch with our Legislative representatives for possible change in authorization.

Onslow County – Mr. Foster reported that after the Board's special meeting on January 23rd, he and the Mayor had an opportunity to meet with Commissioner Barbara Ikner, and County Manager Jeff Hudson to discuss the project, and possible funding assistance. After the discussion, they agreed to keep them informed on its progress, and financial requirements as soon as the Town receives a final progress report from CP&E.

Camp Lejeune – Mr. Foster reported that after a number of attempts to contact Mr. Joe Ramirez, External Affairs Director, for a meeting with Base officials, we received an email indicating that the Base did not have a functional need for the project, and that further discussions would not be necessary on the topic.

Meeting with Senator Harry Brown & Representative Phil Shepard – Mr. Foster reported that he, the Mayor, Mayor Pro Tem Grey, and Alderman Leonard had a meeting with Senator Brown and Representative Shepard to solicit their support for funding from Division of Water Resources in FY 12-13 for the project. The Town currently has a grant request submitted to the Division for \$2.5M. Both men indicated that the Town has their full support and they will do everything possible to assist in interceding on behalf of the Town.

Division of Water Resources – Director Tom Reeder - Mr. Foster reported that Mr. Reeder indicated that the Division has our grant application. He stated that, they “do plan to include North Topsail's \$2.5M request in our initial Water Resource Projects budget request for next fiscal year.” This will be the second year that the Town has submitted the application. While Federal Projects for beach nourishment have gotten priority in past years, local projects such as the Town's have a lot better chance of funding since Federal funding has been suspended.

Sneads Ferry Support Solicited – Mr. Foster reported that the Town has been in contact with community representatives from Sneads Ferry to solicit support from that community to request financial assistance from other agencies. Town Staff prepared a press release for the community's website discussing the project detailing the advantages of the project to the Sneads Ferry community.

State Division of Emergency Management – Mr. Foster reported that a representative from the State Office of Emergency Management, Doug Haas, toured the affected erosion area on Friday, and damage was documented. Mr. Haas stated that he did not know if there were any funds available to assist property owners, but he would research the issue, and let the Town know of his findings.

- B. State DOT – Highway 210 & Grey Street Drainage Problem and Topsail Road:** Mr. Foster reported that he met with the District Engineer, Robert Vause, on January 25th at the site to discuss solving the drainage problem at that location prior to the Highway 210 resurfacing. The State plans to place 24” of perforated pipe under the road and north to Grey Street. They feel that this would solve the problem to a great degree, but recommend the installation of infiltration chambers at a future date. He added that the DOT has indicated that they will work with Town on resurfacing Topsail Road and work out some kind of agreement for abandoning that road for necessary improvements. The Board will see this on the next agenda.
- C. Update Meeting on RIVET:** Mr. Foster reported that the Office of Naval Research, Code 30, Demonstration and Assessment Team have invited the Town to a RIVET Mid/Final Planning conference. This MPC/FPC is a coordination meeting to finalize plans for the RIVET field study scheduled for April 15th to May 26th, 2012 in and around the New River Inlet. The conference will take place on February 15th and 16th from 8:00 a.m. to 3:00 p.m. at the Town Hall. ONR will publish the agenda for this meeting in a separate letter.
- D. Southside Park PARTF Application:** Mr. Foster reported that the application for the Soundside Park has been submitted, and the Town hopes to hear from the State in May or June as to whether the grant will be awarded to the Town.
- E. Meeting with Rogers Bay:** Mr. Foster reported that Town Staff met with Roger’s Bay and their attorney to discuss the implementation and enforcement of Town regulations as outlined in the new UDO. After discussion, the management would serve notice of violations involving non-road worthiness. Their inventory has been substantially finished and is ready for review by the building inspector. It was a productive meeting with a very cooperative exchange. Staff appreciates Roger’s Bay POA’s cooperativeness in its progress.
- F. Town Board Retreat:** Mr. Foster reminded everyone that the Board will hold its retreat on February 28, from 9:00 a.m. to 4:00 p.m. The retreat is open to the public, and the purpose is to set the Town’s goals and objectives for the coming year.

VII. **OPEN FORUM:** No one came forward.

VIII. **CONSENT AGENDA:**

- A. Request to Approve Resolution 2012-2 – A Resolution Authorizing the Disposition of Certain Person Property
- B. Request to Approve NTB National Pollution Discharge Elimination System Pesticide Discharge Management Plan (Resolution 2012-3)
- C. Request to Approve Budget Amendment #3
- D. Approval of Minutes: January 4, 2012 and January 23, 2012
- E. Department Head Reports: Finance, Fire, Inspections, Planning, Police Departments
- F. Committee Reports: Planning Board, Board of Adjustment, TISPC.
 - Alderman Yawn made a motion to approve the Consent Agenda as presented.
 - Alderman Leonard seconded the motion.
 - The motion passed unanimously.

IX. **OLD BUSINESS:**

A. Request & Discussion of Qualifications from Engineers on Preparations for Terminal Groin Scoping Meeting:

- Alderman Yawn introduced this item. He explained that the Town had asked for qualifications from coastal engineering firms for preparations for a terminal groin scoping meeting.
- There was discussion.
- Alderman Leonard made a motion for the Town of North Topsail Beach to place a moratorium on the funding and utilization of Staff resources for further terminal groin exploration for a period of one year in order to focus those resources on the channel realignment.
- Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed unanimously.

~~**B. Request to Award Contract for Town-Wide Beach Push:**~~

- This item was removed from the agenda.

X. **NEW BUSINESS:**

A. Request to Approve Re-entry Pass Policy:

- Ms. Faulkner introduced this item.
- Ms. Faulkner and Mr. Foster took questions from the Board.
- Mayor Pro Tem Gray made a motion for the Board of Aldermen to approve the Re-entry Pass Policy as presented.
- Alderman Leonard seconded the motion.
- The motion passed 2 to 1 with Alderman Yawn voting against.

B. Request to Authorize Staff to Seek the Services of Peter A. Ravella Consulting (PARC, LLC):

- Alderman Leonard introduced the item; he described the services that Mr. Ravella provides.
- Alderman Leonard made a motion for the Board to authorize the Town Manager to contact Mr. Ravella and request his attendance at the February 28th Board retreat to discuss how he can be of service to our Town and the potential term of any contract between him and the Town and further authorize the Town Manager to spend up to \$1,500 to cover Mr. Ravella's expenses for the visit.
- Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed unanimously.

C. Discussion on the Late Fee for Solid Waste Fees:

- Mr. Foster introduced the item. He said that the Town is actively trying to collect solid waste fees and that the current late fee according to the adopted fee schedule is \$25 per month. He asked that the Board consider capping the fee.
- There was discussion.
- Mr. Foster made a recommendation for the Board to consider other options for the condominium complexes the next time the solid waste contract is put out to bid.
- No action was taken on this item.

D. Discussion on Process of Obtaining Easements for New River Inlet Realignment Project:

- Mr. Foster introduced the item. He said that the Town needs to start working on the process of obtaining easements in order for the project to start in November.
- There was discussion.
- There was Board consensus to obtain 30 year easements and have Town Attorney Edes get bids from other firms who specialize in this work.

E. Request to Appoint a Board of Aldermen Member to the Eastern Carolina Council:

- Alderman Leonard made a motion to re-appoint Alderman Dick Macartney to the ECC Board.
- Alderman Yawn seconded the motion.
- The motion passed unanimously.

F. Request to Apply for the Federal SAFER Grant:

- Deputy Fire Chief George Moore introduced the item.
- There was discussion.

- Mayor Pro Tem Gray made a motion for the Town of North Topsail Beach Board of Aldermen to authorize Town Staff to apply for the Federal SAFER Grant and that the Town agrees to support the program should the grant be awarded to the Town.
- Alderman Leonard seconded the motion.
- The motion passed unanimously.

G. Request to Suspend the Permit Fees for Piling Reinforcement:

- Aldermen Yawn made a motion for the Town of North Topsail Beach to suspend the Town's permit fee for adding deeper or more substantial pilings for structures for the calendar year 2012.
- Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

- XI. **OPEN FORUM:** No one came forward.
- XII. **ATTORNEY'S REPORT:** Mr. Edes thanked Ms. Hill for her hard work on the rezoning application.
- XIII. **MAYOR'S REPORT:** Mayor Tuman stated that the Town is continuing its efforts to get financial support from the State and County and that he will be having discussions with Representative Jones in regards to Federal support. He said he was absent from the ONWASA meeting and said that he will submit a report next month on what happened at in his absence.
- XIV. **ALDERMEN'S REPORT:**
- Alderman Leonard:** Mr. Leonard stated that there is a lot of activity at sea and the USMC is participating in something called "Bold Alligator 2012" which is a huge exercise to get the USMC out of being a desert fighting force and back into their amphibious roots. He said the USS New York is one of the ships out there and that it was recently built and commissioned since 9/11 and includes steel from Twin Towers.
- Alderman Yawn:** Mr. Yawn wished everyone a respectful President's Day and said he will see everyone next month.
- Mayor Pro Tem Gray:** Mrs. Gray said she is glad to see that the Fire Department is working on this project, as a former EMS provider, she is all for having services that will keep the Town safe.
- XV. **ADJOURNMENT:** Alderman Yawn made a motion to adjourn. Alderman Macartney seconded the motion. The motion passed unanimously. The meeting adjourned at 8:48 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 3/1/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Regular Meeting Minutes Thursday, March 1, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Tom Leonard, Dick Macartney and Mike Yawn, Town Attorney Brian Edes, Town Manager Steve Foster and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Mayor Pro Tem Gray gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Gray led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
 - Alderman Yawn made a motion to approve the agenda as presented. Alderman Leonard seconded.
 - The agenda was approved unanimously.
- V. **PUBLIC HEARINGS & PRESENTATIONS**

A. Presentation & Discussion on the Town's Public Officials Liability Insurance – Randy Reeves of Wells Insurance: Mr. Reeves reported that the Town has not had any claims in the last two years and said that since there haven't been any losses that he hopes that the Town gets some relief off the premium. He said that he asked to have the Town's umbrella coverage layer over the public officials liability. He also asked if they could put the public officials liability back into the package policy and they said no right now, they want to see one or two more years of loss-free history. He said when that happens the public officials liability will go down in price a lot.

He said that he did some research on getting coverage for a beach nourishment project. He said that most carriers won't cover it from an erosion standpoint, but as far as when the work is being done it will be covered. He suggested that the Town make sure that contractors have a minimum of \$10 million excess coverage and that the contract includes a statement that the Town is held harmless. He said Lloyd's may be the only place to get a manuscripted policy that would cover hot spots. He said that the Town would probably not like the price for it. He said he still has feelers

out on it and can get back to the Board sometime in April. There was discussion and questions from the Board.

VI. **MANAGER'S REPORT:**

- A. RFP – Debris Removal:** Mr. Foster reported that per FEMA requirements, the Town has prepared and distributed “request for proposals” to qualified contractors for the cleanup and removal of post storm debris. Staff distributed RFPs to 20 potential qualified firms. The Town’s contract with the Debris Removal Corporation has expired and the Town is looking for a new contract to cover a three year period. The Board will be presented with the tabulated results for their April meeting.
- B. CBRA News:** Mr. Foster reported that Staff was notified by Mr. Jon Harms of Marlowe that Congressman Walter Jones is planning to introduce legislation to remove developed portions of the CBRA Zone designation from North Topsail Beach soon. Alderman Macartney and Mayor Pro Tem Gray said that they had received an email just before the meeting indicating that the bill will be introduced next week and that Senator Hagan is likely to follow up with a Senate bill and is waiting for the exact language.
- C. Meeting with Walter Jones – To Request Possible Use of New River Inlet Funding for “Realignment Project”:** Mr. Foster reported that the Mayor and Manager attempted to arrange a meeting with Congressman Jones, Christine Brayman Civilian Director of the USACE, Mr. Bill Keller County Commissioner, and Mr. Tom Reeder Director of the NC Division of Water Resources to discuss revising the Congressional authorization process where funding could be used to augment the costs of projects such as our “Channel Realignment Project”. He said that Representative Jones indicated that the funding could not be diverted and that a meeting would not accomplish anything. The WRDA bill is not going to be introduced this year and the funding cannot be changed unless it is included in the WRDA bill.
- D. FY 2012-13 Budget:** Mr. Foster reported that Staff has been working on the FY 2012-13 Budget. There was a kick off meeting on February 10th. Budget forms have been distributed, the finance officer is working on revenue projections, and we hope to obtain State shared budget projections soon.
- E. Solid Waste Collections:** Mr. Foster said that the Town would like to remind all condominium owners that their solid annual solid waste fee is due and payable. If they have not paid the fee for this year, late fees are accruing at a rate of \$25.00 per month. The Town will be aggressively pursuing payment through the NC Debt Set Off Program, and possibly utilizing the Court for collections. The Town would like to avoid utilizing those collection methods, so please get these

payments into us as soon as possible. The Town still has about 100 outstanding unpaid accounts.

F. Easements for the Realignment Project: Mr. Foster said that the Town would like to ask all property owners in the Phase 1 beach nourishment area to please sign and notarize their easement procurement documents as soon as possible. The Town will need these documents executed and returned as soon as possible. The Town is looking toward an early November start date for the Project to begin, and it can't start until these easements are recorded at the Register of Deeds.

G. Planning Department: The Planning Department is working on the following:

- Our Project Easement Database
- Changing over the Town's Website
- IT Proposals for the Upcoming Budget Year
- Researching Possible Grants for a new Public Safety Building

VII. **OPEN FORUM:** No one came forward.

VIII. **CONSENT AGENDA:**

A. Request to Adopt Resolution 2012-4 – A Resolution Authorizing Town Staff to Apply for the Federal Staffing for Adequate Fire and Emergency Response Program (SAFER)

B. Request to Approve Tax Refunds

C. Approval of Minutes: February 2, 2012 and February 28, 2012

D. Department Head Reports: Finance, Fire, Inspections, Planning, Police Departments

E. Committee Reports: Planning Board, Board of Adjustment, TISPC, ONWASA, Beautification and Recreation

- Alderman Macartney made a motion to remove Item A from the Consent Agenda and move it to New Business and moved that the Board adopt the Consent Agenda as amended.
- Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

IX. **NEW BUSINESS:**

A. Request to Appoint an Alternate to the Board of Adjustment:

- Ms. Faulkner introduced this item. She indicated that Ms. Zubecca Bowman submitted an application for appointment to the Board of Adjustment. Ms. Faulkner announced that at this time the Board of Adjustment has enough regular members and that Ms. Bowman would serve as an alternate. She indicated that Ms. Bowman is aware that there will be several hours of training involved.

- Alderman Macartney made a motion to appoint Ms. Zubecca Bowman to the Board of Adjustment as an alternate.
- Alderman Leonard seconded the motion.
- The motion passed unanimously.

B. Request to Adopt a Resolution Honoring the Public Service of Alderman Snyder:

- Alderman Yawn introduced this item.
- Alderman Yawn made a motion for the Board of Aldermen to adopt Resolution 2012-5. Alderman Leonard seconded the motion.
- The motion passed unanimously.

C. Request to Increase Town Manager's Base Salary:

- Alderman Yawn introduced this item.
- Alderman Yawn made a motion for the Town of North Topsail Beach Board of Aldermen to increase the base salary of Town Manager Steve Foster by a total of 9% (5% COLA and 4% merit), for an increase of \$7,380 a year to a total amount of \$89,380 per year, effective 3/1/2012.
- Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

D. Request to Adopt a Resolution Supporting the Efforts of the Wilmington City Council to Bring Major League Baseball to the Wilmington Area (Resolution 2012-6):

- Mayor Tuman introduced this item.
- There was discussion.
- Alderman Yawn made a motion to adopt Resolution 2012-6.
- Mayor Pro Tem Gray seconded the motion.
- The motion passed 3 to 1 with Alderman Macartney voting against.

E. Request to Accept Proposal from Peter A. Ravella Consulting:

- Alderman Macartney made a motion to approve the contract as presented. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- Mr. Edes said that he did not like the use of the word "estimated" and suggested that the Board put a "not to exceed" clause in the contract so that it is not open ended.
- Alderman Macartney amended his motion to include the terms that the contract will not exceed \$100,000.
- Mayor Pro Tem Gray seconded the amended motion.
- There was discussion.
- The motion passed 3 to 1 with Alderman Yawn voting against.

F. Request to Adopt Resolution 2012-4 – A Resolution Authorizing Town Staff to Apply for the Federal Staffing for Adequate Fire and Emergency Response Program (SAFER)

- Alderman Macartney asked if the Town would have to keep the staff on the payroll after the term of the grant funding.
- Mr. Foster indicated that there is no such requirement with this particular grant; he said this was a condition of past grants, but not this one.
- Alderman Yawn made a motion to adopt Resolution 2012-4. Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

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

XI. **ATTORNEY'S REPORT:** Mr. Edes notified the Board of an important ruling on a case in Nags Head regarding public trust rights. He said he would e-mail the opinion to the Board and encouraged the Board to follow up and participate in any meetings and efforts other coastal towns will be making in response to the ruling.

XII. **MAYOR'S REPORT:** Mayor Tuman said now that he is on the Board of Directors for ONWASA that he is paying attention to the ongoing concerns with water pressure. He said that it has the attention of the director of ONWASA. He reported that ONWASA is planning on running an experiment to simulate the increased demand that the Town experiences in the summer. This event will be announced to the public beforehand. He said that this will allow ONWASA to take remedial action.

XIII. **ALDERMEN'S REPORT:**

Alderman Leonard: Mr. Leonard thanked everyone for coming. He said that the Board had a very productive retreat earlier in the week. He announced that he and Mayor Pro Tem Gray are graduates of the School of Government's ethics class.

Alderman Yawn: Mr. Yawn wished everyone a happy spring and Happy St. Patrick's Day. He announced that the Board discussed how they will be filling the Board vacancy and that the Town is accepting applications through March 12th. The person selected will serve the remainder of Ms. Snyder's term which ends December 2013.

Mayor Pro Tem Gray: Mrs. Gray thanked everyone for coming and asked that they invite their friends and neighbors to come. She said that the Board retreat was very productive at the retreat and that tonight was productive as well.

Alderman Macartney: Mr. Macartney announced that he represented the United States Curling Association in Scotland and that the U.S. team won the trophy. He thanked the Board for doing without him for 26 days. He said he will remember the experience all his life.

- XIV. **ADJOURNMENT:** Alderman Yawn made a motion to adjourn. Alderman Leonard seconded the motion. The motion passed unanimously. The meeting adjourned at 7:41 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 4/5/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Special Meeting/Retreat Minutes* Tuesday, February 28, 2012 9:00 A.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Dick Macartney, Tom Leonard, Mike Yawn, Town Manager Steve Foster and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 9:00 a.m.
- II. **APPROVAL OF AGENDA:**
 - Alderman Yawn made a motion to approve the agenda as presented. Alderman Leonard seconded the motion.
 - The agenda was approved unanimously.
- III. **INTRODUCTION:** Mr. Foster welcomed everyone and introduced Mr. Tom Jarrett from Coastal Planning and Engineering and Mr. Peter Ravella of Peter A. Ravella Consulting (PARC).
- IV. **BEACH ISSUES**

Project Status Update

Tom Jarrett of Coastal Planning & Engineering:

- Mr. Jarrett made a presentation (Attachment A) going over Phase One of the CP&E project, which includes the realignment of the New River Inlet channel; one of the recommendations from his presentation was for his firm to do jet probes to discover more information about the location of clay in the inlet.
- Alderman Macartney made a motion to authorize the jet probes for \$35,000 and ask CP&E to begin immediately. Alderman Yawn seconded the motion. The motion passed unanimously.

Action Item: Town Manager to follow up with CP&E on the jet probes.

Easement Update – Steve Foster, Town Manager

- Mr. Foster updated the Board on the status of the process of obtaining 30 year easements for the New River Inlet Channel Realignment Project. He presented

*There are attachments to these minutes. (Attachment A, B, C – February 29, 2012 Board of Aldermen Special Meeting/Retreat Minutes)

the Board with copies of the letters and documents that would be sent out to the property owners in Phase One.

- Alderman Macartney made a motion to authorize the sending of the certified letters and documents for the limited 30 year beach renourishment easement to the 142 property owners identified and not to go out with the follow up documents until the Board revisits it. Alderman Gray seconded the motion. The motion passed unanimously.

Action Item: Ms. Hill will be sending the easement documents to Phase One property owners.

Consulting Services for Beach Nourishment Project – Peter Ravella of PARC

- Mr. Ravella made a presentation to the Board (Attachment B).
- There was discussion.
- Mr. Ravella is to submit a proposal to the Board which will be discussed at the March 1, 2012 regular Board meeting.

Action Item: Add Mr. Ravella's proposal to the next BOA meeting agenda for Board discussion and consideration.

The Board went into a short recess at 12:17 p.m. and continued to work through the Beach Issues agenda items.

Request to Approve Facts & Policy Statement

- Alderman Yawn introduced this item.
- Alderman Macartney moved that the minutes reflect that the Board listened to the request to approve facts and policy statement and moved that the Board move on with the rest of the agenda. Alderman Leonard seconded the motion.
- The motion passed unanimously.

Spoil Island Report – Chris Gibson of Gahagan & Bryant

- Jamie Pratt, a coastal geologist from Gahagan & Bryant, made a presentation to the Board on the spoil island analysis (Attachment C).
- The report indicated that one of the two spoil islands studied had 1.94 million cubic yards of beach compatible sand.
- There was discussion about the quality of the sand, which would not be usable in hard bottom areas.
- There was further discussion about the options the Town has and if there would be any cost savings.
- Mr. Jarrett of CP&E indicated that he would be able to provide Mr. Gibson with data about the hard bottom areas.
- Mr. Gibson agreed to submit a proposal with the options that Town has to get the sand from the spoil island onto the beach, possibly in conjunction with the channel realignment project.

Beach Nourishment Outside Funding:

- Mr. Foster presented a spreadsheet with projected costs and possible funding sources for the NRI Channel Realignment Project.
- There was discussion.
- Alderman Macartney made a motion for the Town to ask for \$2.5 million from Onslow County as outlined in the facts and policy statement. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed 3 to 1 with Alderman Yawn voting against.
- Alderman Yawn discussed the following methods of getting funding through the State with the assistance of the Topsail Island Shoreline Protection Commission's State government affairs consultant Connie Wilson:
 - Allow an increase the local occupancy tax to 6% for all three Topsail Island towns
 - Require than any county in N.C. return all occupancy taxes collected from a beach town with an active Beach Nourishment project back to the town.
 - Require that the State return all sales taxes collected from short-term rentals collected from a beach town with an active Beach Nourishment project back to the town.
- Alderman Macartney said he does not think that there would be a problem getting Ms. Wilson to work on these issues for the Town.
- Alderman Yawn presented his ideas on some things that the Town could try with the County.
- There was discussion.

Action Items: The Town Manager is going to draft a letter to Onslow County Manager Jeff Hudson requesting \$2.5 million for the NRI Channel Realignment Project. The Town Manager will also make sure the items Alderman Yawn spoke about are on the next TISPC agenda.

Plan/Options for the Remainder of the Town:

- Mayor Tuman suggested that the Town begin having ongoing workshops on beach issues.
- There was discussion.
- Alderman Yawn made a motion for the Town Clerk to coordinate and schedule a special meeting of the Board of Aldermen to take place in mid-March regarding beach nourishment and beach nourishment funding. Alderman Leonard seconded. The motion passed unanimously.

Action Item: Town Clerk to schedule and advertise a special meeting.

The Board took a short recess and continued the meeting at 2:43 p.m.

V. **PLANNING & ZONING**

Nonconforming & Illegal Lots & Structures:

- Alderman Yawn made a motion to request that the Planning Board research potential changes to the 80% Rule at their March meeting, schedule a public hearing for the BOA April meeting on this proposed change to the UDO, request that the Planning Board investigate other actions to address nonconformities of structures and lots and take the Case # R-12-02 and Case # R-12-01 off the agenda for March 1. Alderman Macartney seconded the motion. The motion passed unanimously.

Action Item: Take the public hearings off of the 3/1 agenda and cancel the court reporter. Ms. Hill will put the item to research potential changes to the 80% on the Planning Board agenda. Advertise public hearing for amendment to the Unified Development Ordinance.

VI. **ADMINISTRATION**

IT:

- Mr. Foster indicated that Ms. Hill is working with a consultant to come up with a proposal to replace the Town's aging computer hardware. The hardware is approximately 5 years old and many of the newer software are not compatible with Windows XP.

Action Item: Proposal to be submitted during budget preparation.

Audio Visual for Meeting Room:

- Ms. Faulkner indicated that money was budgeted to upgrade the audio visual for the Town's meeting room. She indicated that Mayor Tuman has proposed that the Town use several flat monitors which could hook up wirelessly.
- There were no other comments or suggestions.

Action Item: Town Clerk to get prices on monitors and wireless equipment.

Town Code:

- Ms. Faulkner indicated that the Town will soon have to have a hard copy made of the Town Code. Previously the Town had ordered over a dozen copies which were at a big expense to the Town. She recommended only ordering copies needed by Town Staff.
- There was discussion.
- The Board agreed that it was only necessary to print what is needed by Staff since the document is available and searchable online.

Communications (internal/external):

- Ms. Faulkner asked the Board for suggestions on internal and external communication.

- There were no suggestions from the Board.
- She reported that the Connect CTY service will be upgraded to allow for the Town to send out messages via Facebook, Twitter, RSS feed and Town website simultaneously. She also said there is a feature that can use GIS to map out certain areas of the Town to contact.

VII. **PARKS & RECREATION:** No suggestions from the Board. Robert Swantek, Chairman of the Beautification and Recreation Committee was asked for his input. He said he would like the crossover at the new Town property to be built as soon as possible. The Board indicated that this item will appear on the June Board of Aldermen agenda.

VIII. **PUBLIC WORKS:** Mr. Best reported that he is working on a Capital Improvement Plan for this department. He is purchasing trash cans to replace those that are now missing from the beach. He is going to work on a new crossover to replace the one that was taken out by severe erosion at the north end as soon as it is safe to do so. He reported that Ocean City will be receiving new street signs first and that he is working on getting signs replaced Town-wide, this will be a budget item. He reported that the department is upgrading the system on the mosquito spraying machine to use GIS and is looking into doing some cost-sharing with Topsail Beach on this system.

IX. **POLICE & FIRE**

Request to Approve the Preparation of Preliminary Engineering Plans for Possible Hazard Mitigation at South End Fire Station: Mr. Foster reported that the South End fire station floods on a regular basis. He said that Town Staff has looked into getting a hazard mitigation grant for the building and it turned out that it did not meet the requirements for the grant. He indicated though, that there are other grants that the Town could qualify for and that an engineered plan would help with the application process. He said that there would not be grant funding for police, but suggested that a new building could include the police department and the building could be considered a public safety building. There was discussion.

Action Items: Town Staff to get prices from engineering firms to do a preliminary engineering plan for a new fire station. All options will be part of a CIP for the departments.

X. **DISCUSSION OF PROCEDURES FOR REPLACING ALDERMAN SNYDER:**

- Alderman Leonard discussed his proposal to fill the Board vacancy. He said he would like the Board to advertise the vacancy in the same manner that the Town advertises for other board and committee vacancies with a target of filling the vacancy at the April regular Board of Aldermen meeting. He said the application deadline would be March 12th and that the Board would schedule a special meeting to interview the candidates.
- There was discussion.

- Alderman Yawn made a motion to approve Mr. Leonard’s proposal and for there to be three votes needed to elect an alderman.
- There was discussion.
- Alderman Yawn amended his motion removing the three vote requirement.
- Alderman Leonard seconded the motion. The motion passed unanimously.

Action Items: Town Clerk will advertise the vacancy and make the application available (website and marquee). Advertise for special meeting for interviews.

- XI. **REVIEW OF ACTION ITEMS:** The Board and Staff reviewed the action items that came out of the retreat.
- XII. **EVALUATE THE RETREAT:** The Board was pleased with the meeting and did not have any suggestions.
- XIII. **CLOSED SESSION:**
- Alderman Yawn made a motion to go into closed session per N.C.G.S. 143-318.11 Closed Sessions (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 the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease. Alderman Leonard seconded the motion. The motion passed unanimously.
 - Alderman Macartney made a motion to come out of closed session. Alderman Yawn seconded the motion. The motion passed unanimously.
 - The Board directed the Town Manager to contact the County Manager regarding the property that was discussed.
- XIV. **ADJOURNMENT:** Alderman Yawn made a motion to adjourn. Mayor Pro Tem Gray seconded the motion. The motion passed unanimously. The meeting adjourned at 3:46 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

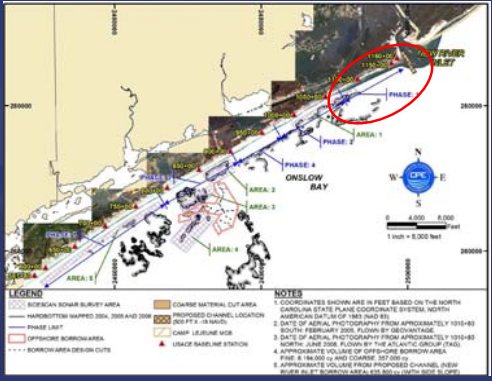
Carin Z. Faulkner, Town Clerk

Approved on: 3/1/2012

North Topsail Beach Project Update









LEGEND

- BOUNDARY SHOWN SURVEY AREA
- PROPOSED CHANNEL LOCATION 200 FT x 10 FT
- PHASE LIMIT
- OPENHOUSE BOUNDARIES
- BORROW AREA DESIGN CUTS
- CHANNEL MATERIAL CUT AREA
- PROPOSED CHANNEL LOCATION 200 FT x 10 FT
- CAMP LIFELINE MOB
- USACE BASELINE STATION

NOTES

- COORDINATES SHOWN ARE IN FEET BASED ON THE NORTH CAROLINA STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1885 (NAD 83).
- DATE OF AERIAL PHOTOGRAPHY FROM APPROXIMATELY 1910-1913.
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Shoreline & Inlet Management Plan

Topics

- Review of Bogue Inlet Project
- Overview of Challenges
- Interviews with Dredging Companies
- Possible Channel Modifications
- Project Schedule
- Preliminary Construction Cost Update





Bogue Inlet – Nov 9, 2004 – Pre-Project





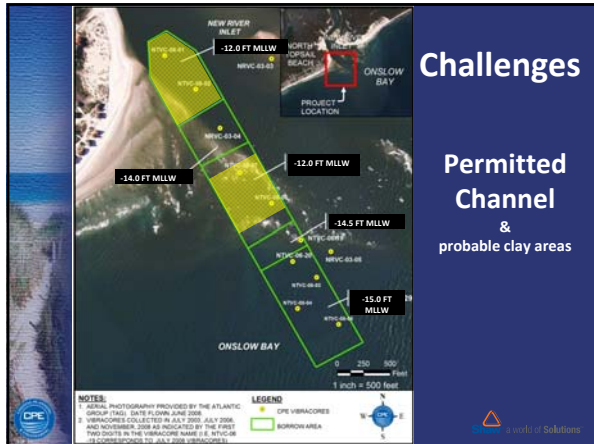
Bogue Inlet – Jun 13, 2005 – Post-Project





Bogue Inlet – Jun 10, 2011 – after 6 yrs



Interviews with Dredging Companies

Purpose of interviews to see if there are things we can do in the Plans and Specifications to reduce costs.

Summary – Interviews with Dredging Companies

Companies Interviewed

Weeks Marine
 Great Lakes Dredge & Dock
 Norfolk Dredging
 Marinex Construction
 Cottrell Construction
 Southwind Dredging

Summary – Interviews with Dredging Companies

Cottrell & Southwind don't have ocean certified dredges so they cannot do the work.

Still are 4 to 5 companies that can.

Summary – Interviews with Dredging Companies

Their Concerns:

- 1) Shallow depth of cut in clay areas
- 2) Who would be responsible to clean-up clay balls?
- 3) Easement from inlet to DA 143

Summary – Interviews with Dredging Companies




Their Recommendations:

- 1) Provide better definition of clay layers
- 2) One-foot to two-foot buffer over clay
- 3) Pay for in-place yardage on the beach
- 4) Include clay ball removal as optional bid item

Summary – Interviews with Dredging Companies

Their Recommendations (continued):

- 5) Provide pipeline easement to DA 143 (if necessary)
- 5) Consider separate bid items for sand & clay
- 6) Try to extend dredging widow

Possible Channel Mods:

Landward starting point depends on new survey



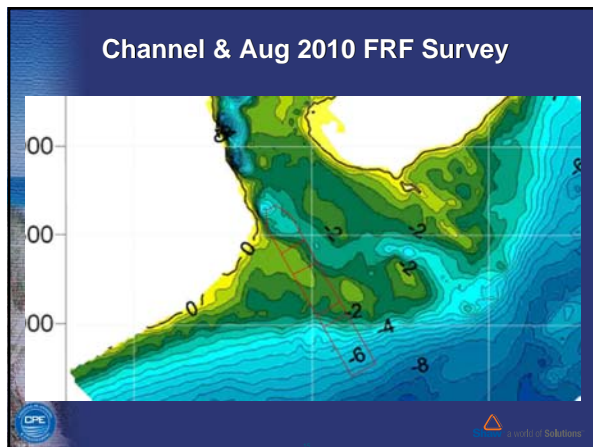
Mods depend on Jet Probe results

Channel Modifications

Narrower channel on landward end

Work around clay areas

Shallower depth in middle section

Schedule

- Jet Probes – March/April 2012
- Inlet Survey – March/April 2012
- Beach Profile Surveys – March/April 2012
- Modify Channel Design – May 2012
- Permit Mods for New Channel Design – May 2012
- Begin P&S – June 2012
- Advertise – August 2012
- Receive Bids – September 2012
- Award Contract – October 2012
- Begin Construction no later than 1 Jan 2013 ⁽¹⁾
- Complete Phase 1 no later than 31 Mar 2013



⁽¹⁾ Dredging window 16 Nov 2012 – 31 Mar 2013

Total construction time 9 to 12 weeks




Preliminary Construction Cost Update

- Jet Probes - \$35,000
- Inlet Survey – \$19,000
- (No Cost to Town if done by FRF - CPE Coordinating)
- Define Vegetation Line – Cost TBD
- Beach Profile Surveys – Cost TBD
- Construction Cost - \$7.5 M
- (Includes P&S and construction oversight)
- Environmental Monitoring

Environmental Monitoring Requirements

Pre-Construction:

- Bird Monitoring: **Completed**
- Habitat mapping: **Completed**


Contract & funding for *Donax* research by Dr. Skip Kemp, Carteret County Community College

~\$140K over 2 years

Bird Monitoring Every Week During Construction

Construction period 9 to 12 weeks

(Town to contract)






Environmental Monitoring Requirements

Post-Construction:

- Bird Monitoring - 2 to 3 years (Town to contract)
- Habitat mapping - four (4) years after construction
 - Aerial photos and ground truth surveys
 - \$40K - \$50K/year
 - Total \$160K to \$200K for 4 years
- Upland Disposal Site - \$10K to \$15K (if used)

Reporting: All monitoring results incorporated into a GIS developed for the project and provided to various state and federal agencies.

Environmental Monitoring Requirements



Summary: Total environmental monitoring cost over 4-year post-construction =

\$300K to \$355K





+
Bird Monitoring




QUESTIONS?



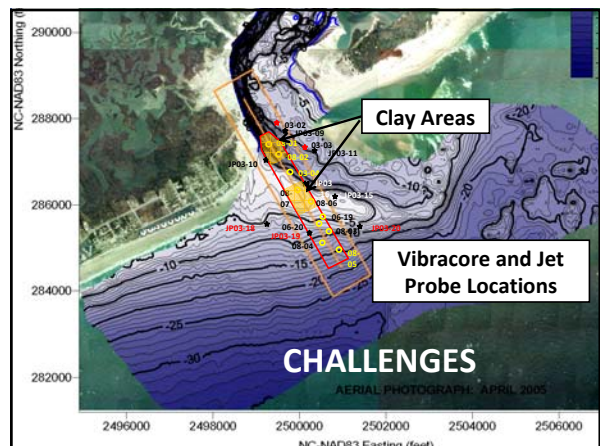



Jan 2012 N. End photos from Town website

Things to Do

- Construction Easement – Ongoing
- Jet Probes – define top of clay (need NOW)
- Inlet Bathymetric Survey (need NOW)
- Pipeline Easement to DA 143 (if necessary)**
- Plans & Specifications
 - Beach Profile Surveys – every 1000 feet
 - Channel (Borrow Area) Revisions
 - Permit Mods
 - Pre-Bid Meeting (agencies & contractors)
 - Advertise & Award Contract
- Pre-Construction Environmental Monitoring
- Existing Vegetation Line

Successful Beach Project Financing

North Topsail Beach

Board of Aldermen Workshop
February 27, 2012

PETER A. RAVELLA, PRINCIPAL
PAR CONSULTING, LLC

Workshop Agenda

- Why Beach Funding is Tricky
- Big Picture: Federal, State & Local Money
- Example Case: Bald Head Island, NC
- Secrets to Success
- Open Discussion

PAR

What we do . . .

- ▶ PARC works with beachfront communities to explore and develop funding plans for beach restoration projects
- ▶ We work to develop beach financing plans local communities can consider
- ▶ We facilitate the discussion & develop funding approaches to meet local needs

PAR

How we work . . .

- ▶ Develop funding strategies through an open community workshop process
- ▶ Typical Timeframe: 6 months
- ▶ Cornerstone of the process: open public dialogue intended to discover “what is fair” for the community

PAR

PARC Beach Funding Experience

Successful Funding Plans

- ▶ Topsail Beach, North Carolina
- ▶ Bald Head Island, North Carolina
- ▶ North Carolina BIMP (recommendations)
- ▶ Navarre Beach, Florida
- ▶ City of Destin, Florida
- ▶ Okaloosa Island Florida

Funding Feasibility Studies

- ▶ Charlotte County, Florida
- ▶ Sarasota County, Florida

PAR

Typical Funding Strategy Process

- ▶ Community Interviews: 10 days
- ▶ On-going Dialogue and Outreach
- ▶ Community Developed Funding Strategy
- ▶ Public Workshops
 - Workshop Series #1 – Introduction & Input
 - Workshop Series #2 – Preliminary Funding Plan
 - Workshop Series #3 – Revised Funding Plan
- ▶ PARC Funding Plan Recommendation
- ▶ City Aldermen Adoption

PAR

Public Outreach & Participation

- ▶ Personal Interviews with PARC
- ▶ Attend Workshops - in person or on Webcast
- ▶ Review and Comment on the Draft Plans
- ▶ Call me: 512-784-3565
- ▶ Email me: peter@ravellaconsulting.com

PAR



Part I

Why this is Tricky:
The Duality of Beaches

There's Nothing Like a Beach

Public Character	Private Character
<ul style="list-style-type: none"> ■ Community "park" ■ Protects Public Infrastructure ■ Foundation of the tourism economy ■ Drives the real estate market ■ Expands the tax base ■ Increases public revenue 	<ul style="list-style-type: none"> ■ Protect Private Homes ■ Increases property values ■ Increases rental income ■ Enhances recreation experience ■ Provides "spiritual" benefits

9

"Duality" is the Key to Funding

- Successful Funding Strategies must reflect the dual nature of beaches
- Failed Beach Funding Plans Fracture when:
 - Beachfront owners emphasize the "public character" of the beach to push costs landward
 - Off-beach owners emphasize the "private character" of the beach to push costs seaward
- Financial plans must balance and reflect the public and private character of the beach. Everyone has a stake in healthy, stable shorelines.

10

PAR

Build Funding Coalitions

Potential Contributors

▶ State of North Carolina	Public
▶ Onslow County	Public
▶ Town of N. Topsail Beach	Private
▶ Beachfront property owners	Private
▶ Off-beach property owners	Private
▶ Accommodation Tax Revenue	Private
▶ Day-tripper Parking	Private

11

PAR

Beaches are Huge Economic Assets

Public Economic Assets	Private Economic Assets
<ul style="list-style-type: none"> ▶ The beach is the No. 1 industry in Topsail Beach ▶ The Beach brings visitors and drives the economy ▶ Huge Tax Base for NC Cities & Counties . . . If the beaches are maintained 	<ul style="list-style-type: none"> ▶ Many Owners = Small Business Entrepreneurs ▶ Beach rentals generate personal wealth & income, especially for retired folks ▶ Property ownership provides a reliable income stream . . . If the beaches are maintained
Public Benefits	Private Benefits

PARC

The Value of Beaches The Short Story

<p>Tourism – one of NC's largest industries</p> <ul style="list-style-type: none"> ▶ In 2007, domestic travelers spent \$16.5 billion across the state, a 7.2 percent increase over 2006. ▶ Domestic tourism expenditures directly supported 190,900 jobs for North Carolina residents. ▶ Payroll income accounted for over \$4.0 billion in wages in the state ▶ Tourism generated over \$2.5 billion in tax receipts: <ul style="list-style-type: none"> ▶ \$1.2 billion in federal taxes ▶ \$1.3 billion in state and local taxes: <ul style="list-style-type: none"> ◦ \$815 million in state tax revenue ◦ \$529 million in local tax revenue 	<p>Top Activities for Overnight Visitors</p> <ul style="list-style-type: none"> ▶ Visiting relatives 32.20% ▶ Shopping 19.30% ▶ Visiting friends 19.10% ▶ Rural sightseeing 14.10% ▶ Fine dining 13.10% ▶ Beach 12.80% ▶ State/National Park 8.70% ▶ Urban sightseeing 6.90% ▶ Historic sites 6.60% ▶ Wildlife viewing 5.10% ▶ Museums 5.00% ▶ Fishing 4.70%
--	--

Big Bucks

Beaches a Top Destination

PARC

The Grand Canyon Times

<p>Grand Canyon Collapsing Expected to be Filled in 25 Years, Nearby Owners Fight Back</p> <p>AP (Phoenix AZ): Scientists warned today that continued erosion of the Grand Canyon side walls was accelerating and that the entire canyon would be filled within 25 years, marking the demise of one of the great wonders of the natural world.</p> <p>Local property owners adjacent to the canyon have poured millions into the famed attraction but to no avail. Nonetheless, state leaders demanded they do more, since they choose to risk buying in such a dangerous area. The fight continues.</p>	<p>Why Are Beaches Treated this Way</p> <ul style="list-style-type: none"> ▶ Beaches are local, state and national assets ▶ Financing Beach projects should not be a primarily a matter of local concern ▶ Work to secure County, State and if possible Federal Funds
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Would this Happen?

It Does for Beaches

PARC

We Treat Beaches Differently Economic Development Incentives

<p>▶ Factory Incentives</p> <ul style="list-style-type: none"> ▶ State Tax Credits – available for job creation, investment in business property, and investment in real property ▶ Industrial Training – Customized training for employees at no cost to the company by the North Carolina Community College system. Typically \$1,500 per person trained. ▶ Industrial Development Fund – Provides grant funds at \$5,000 per new job created up to a maximum of \$500,000 for infrastructure. ▶ Community Development Block Grant – Provides grant funds from \$8,000 to \$15,000 per job created up to a maximum of \$1,000,000 for infrastructure ▶ Industrial Revenue Bonds – Tax-exempt bonds up to \$10 million for building, equipment, and land. Interest rates are currently around 2-5%. 	<p>▶ Why Not Beach Restoration Incentives?</p> <ul style="list-style-type: none"> ◦ Beach & Tourism jobs are impossible to outsource ◦ Individuals rental owners are the "factory," distributing wealth ◦ Thousands of jobs are created ◦ Beach economy is not "discrete and identifiable" ◦ Where is the ribbon cutting ceremony?
---	--

Job Investment is Old School

Beach Investment is a Struggle

PARC

We Treat Beaches Differently Wilmington International Port

<p>▶ If Ports were beaches, we'd say:</p> <ul style="list-style-type: none"> ▶ Shallow water is a problem ▶ A natural process fills the Port channels with sand ▶ The Port owner picked the wrong location ▶ The Port owner is at fault ▶ The Port owner should pay 	<p>▶ If Beaches were Ports, we'd say:</p> <ul style="list-style-type: none"> ▶ Beaches are huge economic assets ▶ Beaches drive the local, regional & state economy ▶ Beaches protect property and save lives ▶ We will all help pay to maintain the beach
---	---

Automatic State & Federal Investment

Struggle for Local, State & Federal Investment

PARC

Why are Beaches Treated Differently? The Hawaiian Shirt Syndrome

<ul style="list-style-type: none"> ▶ Beaches are Frivolous Places ▶ Drink in hand ▶ Surfers, skateboards & kites ▶ Leisure time ▶ Shorts & the Hawaiian Shirts ▶ Can you invest millions in a place where everyone wears Hawaiian shirts? 	<ul style="list-style-type: none"> ▶ Beaches are Economic Engines ▶ Most beach homes are vacation rentals ▶ Rentals depend on the existence of a healthy beach ▶ This is true in your beach town too.
---	---

Don't Be Fooled

Beaches Mean Money

PARC

The Fear of Futility Why Paint the House?

<ul style="list-style-type: none"> ▶ We do Maintenance <ul style="list-style-type: none"> ◦ Of roads & transportation ◦ Of water & sewer systems ◦ Of homes & vehicles ▶ Could you tell your wife: <p style="margin-left: 20px;"><i>"Honey, I don't see why we should paint the house, it'll just fade out in ten years."</i></p> 	<ul style="list-style-type: none"> ▶ Beaches Change and Need to Be Maintained ▶ Yes, it is an on-going obligation ▶ No, there is no permanent, one-time solution ▶ Forget the silver bullet -- build beaches and dunes
--	--

Paint the House

Maintain the Beach

PARC

The NC Outer Banks: A World Renowned Destination

- ▶ Cape Hatteras National Seashore 2,193,192
2010 Visitors
- ▶ All Outer Banks Beaches:
 - ▶ Daily Summer visitors 150,000
 - ▶ Total Summer visitors (120 days) 18,000,000
- ▶ Total NFL Attendance 2009: 17,469,552
 - Regular season, 32 teams, 256 games, 68,240 per game
 - Best draw: Redskins – 711,471 folks for 8 home games

PAR

Beach Communities are Special

- ▶ Vail Colorado has the Rocky Mountains,
- ▶ North Topsail has the Beach
- ▶ Vail's Goal: *"To be the premier ski resort in the Rocky Mountains"*
- ▶ Vail Trail Maintenance Budget: \$1.5m/year

Skiing is the business of Vail, beaches are the business of the North Topsail Island

PAR

Beach Funding Philosophy

- ▶ Beaches are economic assets, pure and simple
- ▶ Erosion is a natural process, like rust, even where we mistakenly help it along
- ▶ Beach towns must invest in their top asset – the beach – with county, state and federal participation where possible
- ▶ Work together for the greater good -- Local battles interfere with sound financial planning

PARC

PAR

Part II

The Big Picture:
Federal, State & Local
Money



Federal Projects in North Carolina

- Wrightsville Beach
- Carolina Beach
- Ocean Isle Beach
- Kure Beach
- Topsail Beach (authorized, awaiting appropriation)
- North Topsail Beach/Surf City (seeking authorization)

PAR

Federal Funding –The Great Chase

- Irregularly authorized through the Water Resources Development Act or WRDA
- Complex Process – Requires three "Acts of Congress"
 - Reconnaissance Phase – Section 905(b) Report
 - Feasibility Study Phase
 - Project Authorization (N. Topsail Beach is here)
 - Appropriation & Construction Phase
- The brass ring: 50-year project funding
- Pays 50% – 65% of the cost
- Process time: 5 to 10 years

PAR

Federal Funds

- Difficult to acquire
- New project starts are limited
- Most communities will likely face beach restoration and shore protection needs without the benefit of federal funds
- N. Topsail Beach positioned better than most but CBRA issues complicate picture

PAR

NC State Beach Funding

- Water Resources Development Grant Program
- Annual Appropriation with Grant Process
- Cost Share With A Federal Project
 - Federal - 50.0% (often higher)
 - State - 37.5% (75% of non-federal share)
 - **Local - 12.5%**
- Cost Share Without A Federal Project
 - State - 37.5% (maximum allowed)
 - **Local - 62.5%**

PAR

Potential Local Funding Tools

- Local Government General Revenue
- Accommodation Tax Revenues
- Dedicated Property Tax Revenues (Flat rate or tiered)
- Sales Tax Revenues
- Beach Users Fees (i.e. parking)

PAR

Part III

Bald Head, North Carolina:
Example of a Municipal
Services District Model



BHI Integrated Project

▶ Engineered Beach	\$16,100,000 ¹
▶ Harbor Groin Rehabilitation	\$ 315,000 ¹
▶ BH Creek Dredging	\$ 570,000 ¹
▶ BH Creek Terminal Groin ²	\$ 250,000 ¹
▶ East Beach Dune Projects ³	\$ 265,000

TOTAL: \$17,500,000

1

PARC

PAR

BHI Revenue Sources

Revenue Partners	Project Cost: \$17.5 million
State of N.C. Grant	\$ 5,313,000*
Village Beach Reserve Fund	\$ 2,000,000
Village Accommodation Taxes (5 yr total)	\$ 2,509,946
Owner Property Taxes (5 yr total)	\$ 7,667,054
TOTAL	\$17,500,000
Annual Project Cost, with Interest (3.4%)	\$ 2,200,000

* State grant has been recommended by DENR

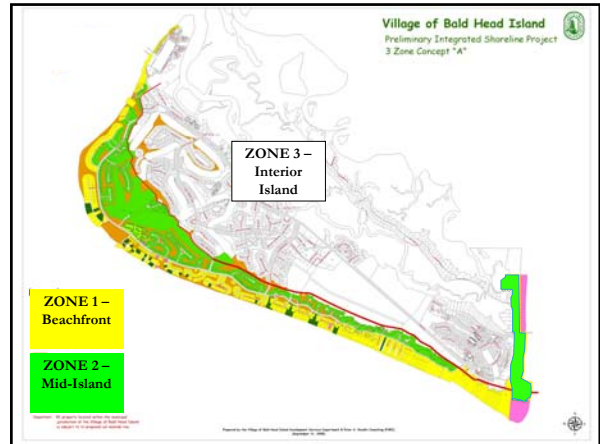
PARC

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BHI Annual Revenue Streams

Annual Revenue Streams - Five Years	Amount
Village Accommodation Taxes (Avg.)	\$ 501,989
Owner Property Taxes	\$1,689,011
Total Annual Revenue Needed	\$2,200,000

PARC PAR



PARC RECCOMENDATION

Three Zones	Tax Rate per \$100 Value	Annual Cost for \$1 million Parcel	Five-Year Cost for \$1 million Parcel
Zone A - Beachfront	12¢	\$1,200/yr	\$6,000
Zone B - Dune Ridge & East Beach	10¢	\$1,000/yr	\$5,000
Zone C - Interior BHI	8¢	\$800/yr	\$4,000

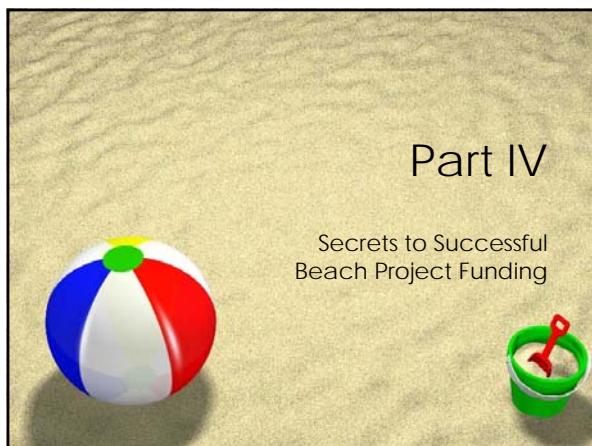
Compare to One-Zone, Flat Rate: 8.9¢ per \$100 value

PARC PAR

But . . . Every Town is Different

»» What is right for North Topsail Beach?

PAR



Secret #1: "Discover" What is Fair

Within the Community -- The funding plan must be *"fair and equitable"* in the eyes of most in the community

Funding Process -- must be transparent, have wide participation, and discover what is "fair" for the community

At the City Government Level -- Community support must precede local government action

PAR

Secret #2: Recognize Each Community is Unique

- **We're all in this together:** On narrow barrier islands like Topsail, all owners have a stake in the beach
- **Community History Matters:** N. Topsail Beach has historically used flat rate ad valorem taxes plus accommodations taxes
- **Our Work:** Find a fair and equitable approach that builds on the unique character of the community

PAR

Secret #3: Plan Ahead

- **Time is money**
 - Build Beach Account over time
 - Start saving early
 - Where possible, use ad valorem tax revenues, not fees (as property taxes are deductible w IRS)
- **Beach Maintenance is on-going, and savings plan should be too**

PAR

Secret #4: Avoid the Perfection Trap

- **Assessment Strategies can become complex**
- **Finer "distinctions" can always be found:**
 - Among beneficiaries
 - Property characteristics, and
 - Assessment strategies and rates

... And the discussions and debate can continue
- **Best Rule: Avoid the perfection trap, find a reasonable solution, and restore the shoreline**

PAR

Build Funding Coalitions Based on the "Duality" of Beaches

Contributors should include:

▶ State of North Carolina	Public
▶ Onslow County	Public
▶ Town of N. Topsail Beach	Public
▶ Beachfront property owners	Private
▶ Off-beach property owners	Private
▶ Beach Users (parking)	Private

PAR

Goal: Build on the Community's History of Successful Planning and Savings

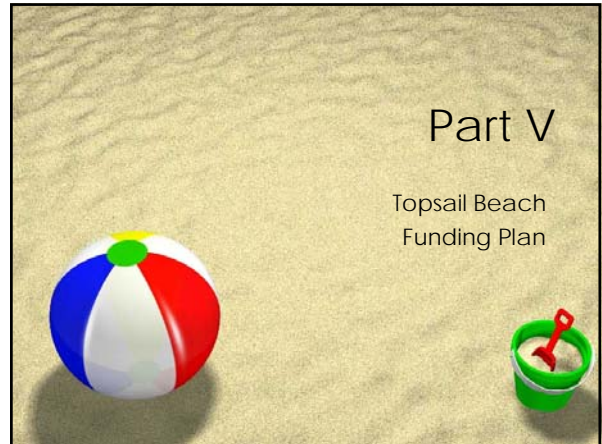
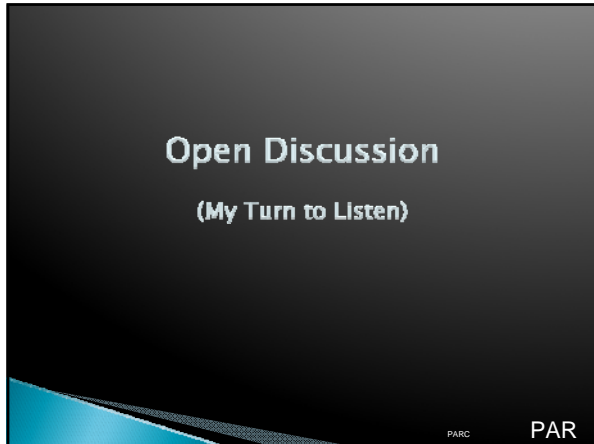
- ▶ Develop a Funding Plan Fair & Equitable in the Eyes of Most in the Community

PAR

Questions We Need to Answer

- ▶ How Much do we Need to Save?
- ▶ How Much Time do We have to Save?
- ▶ Can we Increase County Contribution?
- ▶ Can we Secure State Contribution?

PAR



Previous Beach Funding Plan

Revenue Source	2010-2011 Projected Amount
Ad Valorem Taxes (4¢ per \$100)	\$169,630
Town Accommodation Taxes	\$167,000
Pender Accommodation Taxes	\$255,000
Pender County Ad Valorem Rebate	\$112,500
Interest Earned	\$ 10,000
Projected Total 2010-2011	\$714,130

PAR

- Proposed TB Funding Principles**
1. Start Saving Now
 2. No Debt Financing – Plan to Pay Cash
 3. Maximize State & County Contributions
 4. Use *ad valorem* Tax Mechanism
 5. Use Equal Tax Rate on all Parcels (No MSD)
 6. Maximum Cost: \$75/month on a \$500,000 Home
 7. Secure “FEMA Beach” Eligibility
- PAR

- Secure “FEMA Beach” Eligibility**
- **Purpose:**
Make Local Project Eligible for Federal Reimbursement if the Beach is lost or damaged in a “Declared Disaster”
 - **FEMA Beach Requirements:**
 - **Monitor** – Annual Beach Profiles
 - **Maintain** – Annual Maintenance & 5 year Renourishment
 - **Fund** – Establish Stable & adequate funding source*
- * Note: 25 year funding plan also required for the Static Line Exception
- PAR

- Not All Beaches Are “FEMA Eligible”**
- ▶ Emergency or one-time renourishments, even if to a design, are **not** eligible because they do not have an established and adhered to maintenance program
 - ▶ Emergency or “as needed” renourishments when the beach has eroded are **not** eligible maintenance programs. The beach must be maintained through scheduled renourishments
 - ▶ Renourishments must be to the project design; partial renourishments or “hot spot” nourishments are **not** considered maintenance
- PAR

Extend the TB Beach Fund

- ▶ Set aside a Dedicated Fund
- ▶ Use Fund for Specified Purposes Only
 - Design, Permitting & Construction of the Next Beach Project
 - Annual Beach Monitoring Program
 - Annual Dune Maintenance Program

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Comparison of Options

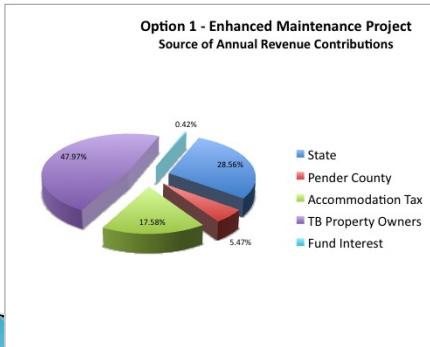
Option	Project Interval	Project Cost	FEMA Beach Monitoring	Annual Dune Maintenance	Monthly Cost for \$500,000 Home
1	4 years	\$9.34 Million	Yes	Yes	\$70
2	5 years	\$9.45 Million*	Yes	Yes	\$50

QUESTION: CAN YOU SUPPORT THE PROJECT MONTHLY COST?

NOTE: Cost of Option 2 increased by \$100 based on 5/29 workshop comments to keep Dune Maintenance Cost at \$50,000 per year. This did NOT require any change in the proposed Option 2 beach fund tax rate of 12 cents per \$100 assessed value.

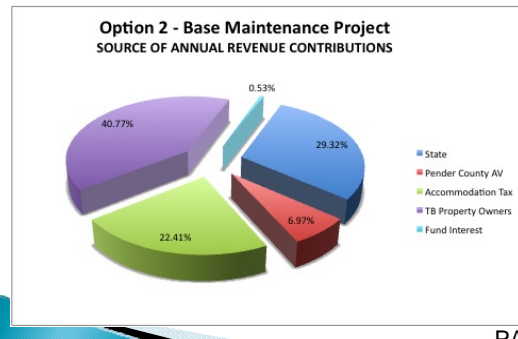
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Option 1: Enhanced Maintenance



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Option 2: Enhanced Maintenance





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Town of North Topsail Beach Beach Nourishment Project

Reconnaissance Level Sand Search DA-140 and DA-143

February 28, 2012

USACE Disposal Areas



- Original remnants from AIWW construction
- Continue to be used for dredge spoil
 - Marinas
 - Inlets
 - AIWW maintenance
- May contain sandy or unsuitable material
- Locations nearest to dynamic environments have better quality sand
- DA-143 and DA-140 used for New River Inlet and Cedar Bush Cut dredging
- High probability of beach quality sand
- Question as to whether site had been used for other disposal
 - Marinas, back bay areas, etc





Coring Techniques






- Adhere to DNR Sediment Criteria for sand searches
 - 3" continuous core
 - At least 10 cores per site
 - Penetrate deeper than anticipated dredge depth
- GeoProbe 8040
 - Push probe with hammer
 - 3" Lexan core liner
- Cores collected in 5' intervals
 - Capped and labeled for lab analysis
 - Penetrated 10'-15' past unsuitable material





DA-140





- Surface elevation of island averages around 8.4' NAVD88
- Ground surface was sandy with shrubs and dune grass
 - Dense scrub trees and vegetation surround island
 - Ground elevation dropped significantly outside of sandy pad
- Field analysis looked somewhat promising (5-8' of beach quality sand)
 - Obtained the required 10 cores for potential borrow site development
 - 315 ft. of core collected
- Split cores in the lab, the thickness of beach quality sand and amount of unsuitable material renders site uneconomical
- Solid limestone was encountered at GP-21 @ elevation -16 N


DA-143





- Surface elevation of island averages around 26.4' NAVD88
- Ground surface was sandy with shrubs and dune grass
 - Dense scrub trees and vegetation surround sandy pad and at south end of island
- Field analysis looked very promising
 - Beach quality sand consistently to 0' NAVD
 - Obtained 13 cores to ensure good coverage of island
 - 640 ft. of core collected
- Full lab analysis for all cores
 - Core descriptions, photographs, sampling, sieve analysis, calcium carbonate content
 - Volume calculations and weighted averages for entire island

DA-143 – Volume Analysis

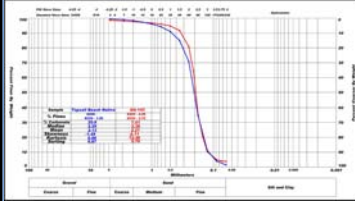


- Island broken into polygons representing the area for each core
- Only beach quality sand was considered
 - Small lenses of silty material existed within prime sand
- Grain size analysis for each layer
 - 52 separate samples taken and analyzed
- Volumes for each core layer were calculated
- Weighted Average calculated based on grain size statistics and represent separate stratigraphic layers within island

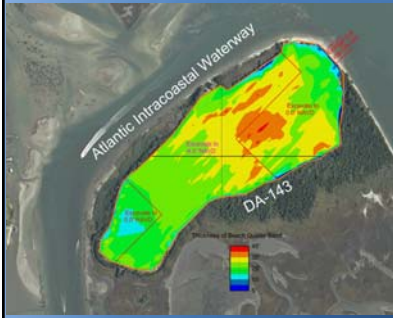
Comparison to Native Sand

Source	% Fines	% Carbonate	% Granular	% Gravel	Mean (mm)	Volume (cy)	Acreage
Native Beach	1.5	25.8	1.1	.4	0.23	N/A	N/A
State Cutoff	6.5	40.8	6.1	5.4	N/A	N/A	N/A
DA-143	3.7	7.0	.9	1.4	0.22	1,940,000	48




- Native sand numbers from December 2009 EIS
- State Standard Allowance used as threshold for grain size parameters and characteristics
 - Gravel is greater than or equal to 4.75 mm
 - Granular is between 2 mm and 4.75 mm
 - Fines are smaller than .0625 mm
- Calcium Carbonate testing done by USACE approved lab
 - Completed for each sample collected
 - Weighted averages for each core and entire island

DA-143 – Volume Estimates



- Analyzed extent of beach quality sand for each core
 - Did not include any questionable material
- Island broken into three separate dredge sections
 - Clean quartz sand extended deeper in center of island
- Volume analysis included rebuilding a dike around island
 - 3:1 side slopes
 - 20' wide crest at 12' NAVD
- Total volume estimated to be 1.94 million yards
- Current Plans:
 - Phase 1: 544,400 cy
 - Phase 2: 940,700 cy
 - Phase 4: 721,500 cy
 - Can complete phases 1, 2 and half of 4 with DA-143

DA-143 – Primary Nursery Area



- Areas surrounding New River Inlet are all PNA
- No new work allowed within PNA area
 - Dredge cannot cut into DA-143
- Similar techniques used for DA-189 in Topsail Beach last winter will be used
 - Roll dredge into island
 - Dike closure after dredge is within center of island
 - When project is completed, dredge will be rolled out and dike repaired again.

DA-143 – Dredging Plan



- Island would be cleared and grubbed to remove existing vegetation
- Access point for dredge will be north end of island
 - Deep water access from Cedar Bush Cut
 - Reduce impact to navigation within AIWW
- Can delineate island into small sections for multiple projects
- If additional sand is needed, further testing for marginal sand below current dredge depths can be performed
- Rebuild dike surrounding island upon project completion
 - Creates dredge disposal capacity for future dredge projects

Questions?



Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Special Meeting Minutes Thursday, March 22, 2012 3:30 P.M.*

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Tom Leonard, Dick Macartney and Mike Yawn, Town Manager Steve Foster, and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 3:37 p.m.
- II. **APPROVAL OF AGENDA:**
- Alderman Leonard made a motion to approve the agenda as presented.
 - Mayor Pro Tem Gray seconded the motion.
 - Mayor Tuman suggested that the Board make item number six the Topsail Beach video on beach nourishment.
 - Alderman Leonard made a motion to approve the agenda with the addition of the video. Mayor Pro Tem Gray seconded amended agenda.
 - The amended agenda was approved unanimously.
- III. **PROPOSAL FROM GAHAGAN & BRYANT:**
- Mr. Chris Gibson of Gahagan and Bryant Associates (GBA) made a presentation to the Board (Attachment A) in response to their request at the February 28, 2012 Board retreat.
 - Mr. Gibson said that what the Board asked him to report back to them on is a nearly impossible task. He said there are logistical, timing, and permitting issues. He said this could muddle up what the Town is working on now to get something started in the fall.
 - Mr. Gibson went over the benefits and drawbacks of getting sand from the spoil island at the same time the channel project is going on.
 - The following are Mr. Gibson's recommendations to the Town:
 1. Move forward with the Town's currently permitted Phase 1 Project.
 2. Get the Town's bid packages out early. There is a large amount of beach work planned for 2012/2013.
 3. Allow Gahagan & Bryant 6 months to vet ideas with the Regulatory Agencies.

*There are attachments to these minutes. (Attachment A – March 22, 2012 Board of Aldermen Minutes)

4. GBA will come back to the Town with a FINITE proposal in September to develop a cost effective long term plan utilizing all sources effectively.
- Mr. Gibson said that if you look at the spoil island, if the Town can get past the reef issue, there is enough volume to do Phases 2-4 and that if the Town could do it one shot it would cost half of Phases 1-4. He said that 2, 3, and 4 are estimated at \$27 million, he said that the Town could be in the \$14-15 million range to get all 2 million yards off the spoil island. Phases 2, 3 & 4 are in range of the spoil island. He said the hard bottom issue must be addressed.
 - Mr. Gibson asked the Town to send him a letter so that he can move forward with his work for a proposal to be submitted to the Town in September. No cost will be incurred by the Town for this preliminary work.

IV. DISCUSSION OF FUNDING PLAN FOR PHASE 1:

- Alderman Yawn introduced this item.
- There was discussion about the Town's current plan to fund Phase 1 with \$2.5 million coming from the Town, the State, and the County.
- Alderman Yawn indicated that he would like to know what the legal procedure is for doing tax districts so that if the Town does not get the funding from some or all sources that the Town will have an alternative ready for budget preparation.
- Alderman Macartney made a motion for Town Staff to provide the Board with the alternatives for creating an oceanfront tax district in Phase One. Alderman Yawn seconded the motion.
- There was discussion.
- Alderman Macartney explained that as a contingency for financing, the Board needs to understand what the mechanics are to set up an oceanfront tax district that encompasses Phase One.
- Mr. Foster described what Nags Head did to finance its project.
- Alderman Leonard asked Alderman Macartney to amend his motion.
- Alderman Macartney amended his motion. He moved that the Board have Town Staff report to the Board on the mechanics of setting up tax districts. Alderman Yawn seconded the amended motion.
- The motion passed unanimously.

V. REQUEST TO APPROVE DRAFT RESOLUTION FOR OTHER COMMUNITIES:

- Mayor Tuman introduced this item.
- Alderman Macartney made a motion to authorize the Mayor, Town Manager, and Town Clerk to send a letter of transmittal asking for support with the resolution to Onslow County municipalities and stakeholders.

- Mayor Pro Tem Gray seconded the motion.
- Alderman Yawn suggested some minor changes to the document (take out the word “all” in front of maritime interests and change the “woulds” to “should”).
- Alderman Macartney accepted Alderman Yawn’s suggestions.
- The motion passed unanimously.

VI. TOPSAIL BEACH VIDEO:

- The Board and audience viewed a short video on Topsail Beach’s beach nourishment project.
- Commissioner Ed Broadhurst from Topsail Beach made a few comments after the video. He indicated that the video shown today is not the final product. He added that his town received \$700,000 from Pender County and over \$2 million from the State for their project. He said that the video may be used by NTB and that it was produced for the Topsail Island Shoreline Protection Commission.

VII. DISCUSSION OF COUNTY COMMISSIONER CANDIDATE’S FORUM OR QUESTIONNAIRE:

- Mayor Tuman introduced this item.
- He proposed that the Town request a candidates’ forum for Onslow County Commissioner candidates and to have the forum held in Snead’s Ferry.
- Alderman Macartney made a motion to have the Town Clerk make arrangements to use the Sneads Ferry Community Center on a weeknight before April 20th in order to sponsor a community forum for County commissioner candidates.
- Mayor Tuman indicated that he would like the Chamber of Commerce to sponsor it.
- Alderman Macartney withdrew his motion.
- Alderman Yawn made a motion to request that the Chamber of Commerce organize a candidates’ forum which would be held at the Sneads Ferry Community Center and for Town Staff to report the status of this event to the Board at the April meeting.
- Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

VIII. DISCUSSION OF APPLICANTS FOR ALDERMAN & SELECTION PROCESS:

- Alderman Yawn introduced this item.
- Alderman Yawn said that the Board needs to decide if the winner needs two or three votes and how the Board will to vote.
- The Board agreed that the winner would need three votes and that they would vote by paper ballot.
- Alderman Macartney made a motion to have each candidate speak for 3 to 5 minutes. Alderman Yawn seconded the motion.

- The motion passed unanimously.
- Ms. Faulkner drew names to determine the order of who spoke.
- Mr. Don Harte spoke first. Mr. Robert Swantek spoke second. Mr. Richard Peters spoke third.
- The Board submitted their votes to Ms. Faulkner. She read the results aloud.
- Robert Swantek received two votes, from Aldermen Macartney and Yawn.
- Richard Peters received two votes, from Mayor Pro Tem Gray and Alderman Leonard.
- There was not a winner. The Mayor asked if anyone would like to change his or her vote.
- Alderman Macartney indicated that he would be willing to change his vote to Don Harte if that would change anything.
- Alderman Yawn indicated that he would change his vote to Don Harte as well.
- Mayor Pro Tem Gray said that she would vote for Don Harte too.
- Mayor Tuman announced that Mr. Don Harte was selected as alderman with a majority of three votes.

IX. **ADJOURNMENT:** Alderman Yawn made a motion to adjourn. Mayor Pro Tem Gray seconded the motion. The motion passed unanimously. The meeting adjourned at 5:36 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 4/5/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Regular Meeting Minutes Thursday, April 5, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard, Dick Macartney, and Mike Yawn, Town Attorney Brian Edes, Town Manager Steve Foster and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Alderman Macartney gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
 - Alderman Yawn made a motion to approve the agenda as presented. Alderman Leonard seconded.
 - The agenda was approved unanimously.
- V. **PUBLIC HEARINGS & PRESENTATIONS**
 - A. **Presentation – Swearing in of Don Harte as Alderman:** Ms. Faulkner administered the oath of office for Don Harte.
 - B. **Presentation – Pre-Construction Coordination Report from CP&E:** Mr. Willson made a presentation to the Board. In his presentation he highlighted the contents of his report which includes: The information provided to each of the dredging firms, the notes from the four interviews conducted by CPENC staff, recommendations to the Town on moving forward with the Phase 1 project, a schedule and cost for obtaining the necessary permit modifications, a schedule and cost for developing plans and specifications for the construction of Phase 1, and an updated cost estimate for construction of Phase 1.
 - Alderman Macartney thanked Mr. Willson for his report and moved that the Town of North Topsail Beach Board of Aldermen accept the report and authorize the Town Manager to be ready to execute the contract details in

conjunction with the schedule outlined in the report. Mayor Pro Tem Gray seconded the motion.

- The motion passed unanimously.

A. Public Hearing – Proposed Amendment to UDO Table 5-1:

- Ms. Hill read the staff report.
- Alderman Yawn made a motion to open the public hearing. Alderman Leonard seconded the motion. The motion passed unanimously.
- Mr. Donald Lancaster of Topsail Dunes asked the Board why the Town was making the change. Ms. Hill answered the question.
- Alderman Macartney made a motion to close the public hearing. Mayor Pro Tem Gray seconded the motion. The motion passed unanimously.
- Alderman Yawn made a motion that the North Topsail Beach Unified Development Ordinance be modified so that Table 5-1 dimensional requirements include single family use for R-10 lots with a minimum of 50 foot lot width instead of 60 feet which is currently in the UDO, per the table provided in the staff report. Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

B. Public Hearing – Amendment to the Town Code to Include “Buildings & Building Regulations”:

- Ms. Hill read the staff report.
- Alderman Macartney made a motion to open the public hearing. Alderman Leonard seconded the motion. The motion passed unanimously.
- No one came forward.
- Alderman Macartney made a motion to close the public hearing. Alderman Leonard seconded. The motion passed unanimously.
- Alderman Yawn made a motion to adopt the proposed ordinance adopting the North Carolina State Building Codes (Technical Codes) establishing a separate chapter “Buildings & Building Regulations” in the Town of North Topsail Beach Code of Ordinances. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed unanimously.

C. Public Hearing – North Carolina Public Beach & Coastal Waterfront Fund Application:

- Ms. Hill provided background on this item. She indicated one small change that needed to be made to the draft resolution which is part of the application. She asked the Board to adopt the resolution as amended.
- Alderman Leonard made a motion to open the public hearing. Alderman Yawn seconded the motion. The motion passed unanimously.

- Mr. Don Lancaster of Topsail Dunes came forward. He made comments in favor of the Town's application. He commended the Town for going for this grant because grants are few and far between.
- Alderman Macartney made a motion to close the public hearing. Mayor Pro Tem Gray seconded the motion. The motion passed unanimously.
- Alderman Macartney made a motion to approve the grant application and expressed his gratitude for naming the proposed park after the Town's first Mayor, Rodney Knowles. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed unanimously.

VI. **MANAGER'S REPORT:**

- A. CBRA News:** Mr. Foster reported that the Town was notified by Mr. Jon Harms of Marlowe & Company and Josh Bolin of Congressman Jones' staff that the Congressman introduced a bill on March 29th for the elimination of the CBRA Zone designation from North Topsail Beach. The bill will be referred to the appropriate House Committee for review, then on to the full House for a vote, and then on to the Senate.

Mr. Foster reported that the Mayor spoke with Ms. Elizabeth Outten of Senator Hagan's Office at the BIWAYS meeting in Nags Head about the Senator's introduction of a companion bill in the Senate. The Town provided her with a full packet of information regarding CBRA. Once the bill clears the Senate it will then go to Conference Committee (if there are any differences), and then to the President to be signed into law.

- B. FY 2012-13 Budget:** Mr. Foster reported that Staff has continued to work on the FY 2012-13 Budget. Town Staff have received State shared revenue estimates and are analyzing them. Additionally, the Town is waiting on health care pricing information, and solid waste increase information.
- C. Solid Waste Collections:** Mr. Foster reported that the Town would like to remind all condominium owners that their annual solid waste fee is due and payable. If they have not paid the fee for this year, late fees are accruing at a rate of \$25.00 per month. The Town is currently speaking with several collection agencies, including the one that the City of Jacksonville is using, to collect on delinquent accounts. The Town is also aggressively pursuing payment through the NC Debt Set off Program. The Town would like to avoid utilizing those collection methods, so please get these payments in as soon as possible.
- D. Easements for the Realignment Project:** Mr. Foster announced that the Town would like to remind all property owners in the Phase 1 beach nourishment area to please sign and notarize their easement procurement documents as soon as possible. The Town is looking toward an early November start date for the project to begin, and it can't start until these easements are recorded at the

Register of Deeds. The Town has currently received around fifty signed and notarized easements.

- E. Bird Monitoring - Channel Realignment Project:** Mr. Foster reported that he has been in contact with Dr. Gilbert Grant, PhD., an ornithologist, to do the required bird monitoring for the “Channel Realignment Project.” The original quote for the bird monitoring component was around \$130,000.

Mr. Foster added that Dr. Grant conducted the work at Topsail Beach for their project in 2011. Dr. Grant quoted a price for our project at \$10,600 per year or \$31,800 for the full three years. It is expected that the requirement may be shortened to two years.

- F. Municipal Service Districts:** Mr. Foster indicated that he has included information in the board packet on the procedure to establish a municipal service district and the General Statute that covers establishment. He noted that it is a fairly easy procedure.

Two items of note on this:

- The tax has to be levied prior to the year that the tax is levied, and
- If any bonded indebtedness is involved, a referendum would be required (GO Bonds).

- G. April Channel Dredging:** Mr. Foster reported that the channel dredging that is going to take place in April will be a “side cast dredging” event, so the disposal of sand on the beach will not take place as the Town had hoped. There will be a disposal event in November of this year from spoil in Cedar Bush Cut and the AIWW that will place sand on the beach.

- H. FEMA – Hurricane Irene Reimbursement:** Mr. Foster thanked Town Staff for their assistance. The Town has received notification that it will receive \$33,398.39 for expenses incurred as a result of Hurricane Irene. The Town received notification this week and should receive funds within the next 20 days.

- I. Police Audit:** Mr. Foster said he is pleased to announce that our Police Department received a perfect score on the State’s annual records audit. This indicates the professionalism of our Department and a great achievement

- J. Reimbursement from the USACE:** Mr. Foster reported as a result of completing the research and necessary work, the Town has received a credit of \$29,000 towards the construction phase of the Federal Project. The reimbursement included staff time, mileage, reports, engineering work, trip expenses, and other related costs that could be classified as in-kind aid. Quite a bit of work went into finding these related costs. He thanked Mr. Breck Smith for his work.

- K. Workman’s Compensation Audit Report:** Mr. Foster reported that the Town received a perfect score on its recent workers’ compensation inspection. All work

areas, staff training, and records were examined and the Town received no recommendations for insurance purposes. This helps keep the Town's insurance costs in this area to a minimum.

- L. Report on the Channel Project Funding:** Mr. Foster reported that Mr. Peter Ravella has started his work and as his initial contacts will be the Onslow County Commissioners. He has scheduled meetings with Commissioner Bill Keller and County Manager Jeff Hudson. He has contacted all the County Commissioners and Commissioner Ikner declined the opportunity. He has not heard back yet from commissioners Midgett, Jarman, and Buchanan. He plans on meeting with each of the Aldermen next and wants to schedule those meetings.

Mr. Foster reported that the Mayor has contacted a number well placed political figures in Raleigh from the Governor's Office and the General Assembly to solicit their support in having the Town's application to Division of Water Resources funded. The general impression is that it looks positive.

As of now, the Town has not heard any indication from the County as to their intentions to fulfill its request for \$2.5M.

- M. Resolution of Support for Our Project:** Mr. Foster reported that after a conversation with the City Manager of Jacksonville the Town has forwarded a draft resolution of support that the Board approved at the last meeting. Dr. Woodruff said he will place it on the City's next agenda. Mayor Tuman plans on speaking with each Mayor of the other towns to explain the document. The resolution will also be placed on the agenda of the Topsail Island Chamber of Commerce at their next meeting in April for its endorsement.
- N. County Commissioner Candidate's Forum:** Mr. Foster reported that the County Commissioner Candidate's Forum has been scheduled for May 1st at 7:00 p.m. at the Sneads Ferry Community Center.
- O. Solid Waste Dumpsters:** Mr. Foster reported that the issue of providing dumpster service at the public works facility will be on next month's agenda for possible action to have them removed. There is and has been wide spread misuse at the facility by out of town users, particularly construction contractors. There has been a dramatic increase in unlawful use of the dumpsters which has become a severe problem both financially and for appearance.
- P. Town Hall Closed for Easter Holiday:** Mr. Foster reported that Town Hall will be closed on Friday, April 6th.

VII. **OPEN FORUM:**

Sue Tuman of 3944 River Road – Mrs. Tuman announced that tickets are available for a luncheon at the Sneads Ferry Library with author Celia Rivenbark as speaker. It is on Saturday, April 21st tickets are \$20 and include a very nice meal. She also announced

that Operation Top Cat will be having a yard sale on Saturday, April 14th at Cedar on the Green Storage in Hampstead.

Connie Pletl of 200 Oyster Lane – Ms. Pletl announced that the Pender Post acquired the Topsail Voice and that they are not going to cover North Topsail Beach at this time. She announced that Topsail Online has started up and will cover NTB events and is currently on Facebook until a website is established.

VIII. **CONSENT AGENDA:**

- ~~A. Request to Adopt Resolution 2012-8 – A Resolution that there Exists Significant Public Interest in the Nature & Extent of Public Trust Rights Under NC Law and the Nature & Extent of Local Government Regulation of Ocean Beaches within Their Jurisdictions~~
- B. Request to Approve Tax Refund
- C. Request to Approve Budget Amendments #4 & 5
- D. Approval of Minutes: March 1, 2012 and March 22, 2012
- E. Department Head Reports: Finance, Fire, Inspections, Planning, Police Departments
- F. Committee Reports: Planning Board, Board of Adjustment, TISPC, ONWASA, Beautification and Recreation

- Alderman Yawn made a motion to approve the Consent Agenda except for Item A which he said he would like to add to New Business.
- Alderman Macartney seconded the motion.
- The motion passed unanimously.

IX. **NEW BUSINESS:**

- A. **Request to Award Contract for Disaster Debris Clearance & Removal Services:**
 - Mr. Foster introduced the item.
 - Mayor Pro Tem Gray made a motion to contract with DRC to provide post hurricane or tropical storm event debris removal services required and recommended by the Federal Emergency Management Agency. This contract will be activated at the Town's request and to last for a three year period.
 - Alderman Yawn seconded the motion.
 - There was discussion.
 - The motion passed unanimously.
- B. **Discussion of Proposed Rate Increase for Pluris:**
 - Alderman Yawn introduced this item.
 - There was discussion.
 - Alderman Macartney moved to direct the Town Manager to get a copy of Pluris' application to the Utilities Commission, to have the Town Attorney review the application, and to put this item on the agenda for the regular Board of Aldermen meeting in May.

- Alderman Leonard seconded the motion.
- The motion passed unanimously.

C. Report on Municipal Service Districts:

- Alderman Yawn introduced this item.
- Alderman Yawn made a motion that the Board direct Town Staff to start the process to create a municipal service district, or pair of districts, for Phase One that would coincide with the district boundaries that the Town used when the Town did the survey a year and a half ago, toward the goal of having a public hearing at the June regular Board of Aldermen meeting.
- Alderman Macartney seconded the motion.
- There was discussion.
- The motion failed 3 to 2 with Aldermen Macartney and Yawn voting in favor.

D. Request to Appoint a Town Officer to Represent NTB on the Topsail Island Shoreline Protection Commission:

- Alderman Leonard introduced this item.
- Alderman Macartney nominated Mayor Pro Tem Gray.
- Mayor Pro Tem Gray was appointed unanimously.

E. Request to Adopt Resolution 2012-8 – A Resolution that there Exists Significant Public Interest in the Nature & Extent of Public Trust Rights Under NC Law and the Nature & Extent of Local Government Regulation of Ocean Beaches within Their Jurisdictions:

- Mayor Tuman introduced this item.
- Alderman Macartney made a motion to adopt Resolution 2012-8. Mayor Pro Tem Gray seconded the motion.
- The Town Attorney was asked if he thought that the resolution covers the points that need to be made by the Town.
- Mr. Edes indicated that the resolution absolutely covers the points that need to be made. He gave an update on where the Town of Nags Head is in the process. He said Nags Head's intent for getting resolutions is to get as many of them as they can sent to the Supreme Court along with their petition to show that this is a matter of public interest. He said all of the other towns he is associated with are doing it. He said that if this becomes law that a municipality cannot enforce public trust interests or rights and that it has to be done by the State of North Carolina through the Attorney General's office.
- There was further discussion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

X. **OPEN FORUM:**

Richard Peters of 601 New River Inlet Road - Mr. Peters commended the Board for their statements in support of beach nourishment for the Town.

Donald Lancaster of Topsail Dunes - Mr. Lancaster made comments in favor of being taxed for beach nourishment, he said it is something he can see and he understands the need to tax property owners.

Lenny Dennitis of 126 N. Permuda Wynd – Mr. Dennitis made comments in favor of having a public forum, he said that everyone has a valid point and we have to see what works.

Connie Pletl of 200 Oyster Lane – Ms. Pletl made comments in favor of the Board's action to turn down municipal service districts. She said that this Board has not taken enough time to study it. She said that the Topsail Beach board decided against it after they studied it. She agreed that there should be workshops on financing the plan.

Erik Emerich of Topsail Reef– Mr. Emerich thanked the Board and thanked Ms. Pletl for her hard work and years of coverage she provided on the Town, she will be missed.

Pam Kozar of Topsail Beach – Ms. Kozar offered assistance in contacting the County Commissioners as she is Chairman of Topsail Reef's phone committee.

Jerry Long of Topsail Dunes – Mr. Long made comments in support of having an equal amount of taxes for everyone as opposed to a 90-10 split that was proposed in the past.

XI. **ATTORNEY'S REPORT:** Mr. Edes said that he was prepared to discuss the Nags Head case which had already been covered (New Business E).

XII. **MAYOR'S REPORT:** In response to Ms. Kozar's offer to assist in contacting the County Commissioners, Mayor Tuman said that one of the reasons the Board suggested a public forum for the commissioner candidates was so that citizens from the southern part of Onslow County could confront the candidates for commissioner and make them aware that there is another part of the county besides Camp Lejeune and the City of Jacksonville that is worthy of their consideration. He suggested that citizens from the Topsail Reef and elsewhere attend this forum and ask questions.

Mayor Tuman reported that ONWASA conducted a test a couple of weeks ago to simulate what the Town experiences during a peak period of water use to see the effects on water pressure. He said that they are still analyzing the results, but that so far it looks like the same area of Town is affected and that those areas will still have the same problems this 4th of July. He said he is not so sure that an extra tower is going to alleviate the problem.

XIII. **ALDERMEN'S REPORT:**

Alderman Harte: Mr. Harte wished everyone a Happy Easter.

Alderman Leonard: Mr. Leonard welcomed Don Harte and thanked everyone for coming. He commended Mr. Foster for the document he prepared for the County on the New River Inlet Channel Realignment Project. He said that he has been asked to speak at the Topsail Reef HOA meeting here on April 28th. He wished everyone a Happy Easter. He expressed his disappointment that Commissioner Ikner was not willing to meet with Mr. Ravella about the Town’s beach project.

Alderman Yawn: Mr. Yawn thanked Ms. Hill and the Planning Board for their work to amend the UDO. He expressed his concerns about the legal issues with the inlet project. He said that the Town needs to make sure that it gets the information from Randy Reeves about the liability insurance on the project.

Mayor Pro Tem Gray: Mrs. Gray said that the Board had a very good meeting tonight. She is sorry to hear that the Topsail Voice is no longer in existence. She is not happy that it is no longer covering NTB and called the new owner. She was told that they are short on editors and it would be some time before NTB gets any coverage. She announced that she will be traveling to Washington, D.C. with members of the Topsail Island Shoreline Protection Commission on April 25th and asked for input from the Board members on what they would like her to communicate to the representatives. She wished everyone a blessed Easter.

Alderman Macartney: Mr. Macartney advised Mrs. Gray that Board members usually do more work for CBRA when they are in D.C. He said it is good to have Mr. Harte as a member of the Board. He said he liked his demeanor and his ability to listen and thinks that the Town is well served to have him. He also complimented his fellow Board members and said that he is satisfied with the result of the whole process.

XIV. **ADJOURNMENT:** Mayor Pro Tem Gray made a motion to adjourn. Alderman Leonard seconded the motion. The motion passed unanimously. The meeting adjourned at 9:24 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 5/3/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Regular Meeting Minutes Thursday, May 3, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard, Dick Macartney, and Mike Yawn, Town Attorney Brian Edes, Town Manager Steve Foster and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Alderman Leonard gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
 - Alderman Yawn made a motion to approve the agenda as presented. Alderman Leonard seconded.
 - The agenda was approved unanimously.
- V. **PUBLIC HEARINGS & PRESENTATIONS**
 - A. **Presentation – Proposed Draft Local Bill Authorizing Towns on Topsail Island to Enforce their Nuisance Laws on the Public Trust & Request to Adopt Resolution – Steve Coggins, Town Attorney for Topsail Beach:**
 - Mr. Coggins explained the need for a local act so that the towns on Topsail Island can enforce their nuisance laws within the public trust areas. He asked the Board to adopt the resolution he drafted.
 - Alderman Yawn made a motion to adopt Resolution 2012-9, A Resolution of Town of North Topsail Beach Endorsing a Proposed Local Act Providing the Towns of Topsail Beach, Surf City and North Topsail Beach with Authority to Regulate Certain Structures and Activities on the Public Trust Ocean and Estuarine Beaches within their Respective Jurisdictions. Alderman Leonard seconded the motion.
 - There was discussion.

- The motion passed 4 to 1 with Alderman Yawn voting against and Alderman Macartney abstaining.

B. Presentation – Legal Representation for Beach Nourishment Financing & Request to Approve Engagement Letter – Jeffrey Poley of Parker, Poe, Adams & Bernstein LLP:

- Mayor Tuman introduced Mr. Poley. Mr. Poley explained the different ways that municipalities can borrow money.
- Mr. Poley took questions from the Board.
- Alderman Leonard made a motion to approve the engagement letter as presented by Mr. Poley. Mayor Pro Tem Gray seconded.
- There was discussion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

C. Presentation: Update on Pluris Plant Expansion – Michael Gallant PE, PA: Mr. Gallant gave a presentation to the Board about the expansion of the Pluris solid waste treatment plant. He showed the improvements made to the plant and how it was constructed. He took questions from the Board.

D. Presentation: Jet Probe Survey Report – Ken Willson of Coastal Planning & Engineering: Mr. Willson gave a report on the jet probe surveys. He indicated that the jet probes showed that most of the area that was surveyed can be dredged up to 18 feet. He said that clay was not as much of an issue as previously thought and that more sand can be pulled out of the channel which means more volumes of sand can be placed on the beach. He said that the next step will be doing plans and specifications and the bid documents and that he will have a proposal ready soon for the Board to approve. He said that he wants the bid documents out by the beginning of August. Mr. Willson took questions from the Board. There was discussion.

VI. MANAGER'S REPORT:

A. CBRA News: Mr. Foster reported that the Town was notified by Mr. Jon Harms of Marlowe & Company that he has been working with Senator Hagan's office staff to get the latest on Senate introduction. It looks like Hagan will introduce a companion bill to Jones' CBRA sometime in the next couple weeks. Mr. Foster said that he is in contact with Hagan's office to get a specific time table. Right now he is helping her staff put together a list of communities across the nation with similar CBRA issues so that they can attract votes for passage. On the House side, HB 4311 is still in committee and the House is not in session this week and hoping for movement in the committee next week.

B. Grant Application with the State: Ms. Connie Wilson reported that it looks like the grant request has been included in Governor Perdue's budget. She has been talking with many legislators and feels good about its passage in the budget at this point.

- C. FY 2012-13 Budget:** Mr. Foster reported that Staff has continued to work on the FY 2012-13 Budget. The General Fund budget is substantially finished. The Board scheduled the next budget workshop for Wednesday, May 9th at 9:30 a.m. He said that he is still waiting on figures for the public official's liability and health insurance.
- D. Solid Waste Collections:** Mr. Foster reported that the Town would like to remind all condominium owners that their annual solid waste fee is due and payable. If they have not paid the fee for this year, late fees are accruing at a rate of \$25.00 per month.
- E. Easements for the Realignment Project:** Mr. Foster announced that the Town would like to remind all property owners in the Phase 1 beach nourishment area to please sign and notarize their easement procurement documents as soon as possible. The Town is looking toward an early November start date for the project to begin, and it can't start until these easements are recorded at the Register of Deeds.
- F. PARTF Grant:** Mr. Foster reported that the PARTF committee is meeting in Raleigh tomorrow and that Staff will know tomorrow if the grant will be awarded to the Town.
- G. Peter Ravella Workshop Session:** Mr. Foster reported that Peter Ravella has scheduled public input workshops for Saturday May 12th with one at 2:00 p.m. to 3:30 p.m. and the second one at 6:30 p.m. to 8:00 p.m. All NTB property owners are invited to discuss beach nourishment and various financing options.
- H. Newsletter:** Mr. Foster reported that Ms. Faulkner has completed the Town's "Spring Newsletter." It is an electronic publication which was sent out earlier this week. He thanked Ms. Faulkner for her work on the publication.
- I. Report on the Channel Project Funding:** Mr. Foster reported that currently the plans for the "Realignment Project" are on track. As mentioned by Jeff Poley the Town has contacted the Local Government Commission in a pre project conference. The meeting went well and the Town will continue to work with the LGC on the possibility of utilizing special obligation bonds using the accommodation tax for repayment. The Town has asked Representative Phil Shepard and Senator Harry Brown to sponsor a local act that will make it easier for the Town to collect occupancy tax for the beach project.
- J. Resolutions of Support for Our Project:** Mr. Foster reported that as a follow up on our resolutions of support that were sent to each Onslow County town and several agencies. The Town has received support letters from the Greater Topsail Chamber of Commerce, the Town of Surf City, and Topsail Island Association of Realtors.
- K. County Commissioner Candidate's Forum:** Mr. Foster said that the Town would like to thank the greater Topsail Island Chamber of Commerce for their assistance in conducting the "Candidates Forum" for county commissioner candidates, and specifically Suellen Brooks for assistance in organizing the event. Also many thanks to the moderator, Connie Pletl for her excellent job.

L. Ocean City Sign Dedication Ceremony: Mr. Foster reported that on May 26th Ocean City Beach is going to be having a sign dedication ceremony for the customized street signs that were made for this area of North Topsail Beach.

M. Mayor Pro Tem Gray's Trip to D.C.: Mrs. Gray reported on her trip to D.C. She said the group from Topsail Island spoke with Senator Kay Hagan who assured her that she will give NTB full support with the CBRA issue. She said there was not enough time to get into detail on the Federal project. She said they met with a Staff member that works on the WRDA applications and he said that there is not much hope of getting funding for the Federal (Surf City/NTB) project any time soon because of the moratorium on earmarks. She said they also met with Congressman McIntyre who was very responsive and in support of all of the projects. They met with Congressman Jones who hinted that the CBRA bill may not be passed until next year. Mrs. Gray said she emphasized to him the impact on the Town and the importance of getting it passed sooner rather than later.

VII. **OPEN FORUM:**

Paul Dorazio of 131 Old Village Lane – Mr. Dorazio made comments supporting the improvements Pluris has made in service since they have taken over the plant.

VIII. **CONSENT AGENDA:**

- A. Request to Approve Budget Amendments #6 & 7
- B. Request to Approve Audit Contract
- C. Approval of Minutes: April 5, 2012
- D. Department Head Reports: Finance, Fire, Inspections, Planning, Police Departments
- E. Committee Reports: Planning Board, Board of Adjustment, TISPC, ONWASA, Beautification and Recreation
 - Alderman Macartney made a motion to approve the Consent Agenda as presented.
 - Alderman Yawn seconded the motion.
 - The motion passed unanimously.

IX. **NEW BUSINESS:**

- A. **Request to Approve Revision of Session Law 2001-439-Enabling the Town of North Topsail Beach to Levy a Room Accommodation Tax:**
 - Mayor Tuman introduced the item.
 - Mayor Pro Tem Gray made a motion for the Board of Aldermen to approve the revision of Session Law 2001-439 as stated in Mayor Tuman's letter to Representative Shepard who will be introducing the revision on behalf of the Town. Alderman Leonard seconded the motion.
 - There was discussion.

- The motion passed 4 to 1 with Alderman Yawn voting against.

B. Request to Appoint Volunteers to the Planning Board and Board of Adjustment:

- Mayor Tuman introduced this item.
- Alderman Yawn made a motion to appoint the full slate of volunteers to the positions in which they applied. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed unanimously.

The following is a list of volunteers and the positions they were appointed to:

Debra Swantek – Board of Adjustment (reappointed)
Richard Gray & Hanna McCloud – Planning Board (reappointments)
Richard Peters, Zubecca Bowman, Hanna McCloud & Marianna Harness – Board of Adjustment (appointed regular members)
William Bowman, Paul Dorazio & Sue Tuman – Board of Adjustment (appointed alternate members)
Zubecca Bowman & Marianna Harness – Planning Board (appointed regular members)
William Bowman & Richard Peters – Planning Board (appointed alternate members)

C. Request for Removal of Solid Waste Containers at Public Works & Town Hall:

- Mr. Foster introduced this item.
- Alderman Leonard made a motion to remove the dumpsters located at the Town's Public Works Building and Town Hall and to revise the schedule for vegetation debris pick up so that it is adequate to remove vegetation. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion failed 3 to 2 with Mayor Pro Tem Gray and Alderman Leonard voting in favor.

X. OPEN FORUM:

Paul Dorazio of 131 Old Village Lane - Mr. Dorazio explained the reason for the vacancies on the Planning Board and Board of Adjustment and said that this is a temporary fix until the Town finds more volunteers to serve on these boards.

XI. ATTORNEY'S REPORT: Mr. Edes did not have a report.

XII. MAYOR'S REPORT: Mayor Tuman said he did not have a report. He mentioned that the beach project has a lot of attention at the State and County level and that there has been good and bad moments dealing with it but the Town is going to do this project.

XIII. ALDERMEN'S REPORT:

Alderman Harte: Mr. Harte did not have a report.

Alderman Leonard: Mr. Leonard announced that he had briefed the Topsail Reef Homeowners Association during their annual meeting. He said it went very well and

there were a lot of good comments on the direction that the Board is taking. He was asked to speak at the Shipwatch HOA meeting and he will not be able to attend. He reminded everyone that Memorial Day is coming up and reminded everyone what Memorial Day is really about.

Alderman Yawn: Mr. Yawn thanked everyone for coming and said he hopes everyone has a respectful Memorial Day. He reminded everyone that Mother’s Day is coming up and to appreciate your mother while she is still alive.

Mayor Pro Tem Gray: Mrs. Gray said she had a great experience in Washington.

Alderman Macartney: Mr. Macartney reminded everyone of Election Day next Tuesday and noted that the Town’s former Mayor, Don Martin is running for County Commissioner and wished him luck.

XIV. **CLOSED SESSION:** Alderman Yawn made a motion to go into closed session per N.C.G.S. 143-318.11 Closed Sessions (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 the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

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

No action was taken.

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

XV. **ADJOURNMENT:** Alderman Macartney made a motion to adjourn. Mayor Pro Tem Gray seconded the motion. The motion passed unanimously. The meeting adjourned at 8:50 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Special Meeting Minutes Wednesday, May 9, 2012 9:30 A.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard, Dick Macartney and Mike Yawn, Town Manager Steve Foster, Finance Officer Breck Smith, and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 9:30 a.m.
- II. **APPROVAL OF AGENDA:**
- Mayor Pro Tem Gray made a motion to approve the agenda as presented.
 - Alderman Leonard seconded the motion.
 - The agenda was approved unanimously.
- III. **REQUEST TO APPROVE PROPOSAL FOR PRE-CONSTRUCTION SERVICES FOR PHASE 1:**
- Mr. Ken Willson said he was here to answer any questions about his proposal.
 - Mr. Foster indicated that he did not hear back from Pam Castens at the Army Corps of Engineers about the profiling of the beach in Phase 5.
 - Mr. Willson indicated that there are two options, one to do beach profiles for Phases 2-4 and then the other to do Phases 2-5. This would depend on the Army Corps of Engineer's schedule for profiling Phase 5. He said Phase 5 is about \$7,000.
 - Alderman Macartney made a motion that the Board of Aldermen approve the proposal from CP&E in the amount of \$142,688 and authorize CP&E to do the beach profiles for Phases 2-4, not doing Phase 5 until the Town gets further information from the Army Corps of Engineers.
 - Alderman Yawn seconded the motion.
 - The motion passed unanimously.
 - Mr. Foster said that the Town Attorney has some issues with the terms of the agreement and asked that the board approval be contingent upon his approval.
 - Alderman Macartney made a motion to authorize the Town Manager to add on Phase 5 if the following conditions are present:
 - 1) The Army Corps of Engineers isn't doing the job.
 - 2) If the Town will get in-kind reimbursement for having the work done.

- Alderman Yawn seconded the motion.
- There was discussion. Mr. Willson & Mr. Jarrett confirmed that the beach profiling they do is consistent with Army Corps of Engineers standards.
- The motion passed unanimously.

IV. **WORKSHOP ON PROPOSED BUDGET:**

- Mr. Foster made a PowerPoint presentation to the Board.
- He took questions from the Board throughout the presentation and the Board discussed many of the items during the presentation.
- The Board agreed to reject the Waste Industries proposal for a 3 year contract extension.
- The Board agreed to the Manager's recommendation for a 3% COLA for employees.
- The Board agreed to a \$150 per quarter travel stipend for the Board.
- The Board agreed to replace the 1993 fire pumper.
- The Board agreed to purchase two police vehicles.
- Mr. Foster indicated that he is still waiting on the numbers for the public official's liability insurance and health insurance.
- The Board discussed the beach fund. They directed Town Staff to request a memo from Mr. Ravella giving his recommendation on what the Board should do in this year's budget, if anything.

V. **RECESS:** The special meeting recessed at 11:55 a.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 6/7/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Special Meeting Minutes Wednesday, May 23, 2012 9:30 A.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard, and Mike Yawn, Town Manager Steve Foster, Finance Officer Breck Smith, and Town Clerk Carin Faulkner.

NOT PRESENT: Alderman Dick Macartney

- I. **CALL TO ORDER:** Mayor Tuman called the recessed meeting to order at 9:30 a.m.
- II. **APPROVAL OF AGENDA:**
 - Alderman Yawn made a motion to approve the agenda as presented.
 - Mayor Pro Tem Gray seconded the motion.
 - The agenda was approved unanimously.
- III. **DISCUSSION ON REQUEST FOR DONATION FOR PAVING AT CAPE FEAR COMMUNITY COLLEGE SURF CITY CAMPUS:**
 - Mayor Tuman introduced this item.
 - There was discussion. The Board had consensus on a figure of \$5,000 which will be entered into the FY13 budget.
 - Mayor Tuman directed Town Staff to draft a letter to Surf City indicating that the Town will make a donation at the time of need.
- IV. **DISCUSSION ON ENGAGEMENT LETTER/SERVICES OF A FINANCIAL ADVISOR:**
 - Mayor Tuman introduced this item. He indicated that the town may need to have special obligation bonds issued and that a bond analyst or bond merchant will be necessary to work with our bond attorney. He will do an evaluation of the Town's financial condition and shop around for bonds on behalf of the Town. He indicated that an engagement letter from a financial advisor will be on the Board's next agenda for approval.
- V. **DISCUSSION OF PROPOSED PURCHASING POLICY:**
 - Alderman Yawn introduced this item.

- He suggested that the Board add a section to the budget ordinance that gives the Town Manager authority to execute purchases or contracts up to \$40,000 without Board approval as long as it is budgeted and is at or below the budgeted amount. The Board agreed with this proposal.
- There was discussion about the need for a purchasing policy because the auditor had made comments about the Town not having one. The Board suggested that Town Staff contact the auditor to see what the recommendation is on this and if possible do a resolution in lieu of a detailed policy.

VI. WORKSHOP ON PROPOSED BUDGET:

- Mr. Foster gave the Board an update on the figures he received on health insurance and public official's liability. He did a short summary of what the Board covered in their first workshop.
- Mayor Pro Tem Gray made a motion to increase the Mayor's stipend to \$400 a month to bring it in line with Surf City and Topsail Beach. Alderman Leonard seconded the motion. The Mayor will receive \$350 a month with a \$50 travel stipend.
- The motion passed 3 to 1 with Alderman Yawn voting against.
- Alderman Yawn indicated that one of the columns in the budget is incorrect that the numbers are indicated as actual FY2011 but are really budget FY2011.
- The Board agreed to change the beach fund to show the three \$2.5 million amounts in the budget by changing the county line item to say county or special obligation bonds, removing line item 20-336-04, and then adding \$2.5 million to the appropriated fund balance.
- The Board went over the fee schedule. No changes were made to the Staff's recommendations.

VII. ADJOURNMENT: Alderman Leonard made a motion to adjourn. Alderman Yawn seconded the motion. The motion passed unanimously. The meeting was adjourned at 10:38 a.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Regular Meeting Minutes Thursday, June 7, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard, Dick Macartney, and Mike Yawn, Town Attorney Brian Edes, Town Manager Steve Foster and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Alderman Harte gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
 - Alderman Yawn made a motion to approve the agenda as presented. Mayor Pro Tem Gray seconded.
 - The agenda was approved unanimously.
- V. **PUBLIC HEARINGS & PRESENTATIONS**
 - A. **Presentation – Recognition of Captain Bill Poe & Recognition of Fire Chief Thomas Best:**
 - Fire Chief Thomas Best and Deputy Fire Chief George Moore presented a Certificate of Recognition to Captain Bill Poe for exceptional performance in the execution of his duties as a Medical First Responder. During the period of January 2012 to May 2012, Captain Poe was instrumental in the pre hospital care of three cardiac emergency calls within the Town of North Topsail Beach limits. His quick response was instrumental in the proper assessment and pre hospital treatment of each patient. His detailed pre reports, and initiation of the Onslow County Emergency Medical Cardiac Protocol procedures gave each patient under his direct initial care a fighting chance of survival and all three patients are doing well today.
 - Jack Gallagher, who is one of the citizens Captain Poe saved, came forward and expressed his appreciation for Captain Poe and the entire team of first responders and their accurate assessment of his life threatening cardiac event.

He said he is proud of Captain Poe's professionalism and expertise and expressed his heartfelt thanks to all of the Town's first responders.

- Deputy Chief Moore presented Fire Chief Thomas Best with a lapel pin from the North Carolina Association of Rescue and Emergency Medical Services in recognition and honor of his 25 years of service as a member of the association.

B. Presentation – Request to Approve Proposal to Serve as Financial Advisor – Doug Carter of DEC Associates:

- Mr. Foster introduced Mr. Carter.
- Mr. Carter gave his background which includes extensive experience in North Carolina Government. Mr. Carter explained his role as a financial advisor which is to get the Town the lowest cost of funds, to get the greatest ability to have flexibility within the financing, and to go through the unique process in N.C. of getting Local Government Commission approval.
- Mr. Carter took questions from the Board.
- Alderman Leonard made a motion for the Board of Aldermen to approve the proposal from DEC Associates to serve as financial advisor to the Town for matters pertaining to issuance of special purpose obligation bonds. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

C. Presentation – Request to Consider Proposal for Account Receivables Management – James Caperton of Online Utility Exchange:

- Mr. Foster introduced the item. He described the Town's current situation and its difficulty with collecting solid waste fees, civil citations, and accommodation taxes.
- Mr. Caperton did a short presentation for the Board.
- Mr. Caperton took questions from the Board.
- Mayor Pro Tem Gray made a motion for the Board of Aldermen to authorize the Town Manager to engage with Online Information Services to provide account receivables management for the Town of North Topsail Beach. Alderman Leonard seconded the motion.
- There was discussion.
- Mayor Pro Tem Gray amended her motion to read "to provide debt collection services."
- There was further discussion.
- The motion passed 3 to 2 with Aldermen Macartney and Yawn voting against.

D. Public Hearing – Amendment to the Town Code to Include "Fire Code Enforcement":

- Mayor Tuman introduced the item.
- Alderman Yawn made a motion to open the public hearing. Mayor Pro Tem Gray seconded the motion. The motion passed unanimously.

- Mr. Foster explained the amendment to the Town Code.

Richard Farley of 2300 New River Inlet Road – Mr. Farley asked Staff if there are any new revenue provisions in the ordinance. Ms. Faulkner explained that the fees that were listed in the Chapter 7 ordinance (original) were deleted and a statement added that any fees for fire related services will appear in the Town’s fee schedule which is approved by the Board of Aldermen with the budget on a yearly basis.

- Alderman Yawn made a motion to close the public hearing. Alderman Leonard seconded the motion. The motion passed unanimously.
- Alderman Yawn made a motion for the Board of Aldermen to adopt Ordinance 2012-3 – An Ordinance to Adopt a Chapter of the Town Code of North Topsail Beach on Fire Code Enforcement as presented. Alderman Leonard seconded the motion.
- The motion passed 4 to 1 with Alderman Macartney voting against.

E. Public Hearing – Proposed FY 2012-2013 Budget:

- Alderman Yawn made a motion to open the public hearing. Mayor Pro Tem Gray seconded the motion. The motion passed unanimously.
- Mr. Foster read the budget message.

Richard Farley of 2300 New River Inlet Road – Mr. Farley made comments in opposition to the increase in the Mayor’s compensation which is included in the budget. He made comments in opposition to a future tax increase for beach nourishment projects and said he feels beach nourishment is unsustainable.

- Alderman Yawn made a motion to close the public hearing. Alderman Leonard seconded the motion. The motion passed unanimously.
- Alderman Macartney made a motion to adopt the 2012-2013 Budget as presented by the Town Manager. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

VI. MANAGER’S REPORT:

A. CBRA Update: Mr. Foster reported that the Mayor has asked Marlowe and Company to arrange a meeting with the staff of the Natural Resources Committee and other responsible parties in the House and Senate to try to expedite movement in on our CBRA legislation. We are waiting on word back from Marlowe on a date and time.

B. Easements for the Realignment Project: Mr. Foster reported that the Town would like to remind all property owners in the Phase 1 beach nourishment area to please sign and notarize their easement documents as soon as possible. The Town is looking toward an early November start date for the project to begin, and it can’t start until these easements are recorded at the Register of Deeds. The Town has received around

seventy signed and notarized easements and about 170 went out. The Town will be sending out a second notice to those that have not sent their notarized copy in, and will be using the CTY system as a reminder.

- C. Peter Ravella Workshop Session:** Mr. Foster reported that Peter Ravella has scheduled public input workshops for Saturday, June 23rd with one at 2:00 p.m. and the second one at 6:30 p.m. Property owners are invited to discuss beach nourishment and various financing options. Ms. Faulkner announced that there will be a webcast of the workshops and that the Town will be posting information on how to access or sign-up for the webcast.
- D. Town Website Transition:** Mr. Foster reported that the Town is currently in the process of transitioning from our old website. It has taken a lot of work on this effort, and he thanked Ms. Deb Hill in her efforts in volunteering for the task. Information is still in the process of being transferred.
- E. Report on the Channel Project Funding:** Mr. Foster reported that the plans for the “Realignment Project” are on track. The Town has signed and executed the latest contract from CP&E for plans and specs, and permit modification. They are moving forward on those plans.

The Town has been included in the House Budget for \$1.25 M toward our project which was cut from \$2.5M, however the Town hopes to have the \$1.25 deleted placed back in the budget on the Senate. Senator Harry Brown and Bill Rabon are working to assist us on this front.

- F. Four Town Meeting - June 21st - 6:30 p.m. at the St. Moritz:** Mr. Foster announced that North Topsail Beach is hosting the “Four Town Meeting” on June 21st at 6:30 p.m. at the St. Moritz. He thanked Mayor Pro Tem Grey for coordinating the event.
- G. Ocean City Dedication Ceremony:** Mr. Foster reported that the Ocean City Dedication of the new street signs commemorating Ocean City’s founding went well. It took place on May 26th with the Mayor giving the dedication address. Ms. Deb Hill helped organize the event. Ms. Carla Torrey suggested the dedication and put many hours of work into its successful execution. Also in attendance was Alderman Yawn, Alderman Leonard, Mayor Pro Tem Gray and about 100 guests. It was a great tribute to one of the truly historical events in our Town. Mr. Foster thanked those who participated for their efforts.
- H. Report of Drowning:** Mr. Foster regretfully reported that there was a drowning today at the beach. He expressed his condolences to the family of the man who drowned and said that many of the family members were here on vacation. He said that the Town’s public safety officials were on the scene immediately and that the man was transported to the Naval Hospital.
- I. Hurricane Season Begins:** Mr. Foster reported that this is hurricane week and indicated that the Town website has information on hurricane preparedness.

VII. **OPEN FORUM:**

Richard Farley of 2300 New River Inlet Road – Mr. Farley made comments in support of the Board coming in under budget. He said that the Staff deserves thanks but that the Board also deserves credit.

Anna Stangl of 2000 New River Inlet Road – Ms. Stangl made comments about the playground equipment at the Town Park. She feels that it is not safe for younger children. She asked the Board to look into it, possibly adding more equipment for younger children, or to add signs.

VIII. **CONSENT AGENDA:**

- A. Request to Adopt a Resolution & Municipal Certification of the Town of North Topsail Beach Declining Participation in the Onslow County CDBG Scattered Site Housing Program
- B. Request to Adopt a Resolution in Appreciation of the Department of Transportation & Barnhill Construction for Highway 210 Improvements
- C. Request to Approve MOUs for Building Inspections Services
- D. Request to Approve Tax Refunds
- E. Request to Approve Budget Amendments 8 & 9
- F. Request to Approve Supplemental Agreement with NCDOT for Mowing
- G. Approval of Minutes: May 3, 2012, ~~May 9, 2012~~, May 23, 2012
- H. Department Head Reports: Finance, Fire, Inspections, Planning, Police Departments
- I. Committee Reports: Planning Board, Board of Adjustment, TISPC, ONWASA, Beautification and Recreation
 - Alderman Yawn requested that the May, 9, 2012 minutes be moved to New Business D. He moved to approve the Consent Agenda as amended.
 - Alderman Macartney seconded the motion.
 - The motion passed unanimously.

IX. **NEW BUSINESS:**

- A. **Request to Adopt a Resolution in Support of Senate Bill 277 – Caring for Camp Lejeune Veterans Act of 2011 & HR Resolution 1742 the Janey Ensminger Act:**
 - Alderman Leonard introduced this resolution. He indicated that he was in fact stationed with Janey Ensminger's father when he was actively serving in the Marine Corps and that watching Gunnery Sergeant Ensminger go through his daughter's sickness was one of the most terrible things he has seen.
 - Alderman Leonard made a motion to adopt Resolution 2012-13- A Resolution in Support of Senate Bill 277 – Caring for Camp Lejeune Veterans Act of 2011 & HR Resolution 1742 the Janey Ensminger Act. Mayor Pro Tem Gray seconded the motion.

- There was discussion.
- The resolution was adopted unanimously.

B. Discussion on Crossover at South End Park:

- Alderman Yawn introduced the item and explained that it was on the agenda because the Board promised to bring it up again this month.
- Mr. Foster explained that the Town is still waiting to hear if it will receive the grants it applied for in order to pay for the land, which is currently being held by the Coastal Land Trust, and the construction of the crossover. The Town did not make it through the first round of the PARTF grant awards.
- Mr. Foster said he contacted the Coastal Land Trust since they are the current owners of the property and has gained permission for the public to use the easement to get to the beach.
- There was discussion.
- Alderman Macartney made a motion to authorize the Town Manager to get consent from the Coastal Land Trust to build a crossover and build one if allowed and let the public know that it available for their use. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed unanimously.

C. Request to Contract with NCDOT for Landscaping Funds:

- Mr. Foster introduced this item.
- Alderman Macartney made a motion for the Board to authorize the Town Manager to apply for the grant of up to \$50,000 for landscaping, to send a plan to NCDOT for the landscaping of the two Town entrances and a letter of interest from the Town for the grant funds. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed unanimously.

D. Discussion of May 9, 2012 Minutes:

- Alderman Yawn made a motion to approve the May 9, 2012 minutes with the following change:
The last bullet before the recess should read: *“The Board discussed the Beach Fund. Alderman Macartney suggested raising the beach fund tax to 12 cents per hundred. Mayor Pro Tem Gray was in favor. Alderman Yawn, Leonard and Harte were not in favor. After further discussion the Board of Aldermen directed Town Staff to request a memo from Mr. Ravella giving his recommendation of what the Board should do in this year’s budget, if anything.”*
- The motion failed for lack of second.
- Alderman Leonard made a motion to approve the May 9, 2012 minutes as submitted. Mayor Pro Tem Gray seconded.

- There was discussion.
- The motion passed 3 to 2 with Alderman Macartney and Yawn voting against.

X. **OPEN FORUM:**

Richard Farley of 2300 New River Inlet Road – Mr. Farley made comments about the Board discussing a tax increase. He also commented on the Topsail Reef’s sandbag project and indicated he was not pleased with the amount of sand they are removing there.

Anna Stangl of 2000 New River Inlet Road – Ms. Stangl indicated that she has a lot of confidence in what is being done at the Topsail Reef. She made comments about vehicles getting stuck near Ocean Winds 3.

Ed Kramer of Roger’s Bay (Atlantic 11) - Mr. Kramer asked if there was a final decision on the removal of the dumpsters at public works. Mr. Foster indicated that they are still included in the budget and that the Town is still looking at the alternatives.

XI. **ATTORNEY'S REPORT:** Mr. Edes thanked Staff for their efforts with the monthly legal review meetings; he said that the meetings really help mitigate potential litigation.

XII. **MAYOR’S REPORT:** Mayor Tuman thanked everyone for coming. He said the New River Inlet Realignment Project has a lot of time and attention, including visits to Raleigh. He said the Town does not want to raise taxes and that the Town is doing everything not to raise taxes. The Town does not want to raise taxes with this particular project. The other phases are being looked at from a number of dimensions, and may be modified for cost savings. The Town is looking at ways to increase revenues to this Town to pay for part if not all of the costs for the projects. He said some think a tax increase is inevitable, let’s give it a shot to not do that and still accomplish what we set out to do.

XIII. **ALDERMEN’S REPORT:**

Alderman Macartney: Mr. Macartney said that he has lived here for 18 years and said that he does not think the Town has ever looked better. He said the road improvement and bike trail look great. He said he is proud to be a citizen of this Town and complimented all of the people that work to keep it nice.

Mayor Pro Tem Gray: Mrs. Gray thanked Staff and her fellow Board members for their work on the budget. She said that they do not want to raise taxes, this is a Town and we are not separate sections. She said she does not like to segregate the Town and that everything the Town does is for the whole benefit of the Town.

Alderman Yawn: Mr. Yawn wished everyone a good and happy and thoughtful 4th of July holiday. He reported that there are 103 vacant lots that the Town owns and that he and Staff met and looked at the list and found some that the Town may want to sell one day. He made comments about the dumpsters and how the Town is trying to come up

with a compromise to let property owners use the County convenience center on Old Folkstone Road at no cost and mentioned Doc Watson's passing.

Alderman Leonard: Mr. Leonard made comments about a citizen who was in a bike accident who was found by a Navy Corpsman on the scene who checked out the injured man and brought him to his unit at the Topsail Reef, cleaned him up and checked him for a concussion. Mr. Leonard thinks that the Corpsman should be recognized by the Town for going above and beyond.

Alderman Harte: Mr. Harte thanked the Mayor and Town Manager for their hard work with CBRA, especially in setting up a meeting with the staff of the committee.

XIV. **CLOSED SESSION:** Alderman Leonard made a motion to go into closed session per N.C.G.S. 143-318.11 Closed Sessions (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 Gray seconded. The motion passed unanimously.

No action was taken.

Alderman Yawn made a motion to come out of closed session. Alderman Leonard seconded. The motion passed unanimously.

XV. **ADJOURNMENT:** Alderman Yawn made a motion to adjourn. Alderman Leonard seconded the motion. The motion passed unanimously. The meeting adjourned at 8:41 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 7/5/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Special Meeting Minutes Wednesday, June 20, 2012 9:30 A.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard, Dick Macartney and Mike Yawn, Town Manager Steve Foster, Finance Officer Breck Smith, and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 9:30 a.m.
- II. **APPROVAL OF AGENDA:**
 - Alderman Yawn made a motion to approve the agenda as presented.
 - Mayor Pro Tem Gray seconded the motion.
 - The agenda was approved unanimously.
- III. **REQUEST TO APPROVE BUDGET AMENDMENTS 10 - 13:**
 - Finance Officer, Breck Smith, introduced the item.
 - Mr. Smith explained each amendment to the Board.
 - Mr. Smith took questions from the Board.
 - Mayor Pro Tem Gray made a motion to approve Budget Amendments 10 through 13 as presented. Alderman Harte seconded the motion.
 - The motion passed unanimously.
- IV. **REQUEST FOR BOARD APPROVAL OF PUBLIC OFFICIAL'S LIABILITY INSURANCE PROVIDER:**
 - Mr. Foster made a PowerPoint presentation to the Board.
 - He indicated that the insurance package presented by Wells Insurance was very competitive. It came out below the North Carolina League of Municipalities quote with a lower deductible. He recommended that the Board go with the Wells Insurance proposal.
 - Alderman Leonard made a motion to accept the Wells Insurance package at \$83,061 for FY13 with a \$15,000 deductible. Alderman Macartney seconded the motion.
 - There was discussion.
 - The motion passed unanimously.

- Alderman Yawn made a motion for the Town to accept the additional \$2 million umbrella coverage for an additional \$10,339 in premium cost. The motion failed for lack of a second.

V. **UPDATE ON THE STATUS OF HB1190 & POSSIBLE FUTURE BOARD ACTION TO CREATE A MUNICIPAL SERVICE DISTRICT:**

- Mayor Tuman updated the Board on the status of the bill enabling the Town to create a municipal service district for the New River Inlet Channel Realignment Project. The Board had a copy of the most recent bill titled SB 426. Mayor Tuman indicated that after passage of the bill, the Board will likely take action to create a municipal service district at the July meeting so that the Town can issue special obligation bonds.
- Alderman Macartney made a motion for the Board of Aldermen to support Senate Bill 426 and for the Board to establish its intent to create a municipal service district and to have the required public hearing at the regular Board of Aldermen meeting August. Alderman Harte seconded the motion.
- There was discussion.
- Alderman Macartney moved to table his motion in order for the Board to discuss the boundaries of the municipal service district. Mayor Pro Tem Gray seconded. The motion was tabled unanimously.
- The Board discussed which properties should be included in the municipal service district.
- Mayor Pro Tem Gray made a motion to establish Phase One municipal service district as all property owners, oceanfront and non-oceanfront, from Jenkins Way north. Alderman Leonard seconded the motion.
- There was discussion.
- The motion passed 3 to 2 with Aldermen Macartney and Yawn voting against.
- Alderman Macartney moved to put forward his previous motion for the Board of Aldermen to support SB 426 and that the Board intends to establish a municipal service district and to have the required public hearing on August 2nd on the establishment of the municipal service district. Alderman Harte seconded the motion.
- There was discussion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

VI. **REQUEST TO RESCHEDULE JULY REGULAR BOARD OF ALDERMEN MEETING:**

- Alderman Yawn indicated he would like to withdraw this item from the agenda based on previous discussion.

VII. **ADJOURNMENT:** Aldermen Leonard made a motion to adjourn. Alderman Yawn seconded the motion. The motion passed unanimously. The meeting adjourned at 10:32 a.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 7/5/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Regular Meeting Minutes Thursday, July 5, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard, Dick Macartney, and Mike Yawn, Town Attorney Brian Edes, Town Manager Steve Foster and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Alderman Macartney gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
 - Alderman Leonard made a motion to approve the agenda with the addition of an item for New Business, a request to approve a contract for the purchase of a fire truck. Mayor Pro Tem Gray seconded.
 - The amended agenda was approved unanimously.
- V. **PUBLIC HEARINGS & PRESENTATIONS**
 - A. **Presentation – Letter of Commendation – United State Navy Petty Officer Second Class Adam Elder, Hospital Corpsman-1 (HM2):**
 - Alderman Leonard read the letter which recognizes Petty Officer Elder for providing medical assistance to a citizen who was injured in a bike accident.
 - Mayor Tuman presented Petty Officer Elder with a copy of the letter.
- VI. **MANAGER'S REPORT:**
 - A. **CBRA Update:** Mr. Foster reported that Congressman Jones requested a hearing on the CBRA bill that will bring more attention and urgency to the issue. The hearing will likely be held sometime in the early fall—September or October, though a time is not yet set in stone. A letter to Chairman Fleming was sent from Representative Jones requesting the hearing. This is another step in the right direction.

In addition, Marlowe is preparing a packet of information for Senator Hagan on other communities throughout the US that have similar CBRA issues. She is willing to

introduce legislation solely on the fact that it benefits North Topsail Beach, but the legislation has a much better chance of passing if we can garner co-sponsors from other states with similar issues.

- B. Easements for the Realignment Project:** Mr. Foster reported that the Town would like to get the easements in from property owners as soon as possible. There is a deadline of July 31st. After that the Town will turn over the contact information to the Town Attorney for follow up.
- C. Peter Ravella Workshop Session:** Mr. Foster reported that Peter Ravella has scheduled more public input workshops for Saturday, August 11th with one at 2:00 p.m. and the second one at 6:30 p.m. Property owners are invited to discuss beach nourishment and various financing options. Those interested can also sign-up for the webcast online. He thanked Ms. Faulkner for her efforts in getting the first webinar set up and said he thought it went well.
- D. Award of CAMA Beach Access Grant:** Mr. Foster reported that the Town has received notice that it has received the grant for the south side park project in the amount of \$125,000. He thanked Ms. Deborah Hill for successfully writing the grant. The Town hopes to hear from our PARTF application soon for the completion of the project.
- E. Bids on Crossover for Southside Park:** Mr. Foster reported that the Town received quotes for the construction of the crossover for the south side park. The lowest quote was \$5,888. The Town has been in contact with the adjacent property owners and everything is satisfactory with them. Construction should start within the next 30 days.
- F. County Promotional Video:** Mr. Foster reported that he will be doing a promotional video for Onslow County to promote the beach. WITN will be doing the video.

VII. **OPEN FORUM:**

Anna Stangl of 2000 New River Inlet Road – Ms. Stangl made comments about the most recent beach project funding workshop. She said she was amazed at how many people had attended and that she learned a lot. She said that she and Mr. Ravella discussed the County's lack of participation in the project and the possibility of having an appreciation day for the military members that live here and getting the County involved. She thanked the Town for posting the signs at the park for the age requirements for the equipment.

VIII. **CONSENT AGENDA:**

- A.** Request to Adopt Resolution of Appreciation for Douglas Freeman, Jr.
- B.** Request to Approve Tax Refunds
- C.** Request to Suspend No Parking Ordinance on Ocean Drive
- D.** Request to Accept County Contribution & Adopt Budget Amendment #1

E. Approval of Minutes: June 7, 2012 and June 20, 2012

F. Department Head Reports: ~~Finance~~, Fire, Inspections, Planning, Police Departments

G. Committee Reports: Planning Board, Board of Adjustment, TISPC, ONWASA, Beautification and Recreation

- Alderman Macartney made a motion remove the Finance Department report to New Business and approve the Consent Agenda as amended.
- Alderman Yawn seconded the motion.
- The motion passed unanimously.

IX. **OLD BUSINESS:**

A. Request to Remove Dumpsters at Public Works and Town Hall:

- Mr. Foster introduced this item and took questions from the Board.
- Alderman Yawn moved that with the Town's policy changes, that the Town of North Topsail Beach remove the dumpsters from Public Works and Town Hall as soon as practical, at the discretion of the Town Manager.
- Alderman Leonard seconded.
- There was discussion.
- The motion passed unanimously.

X. **NEW BUSINESS:**

A. Call for Public Hearing to Consider Establishment of a Proposed Municipal Service District & Approve MSD Statement & Plan with Map:

- Mayor Tuman introduced the item.
- Alderman Leonard moved that the Town of North Topsail Beach Board of Aldermen call for a Public Hearing on the Establishment of a Municipal Service District as described in the NTB Municipal Service District Statement & Plan and map, and approve the Notice of Public Hearing and MSD Statement & Plan documents as presented and direct Town Staff to mail the Public Notice to all property owners in the proposed district tomorrow, advertise the Public Notice in the Jacksonville Daily News on Sunday, July 22nd, and have the Statement and Plan with map available to all on the Town website and in the office of the Town Clerk.
- Alderman Macartney seconded the motion.
- There was discussion.
- The following changes were made to the document by consensus of the Board:
 - Strike the words "an oceanfront" in last sentence of introduction.
 - On Page 3 under Revenue Sources and Needs strike the word "all" and after residents add "citizens" and "property owners"

- On Page 2 change 544,000 cubic yards to 600,000 cubic yards.
- On Page 3 #2 change “responsibility” to “aim”
- The motion passed 4 to 1 with Alderman Yawn voting against.

B. Request to Amend Town Code Section 6-103 – No Parking Area Designated to Reflect No Parking on the Shoulder of New River Inlet Road:

- Alderman Leonard introduced this item.
- Alderman Leonard moved that the Town of North Topsail Beach Board of Aldermen adopt an Ordinance to Amend Town Code Section 6-103, No Parking Area Designated as presented. He read the amended ordinance as follows:

Parking is prohibited along both shoulders of S.R. 1568 (New River Inlet Road) from its intersection with N.C. 210 to River Drive (approximately 5.317 miles). This parking area shall be enforced by law enforcement officers of the Town of North Topsail Beach and effective upon the erection of proper signs which indicate the no parking area.

- Alderman Yawn seconded the motion.
- There was discussion.
- The motion passed 4 to 1 with Alderman Macartney voting against.

C. Discussion & Approval of Finance Report:

- Alderman Macartney complimented the Staff on their work with the Town’s finances. The Town was about \$307,000 over budget and that is an excellent job. He had a few questions that were answered by the Town Manager.
- Alderman Macartney made a motion to approve the June Finance Report. Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

D. Request to Approve Contract to Purchase Fire Truck:

- Mr. Foster introduced the item. The Town Attorney made some suggested changes to the contract and advised that the Town check with the Local Government Commission before executing the contract.
- Alderman Macartney made a motion to approve the contract with Sutphen Corporation subject to the changes discussed, to include financing at 10 years and less than 5 percent, LGC approval, and the changes discussed by the Town Attorney. Alderman Leonard seconded the motion.
- There was discussion.
- The motion passed unanimously.

XI. **OPEN FORUM:**

Eric Emerich of 2250 New River Inlet Road - Mr. Emerich thanked the Board for recognizing Petty Officer Elder. He wished everyone a Happy 4th of July.

XII. **ATTORNEY'S REPORT:** Mr. Edes did not have a report.

XIII. **MAYOR'S REPORT:** Mayor Tuman reminded everyone about the Ocean City Jazz Festival which will be taking place this Saturday, July 7th.

XIV. **ALDERMEN'S REPORT:**

Alderman Harte: Mr. Harte did not have a report.

Alderman Leonard: Mr. Leonard reported that he had attended the Surf City fireworks and said they do it up right. He made comments about the towns on the island working together for the good of the island. He said he hopes everyone had a safe 4th.

Alderman Yawn: Mr. Yawn encouraged everyone to attend the Jazz Fest.

Mayor Pro Tem Gray: Mrs. Gray did not have a report. She said "Happy Belated 4th" and hopes everyone was safe.

Alderman Macartney: Mr. Macartney commented that this is the biggest week of the year for visitors and that the Town welcomes them and hopes that we continue to be a good beach for years to come.

XV. **ADJOURNMENT:** Alderman Leonard made a motion to adjourn. Mayor Pro Tem Gray seconded the motion. The motion passed unanimously. The meeting adjourned at 7:33 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 8/2/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Regular Meeting Minutes Thursday, August 2, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard, Dick Macartney, and Mike Yawn, Town Attorney Brian Edes, Town Manager Steve Foster and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Mayor Pro Tem Gray gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
 - Alderman Leonard made a motion to approve the agenda as presented. Mayor Pro Tem Gray seconded.
 - The amended agenda was approved unanimously.
- V. **PUBLIC HEARINGS & PRESENTATIONS**
 - A. **Presentation – Update on Financial Advisory Services – Doug Carter, DEC Associates, Inc.:** (this item took place after the public hearing as the PowerPoint was not ready).
 - Mayor Tuman introduced Mr. Carter.
 - Mr. Carter gave his presentation (see Attachment A).
 - Mr. Carter took questions from the Board.
 - B. **Public Hearing – Establishment of a Proposed Municipal Service District for the Town’s New River Inlet Channel Realignment Project (Phase One) for Beach Erosion Control and Flood and Hurricane Protection Works:**
 - Mr. Foster introduced the item and explained that the Town is seeking to establish this municipal service district as a requirement for financing the Phase One project through special obligation bonds.
 - Mayor Tuman advised the audience that since there are a number of people signed up to speak to please limit comments to 3 minutes. He opened the public hearing and asked the clerk to read the names on the sign-in sheet.

- The following citizens came forward to speak *in favor* of the proposed municipal service district:

Joe Kosar	Jay Greenspan	Eric Emerich
William Hartley	Ann Ormsby	Jean Miller
Mike Baker	Yolanda Gibbs	Harry Hertrich
Win Batten	Jeremy Grove	Nicole Bentrup
John Schoffner	Susan Meyer	Boyd Wright
Jody Shaw	Joseph Riley	Ben Bentrup
Emily Easter	Dean Haldeman	Diana Bing

- The Town Clerk read a statement *in opposition* of the proposed municipal service district submitted by Mr. Edward Doherty (read aloud by request).
- The following citizens came forward to speak *in opposition* of the proposed municipal service district:

Robert Swantek

- The following citizens who were not able to attend the hearing contacted the Board of Aldermen via email and wrote *in favor* of the proposed municipal service district:

Cathie Kirik	John Slocum	Vilee Stewart
Worth Parker	Richard O'Brian	Bruce Stuart
Tom Quinn	Jh	Amelia Russo
Nancy Oxford	Denise Marren	Jennie Henderson
Richard Oxford	Carolee Sacchi	Veronica Battalini
Randall MacNair	Joe Sacchi	Janet Pinette
Jen Hagland	Dale Davis	Dendy Donovan
Kris Street	Steve Cohen	Scott Donovan
Carol Hodkiss	Frances Merletto-Everidge	Pamela Thomas
Steve Albon	Joseph Everidge	Adam Elder
Diane Albon	Pam Kosar	Elizabeth Holleman
Frank Alessandro	Karl Priest	
Janet Slocum	Melody Priest	

- Mayor Tuman asked if there were any other citizens who would like to make comments to the Board of Aldermen. There were no further comments.
- Mayor Pro Tem Gray made a motion to close the public hearing. Alderman Macartney seconded the motion.
- The motion passed unanimously.
- Alderman Harte made a motion for the North Topsail Beach Board of Aldermen to adopt Resolution 2012-15 – A Resolution Establishing and Creating the Town of North Topsail Beach New River Inlet Channel Realignment Project Municipal Service District.
- Alderman Leonard seconded the motion.
- There was discussion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

VI. **MANAGER'S REPORT:**

- A. Peter Ravella Workshop Session:** Mr. Foster announced that Peter Ravella has scheduled public input workshops for beach project funding for Saturday August 11th and the Town hopes that interested parties can attend. He said citizens can also sign up to participate online.
- B. CBRA News Update:** Mr. Foster announced that Marlowe & Company has requested some additional information from the Town on CBRA for Senator Hagan's Office as they continue to work on soliciting addition support for the CBRA map modifications. While the Town has not received word on an exact date for the House of Representatives Committee Hearings, it still looks like September or October. Mr. Gene Graziosi, who conducted the research on CBRA, the Mayor and Mr. Foster plan on going to Washington and testifying before the Committee.
- C. Easements for the Realignment Project:** Mr. Foster reported that the Town has received 90 easements for the NRI Channel Project. He pointed out that number only represents tax parcel ID numbers not property owners of which many own properties that are condominiums. The Town will send non complying parcels to our Town Attorney for processing.
- D. PARTF Grant Was Not Funded:** Mr. Foster announced that the Town received notice that it did not receive the grant it applied for at the south side park project in the amount of \$125,000. The Town will resubmit the application for funding next year. He thanked Ms. Deborah Hill for her efforts in successfully writing the grant.
- E. South End Access Dune Crossover:** Mr. Foster reported that as directed by the Board construction will begin on the dune crossover at the proposed South End Park the first week in August. The project will be completed in about one week.
- F. No Parking Signs- New River Inlet Road:** Mr. Foster announced that the Town has placed informational signs on both ends of New River Inlet Road; the Public Works Department has an initial order of 50 signs which should be here in 4 to 5 weeks.
- G. Dumpsters Have Been Removed:** Mr. Foster reported that as directed by the Board the 30 yard solid waste containers at the Public Works building have been removed as well as at Town Hall. All bulk waste can be taken to the convenience station on Old Folkstone Road. Property owners can be reimbursed with a receipt at Town Hall.
- H. High Rise Bridge Lane Closure:** Mr. Foster reported that NCDOT will be doing some maintenance on the bridge and that one lane of traffic will be closed between 8/9/2012 through 8/14/2012.

VII. **OPEN FORUM:**

John Schoffner of Topsail Reef – Mr. Schoffner made comments about the 2010 beach nourishment survey and indicated that Topsail Reef will do everything they can to help the Town protect property. He explained the chronology of events and said that the Topsail Reef HOA

spent the money on the sand bag project because they were up against a wall and were afraid the buildings would not make it through this November.

Boyd Wright of 1411 New River Inlet Road - Mr. Wright suggested that the Town keep the pressure on with the CBRA issue because it would mean a lot of savings on insurance for property owners and can offset a tax increase. He thanked the Board for the no parking signs.

Robert Swantek of 3772 Island Drive - Mr. Swantek made comments about the 2010 survey and the pending censure of Alderman Yawn.

A Citizen from Topsail Reef – The citizen made comments about why the Topsail Reef spent the money on the sand bag project, he said it was because there is water under the buildings and it is an emergency situation. He said the time is now to do something. Inaction is going to cost more money.

Carla Torrey of 493 Ocean Drive - Ms. Torrey made comments about the dissention and misunderstanding in the town and suggested that the Town have a living document of all of the aspects of the project so that citizens can make an informed decision without personal vendettas and going over the past. She said we need to look forward.

Mike Baker of Topsail Reef - Mr. Baker indicated he was offended by comments made by Mr. Yawn regarding the Topsail Reef giving \$2 million to the Town.

Dean Haldeman of 2249 New River Inlet Road - Mr. Haldeman made comments in support of Mr. Yawn looking into the issues that need to be addressed. He indicated that he is not in support of the way the Board runs the Town.

Eric Emerich of Topsail Reef – Mr. Emerich thanked the Board for their hard work and made an offer for Mr. Yawn to sign a resignation letter and return to private life.

Jay Greenspan of Topsail Reef – Mr. Greenspan thanked the Board of Aldermen for their vote in support of the establishment of the municipal service district. He encouraged everyone to contact their representatives at all levels and let them know that this Board and Town cares about its citizens and is willing to go forward on this project on their own. He said we are one town and need to support each other and work together.

Diana Bing of 492 Ocean Drive - Ms. Bing thanked Mr. Yawn for bringing up a different point of view and said she hopes people can have a different point of view without it being one part of the town against another part of the town. She suggested looking into other forms of revenue.

Richard Farley of 2300 New River Inlet Road – Mr. Farley made comments in favor of Mr. Yawn and his hard work. He commented that the financing plan is extremely weak. He thinks the people that benefit the most should pay more.

Win Batten of Topsail Reef – Mr. Batten made comments about the financing of the project and indicated that the money that the Town is going to spend on the project isn't all of the money that the Town is ever going to have. He said that the financial advisor's estimates were very conservative. He made several suggestions.

VIII. **CONSENT AGENDA:**

- A. Request to Adopt Resolution Accepting and Endorsing the Solid Waste Management Plan of 2012 for the Town of North Topsail Beach
- B. Approval of Minutes: July 5, 2012
- C. Department Head Reports: Finance, Fire, Inspections, Planning, Police Departments
- D. Committee Reports: Planning Board, Board of Adjustment, TISPC, ONWASA, Beautification and Recreation, Eastern Carolina Council
 - Alderman Macartney made a motion to approve the Consent Agenda.
 - Alderman Yawn seconded the motion.
 - The motion passed unanimously.

IX. **NEW BUSINESS:**

- A. Request to Authorize Staff/CP&E to Release Contract Documents for the New River Inlet Channel Realignment Project:**
 - Mr. Foster introduced the item.
 - Alderman Macartney made a motion to release the contract documents that have been prepared and reviewed by legal counsel. Mayor Pro Tem Gray seconded the motion.
 - There was discussion.
 - The motion passed unanimously.

- B. Request to Adopt Resolution Directing the Application to the LGC for Approval of Special Obligation Bonds, Series 2012 and Certain Related Matters:**
 - Mr. Foster introduced this item.
 - Mayor Pro Tem Gray made a motion for the Board of Aldermen to adopt Resolution 2012-17 – A Resolution of the Town of North Topsail Beach, NC Directing the Application to the LGC for Approval of Special Obligation Bonds; Requesting LGC Approval of the Town’s Special Obligation Bonds, Series 2012 and Certain Related Matters.
 - Alderman Macartney seconded the motion.
 - There was discussion.
 - The motion passed 4 to 1 with Alderman Yawn voting against.

- C. Request to Adopt Censure Resolution:**
 - Mayor Tuman introduced this item.
 - Alderman Leonard explained the reason for the Resolution of Censure. He read the resolution aloud.
 - Alderman Leonard made a motion to adopt the Resolution of Censure. Mayor Pro Tem Gray seconded the motion.
 - There was discussion.

- Alderman Yawn made comments against the adoption of the resolution and in support of the content of his letter to the LGC. He requested that Alderman Leonard withdraw his motion.
- Alderman Leonard withdrew his motion to adopt the Resolution of Censure.

X. **OPEN FORUM:**

John Schoffner of Topsail Reef - Mr. Schoffner asked the Board to let the citizens do what they need to do to allow the Town to help them. He suggested that everyone work as a team to get the project done for the Town. He made comments about Mr. Yawn's letter.

Win Batten of Topsail Reef – Mr. Batten complimented Alderman Yawn on his work to defend his position and Alderman Leonard for withdrawing his motion. He made comments about the difference in voting population versus the number of property owners.

A Citizen from Topsail Reef – The citizen asked Mr. Yawn for an apology for his comment about the Topsail Reef.

Joe Kosar of Topsail Reef – Mr. Kosar indicated that he was offended by Alderman Yawn's comment about the Topsail Reef. He said that Topsail Reef needs help and that something needs to be done. He said it is going to cost more money if nothing is done.

XI. **ATTORNEY'S REPORT:** Mr. Edes did not have a report.

XII. **MAYOR'S REPORT:** Mayor Tuman announced that the Town received a letter from the Department of Justice regarding the Town's requested amendment to the CAMA Land Use Plan and that the Town's amendment was approved by the Coastal Resources Commission. Mayor Tuman explained the importance of the Town's Land Use Plan. He responded to Alderman Yawn's comment about him making comments on his own discretion to the CRC. He said that never happened. He expressed that a majority of the Board recognizes the seriousness of the problem on the north end and that the Board can take action to address the problem. He said that general obligation bonds, as expressed by the Town's financial advisor, are not an option for getting the project done this year. He acknowledged that Alderman Yawn's response to the resolution of censure took a lot of work and on the same token the Town's response to his letter to the LGC took a lot of work to prepare. He commented that he felt that Alderman Yawn's letter was a willful attempt to obstruct the project.

XIII. **ALDERMEN'S REPORT:**

Alderman Harte: Mr. Harte did not have a report.

Alderman Leonard: Mr. Leonard reported that he attended the Topsail Reef HOA quarterly meeting and that he updated the HOA on the beach project. He explained why he withdrew his motion to adopt the Resolution of Censure.

Mayor Pro Tem Gray: Mrs. Gray thanked everyone for coming out in support of what the Board has done. She asked where the people were who are against it.

Alderman Macartney: Mr. Macartney said he was glad to see all of the people here tonight and that he is glad he lives in a country where there is free speech and participative government.

Alderman Yawn: Mr. Yawn said he is going to try to find the minutes regarding the Mayor's comments to the CRC. He apologized to the audience if he misstated something; he was not trying to be obnoxious or arrogant. He said that if the Town knew that the Topsail Reef had access to the money a year ago it could have gone to help pay for the project as the Town is struggling to find the money. He said he was sorry if the Board misunderstood what he said. He feels he was not given due process and would like the Board to modify the ethics policy to include a process for censuring a Board member.

XIV. **CLOSED SESSION:**

- Alderman Macartney made a motion for the Board to go into Closed Session per N.C.G.S. 143-318.11 Closed Sessions (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. He indicated that the Board might take action.
- Alderman Harte seconded the motion. The motion passed unanimously.
- Alderman Leonard made a motion to come out of Closed Session.
- Mayor Pro Tem Gray seconded the motion. The motion passed unanimously.
- No action was taken.

XV. **ADJOURNMENT:** Alderman Leonard made a motion to adjourn. Alderman Macartney seconded the motion. The motion passed unanimously. The meeting adjourned at 10:00 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 9/6/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Special Meeting Minutes Wednesday, August 22, 2012 9:30 A.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard, Dick Macartney and Mike Yawn, Town Manager Steve Foster, and Town Clerk Carin Faulkner. On speakerphone: Justin Humphries for Town Attorney Brian Edes

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 9:30 a.m.
- II. **APPROVAL OF AGENDA:**
 - Alderman Leonard made a motion to approve the agenda as presented.
 - Alderman Yawn seconded the motion.
 - There was discussion.
 - The agenda was approved unanimously.
- III. **CLOSED SESSION:**
 - Mayor Pro Tem Gray made a motion for the Board to go into Closed Session per NCGS 143-318.11 Closed Sessions (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 Yawn seconded. There was discussion.
 - The motion passed 4 to 1 with Alderman Macartney voting against.
 - The Board of Aldermen consulted with Justin Humphries who was working on behalf of Town Attorney Brian Edes.
 - Alderman Yawn made a motion for the Board to come out of Closed Session. Mayor Pro Tem Gray seconded. The motion passed unanimously.
 - Mayor Tuman indicated that no action was taken during the Closed Session. The public was notified to return to the Meeting Room.
- IV. **REQUEST TO DIRECT THE TOWN ATTORNEY TO MOVE FORWARD ON OBTAINING EASEMENTS FOR THE NEW RIVER INLET CHANNEL REALIGNMENT PROJECT:**
 - Alderman Macartney made a motion for the Board of Aldermen of North Topsail Beach to authorize the Town Attorney to engage an appraiser to determine the value of the easements on each parcel in the project area that

have no easement signed and to draft a notice of intent to commence condemnation procedures, this notice will include the value of each easement.

- Alderman Harte seconded the motion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

V. **ADJOURNMENT:** Aldermen Yawn made a motion to adjourn. Alderman Leonard seconded the motion. The motion passed unanimously. The meeting adjourned at 10:17 a.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 9/6/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Regular Meeting Minutes Thursday, September 6, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray (arrived 6:45), Aldermen Don Harte, Tom Leonard, Dick Macartney, and Mike Yawn, Town Attorney Brian Edes, Town Manager Steve Foster and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Alderman Yawn gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
 - Alderman Harte made a motion to approve the agenda as presented. Alderman Leonard seconded.
 - The amended agenda was approved unanimously.
- V. **MANAGER'S REPORT:**
 - A. Peter Ravella Workshop Sessions:** Mr. Foster announced that Peter Ravella will be holding additional public input workshops on October 6th 2:00 & 6:30 PM. He said the Town hopes that all interested parties can attend. Please check with the Town Clerk to register for the webinar if you cannot attend.
 - B. CBRA News Update:** Mr. Foster reported that Congress is currently on August recess, but a date for the CBRA hearing should be announced as soon as they return. Marlowe and Company said that this would be a good time to have a vote on the bill on the House side since there is a short amount of time left for this year to do business. The Mayor has prepared his testimony before the House Committee which should happen in October.
 - C. Easements for the Realignment Project:** Mr. Foster reported that Town Staff is still working to procure easements for the NRI Channel Realignment Project. So far the Town has received and recorded 108 easements. There are 21 that will be sent to the Town Attorney, and 38 pending.

- D. South End Access Dune Crossover:** Mr. Foster reported that the South End Park beach access has been completed and is ready for use. The Town is working on the removal of an encroachment located on the easement. Rope and posts have also been installed to mark the easement boundaries.
- E. USACE Dredging Project:** Mr. Foster reported that the Corps has announced that work on the dredging of Cedar Bush Cut and the ICWW will begin in January 2013. This may coincide with the Town's project, but both the Corps and our engineering company are aware of the timing and placement issue. The estimated amount of sand from the Corps is around 60,000 cubic yards. There are no funds appropriated after this year to do this type of dredging.
- F. Four Town Meeting:** Mr. Foster reminded the Board that there will be a Four Town Meeting on September 13th at 6:30 PM. The meeting will be hosted by the Town of Holly Ridge. He asked that they let the Town Clerk know if they can attend.
- G. Joint Meeting with the Onslow County Commissioners:** Mr. Foster reported that he was contacted by County Manager Jeff Hudson to see if it is possible to hold a joint meeting with the County Commissioners. This meeting has been scheduled for Friday September 28th at 11:00 AM to discuss County financial assistance for our nourishment projects. The meeting will take place at NTB Town Hall.

VI. **OPEN FORUM:** No one came forward.

VII. **CONSENT AGENDA:**

- A. Request to Approve Tax Refunds
- B. Approval of Minutes: August 2, 2012 August 22, 2012
- C. Department Head Reports: Finance, Fire, Inspections, Planning, Police Departments
- D. Committee Reports: Planning Board, Board of Adjustment, TISPC, ONWASA, Beautification and Recreation
 - Alderman Macartney made a motion to approve the Consent Agenda.
 - Alderman Yawn seconded the motion.
 - The motion passed unanimously.

VIII. **OLD BUSINESS:**

- A. Request to Award Construction Contract for New River Inlet Channel Realignment Project:**
- Mayor Tuman introduced Robert Neal from Coastal Planning and Engineering and Mr. Neal went over the bids that were opened earlier that afternoon. The lowest bid that was received was from Marinex Construction Inc. which submitted a total cost of \$5,614,160.
 - Mr. Neal indicated that references were checked and said that Marinex is responsive and knowledgeable about this project and this type of work.

He made a recommendation to the Board to award this contract to Marinex Construction Inc. contingent upon the financing approval from the LGC. (Mayor Pro Tem Gray arrived). He said Marinex will be able to come in right away and start on the project as soon as possible.

- Mr. Neal explained the pre-construction tasks that need to be taken care of prior to starting the work. He explained that the project price is below the cost estimate and said that the Town may want to consider allowing for more sand placement since a large part of the cost of the project is mobilization.
- Mr. Neal took questions from the Board.
- Alderman Macartney made a motion that the North Topsail Beach Board of Aldermen award the New River Channel Realignment Project to Marinex Construction Inc. contingent upon the review of CP&E and the N.C. Local Government Commission's approval of the Town's request to issue Special Obligation Bonds for the project and any possible conditions that may be imposed upon the Town.
- Alderman Leonard seconded the motion.
- Mr. Robert Neal indicated that CP&E has completed their review.
- There was discussion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

IX. NEW BUSINESS:

A. Request to Award Private Placement Provider for the Financing of the New River Inlet Channel Realignment Project:

- Mr. Foster introduced the item. He announced the bids that were received by the Town's financial advisor. He indicated that the financial advisor recommends PNC Bank.
- Alderman Leonard made a motion that the North Topsail Beach Board of Aldermen accepts the proposal from PNC Bank for the financing of Special Obligation Bond for the New River Inlet Channel Realignment Project. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

B. Request to Approve Notice of Action for Procurement of Oceanfront Properties:

- Mr. Foster introduced this item.
- Alderman Macartney made a motion for the Board of Aldermen to authorize the Town Attorney to send the notice of action to those property owners that have not sent in an easement indicating that the Town will proceed with court action. Alderman Harte seconded the motion.
- There was discussion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

C. Request to Sponsor “Autumn with Topsail”:

- Mayor Tuman introduced this item.
- Mayor Pro Tem Gray made a motion to donate \$1,000 to Autumn with Topsail. Alderman Leonard seconded the motion.
- Alderman Yawn asked to be recused from voting because his wife serves on the board of directors. Attorney Edes asked Alderman Yawn if there is a financial interest involved. Alderman Yawn indicated that there is not.
- The motion passed unanimously with Alderman Yawn abstaining which is counted as an affirmative vote.

D. Request to Appoint a Citizen to the Planning Board:

- Mayor Tuman introduced the item.
- Alderman Yawn made a motion to appoint Mrs. Jean Miller as an alternate member of the Planning Board. Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

E. Request to Appoint a Board Member to Represent the Town at the Onslow County EOC

- Mayor Tuman introduced the item and asked if there is a volunteer.
- Ms. Faulkner described what is involved with this role.
- Mayor Pro Tem Suzanne Gray volunteered. Alderman Leonard seconded the nomination.
- The motion passed unanimously.

F. Request to Have Wells Insurance Provide NTB with Quotes for Additional Insurance for the Inlet Realignment Project:

- Alderman Yawn introduced this item.
- Alderman Yawn moved that the Town Staff work with Randy Reeves of Wells Insurance to provide quotes for additional insurance coverage (to cover the town and town officials), in case of adverse impacts from the Inlet Realignment Project.
- The motion failed for lack of second.

X. OPEN FORUM:

Richard Peters of 601 New River Inlet Road - Mr. commended the Board on its historical and momentous decisions on moving forward with the beach nourishment and donating to “Autumn with Topsail.”

Eric Emerich of 2250 New River Inlet Road – Mr. Emerich thanked the Mayor and Board of Aldermen for their continued public service and said he agreed with what Mr. Peter’s stated.

- XI. **ATTORNEY'S REPORT:** Mr. Edes did not have a report. He commended Aldermen Harte and Yawn for bringing forward their concerns with voting on the "Autumn with Topsail" donation, he said it speaks well of this body.
- XII. **MAYOR'S REPORT:** Mayor Tuman said that the Town is still working on CBRA and he hopes that Congress will consider the CBRA bill before the election. He said that he has prepared comments for the committee hearing and that these comments will be in the next Town newsletter and on the website. He said that the Town is hopeful that this legislation will be passed as it will have a significant impact on the Town. He indicated that the Town Board will be having a joint meeting with the County Commissioners later in the month at NTB Town Hall to discuss beach nourishment as it affects our Town and the County. He urged those interest to attend it will be on September 28th at 11:00 a.m.
- XIII. **ALDERMEN'S REPORT:**
- Mayor Pro Tem Gray:** Mrs. Gray apologized for being late. She said she is glad that the Town made it through the bidding process and that it looks like the Town got a very good deal. She thanked everyone for coming.
- Alderman Yawn:** Mr. Yawn explained why he voted no on the award of the NRI Channel Realignment Project, he said he does not agree with the funding of it. He said that property owners in the project area can pay \$40 a month to pay for it. He made comments about his disagreement with the Mayor regarding his comments to the CRC. He said he has issues with the facts in the Town's response to his letter to the LGC and will be sending more comments but will send them to the Board this time. He said he is amazed at the outpouring of praise he has received for holding his position.
- Alderman Leonard:** Mr. Leonard thanked everyone for coming out. He made comments about the funding of the project and indicated that the Town is not finished coming up with solutions and that is what the Town hired Mr. Ravella to do. He encouraged citizens to attend the joint meeting with the County.
- Alderman Harte:** Mr. Harte aid he wants everyone here on the 28th.
- Alderman Macartney:** Mr. Macartney said last time he said he was glad that he lives in a country that has free speech, he said this week he is glad that he lives in a country and Town that takes secret bids and that it worked very well of this Town.
- Mayor Tuman explained Mr. Yawn's statement about him making comments to the CRC. He indicated that Mr. Jeff Warren is not a member of the CRC and came to this Town with a presentation and requested comments and Mayor Tuman supplied his comments per Mr. Warren's request.
- XIV. **ADJOURNMENT:** Alderman Leonard made a motion to adjourn. Alderman Yawn seconded the motion. The motion passed unanimously. The meeting adjourned at 7:34 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 10/4/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Special Meeting Minutes Thursday, September 27, 2012 5:00 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard, Dick Macartney and Mike Yawn, Town Manager Steve Foster, Town Clerk Carin Faulkner, and Jeffrey Poley Bond Attorney (by speaker phone).

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 5:00 p.m.
- II. **APPROVAL OF AGENDA:**
 - Alderman Leonard made a motion to approve the agenda as presented.
 - Alderman Yawn seconded the motion.
 - The Board was informed that Mr. Ravella may not make it to the meeting.
 - The agenda was approved unanimously.
- III. **REQUEST TO ADOPT FINANCING DOCUMENTS FOR THE NEW RIVER INLET CHANNEL REALIGNMENT PROJECT:**
 1. **Bond Order Authorizing the Issuance of Special Obligation Bond of the Town of North Topsail Beach, North Carolina**
 2. **A Resolution of the Board of Aldermen of the Town of North Topsail Beach, North Carolina Providing for the Issuance of a Not to Exceed \$2,840,000 Special Obligation Bond, Series 2012**
 - Mr. Jeffrey Poley, the Town's Bond Attorney was contacted by phone and he introduced the items to the Board and summarized them.
 - Mr. Poley took questions from the Board.
 - Alderman Macartney moved that the North Topsail Beach Board of Aldermen adopt the Bond Order Authorizing the Issuance of Special Obligation Bonds of the Town of North Topsail Beach, North Carolina.
 - Alderman Harte seconded the motion.
 - There was discussion.
 - The motion passed 4 to 1 with Aldermen Yawn voting against.
 - Mayor Pro Tem Gray moved that the North Topsail Beach Board of Aldermen adopt A Resolution of the Board of Aldermen of the Town of North Topsail Beach, North Carolina Providing for the Issuance of a Not to Exceed \$2,840,000 Special Obligation Bond, Series 2012 as presented.

- Alderman Leonard seconded the motion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

IV. **REQUEST TO APPROVE MACROFAUNA PROJECT PROPOSAL (DONAX STUDY):**

- Mr. Foster introduced this item and indicated that this work must be done as a condition of the permit for the New River Inlet Channel Realignment Project.
- Alderman Macartney suggested some minor changes to the document (the date and change commissioner to alderman).
- Alderman Macartney made a motion for the Board of Aldermen to approve the Macrofauna Project Proposal including the attorney's changes and his suggested edits. Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- The motion passed 4 to 1 with Alderman Yawn voting against.

V. **REQUEST TO APPROVE PRECONSTRUCTION MONITORING SERVICES PROPOSAL:**

- Mr. Foster introduced this item and indicated that the Town Attorney has reviewed the proposal.
- Alderman Leonard moved that the North Topsail Beach Board of Aldermen approve the change order for preconstruction monitoring services as presented to include Nearshore Hardbottom Monitoring for a lump sum fee of \$14,513 and Onslow Beach Physical Monitoring Report for a lump sum fee of \$3,909 which totals \$18,422. Alderman Yawn seconded the motion.
- There was discussion.
- The motion passed unanimously.

VI. **DISCUSSION OF TOWN MANAGER VACANCY – SHORT TERM AND LONG TERM ACTION:**

- Mayor Tuman indicated that the position has been advertised and several applications have been received by the Town Clerk.
- There was discussion on confidentiality and how the Clerk would get the documents to the Board.
- The Town Clerk was directed to send the Board the applications in batches.
- The Board agreed to discuss this at the next regular Board of Aldermen meeting.

VII. **CLOSED SESSION Per N.C.G.S. 143-318.11 (6):**

- Alderman Leonard made a motion to go into Closed Session. Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.
- Mayor Pro Tem Gray made a motion to come out of Closed Session. Alderman Yawn seconded. The motion was approved unanimously.

- Alderman Yawn made a motion to assign Carin Faulkner as Interim Town Manager effective October 19th and that she will receive an extra \$40 per day each weekday she acts as Interim Town Manager. Alderman Macartney seconded the motion.
- The motion passed unanimously.

VIII. **PRESENTATION & DISCUSSION OF THE AGENDA FOR THE JOINT MEETING WITH THE COUNTY:**

- Mayor Tuman and the Board discussed the joint meeting with the Onslow County Board of Commissioners. Since Mr. Ravella was unable to make it to this meeting he suggested that the Board recess this meeting to 9:00 a.m. tomorrow (9/28/12).

IX. **RECESS:** Alderman Yawn made a motion to go into recess until 9:00 a.m. tomorrow. Alderman Leonard seconded the motion. The motion passed unanimously. The meeting was recessed at 6:07 p.m.

X. **CALL TO ORDER:** (Entire Board is present, Peter Ravella is in attendance). Mayor Tuman called the meeting to order at 9:11 a.m.

- Mr. Ravella went over the presentation that he will make for the County Commissioners.
- There was discussion and questions.

XI. **ADJOURNMENT:** The meeting adjourned at approximately 10:30 a.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 11/1/2012

**Special Meeting
Joint Session
Onslow County Board of Commissioners
North Topsail Beach Board of Aldermen**

**September 28, 2012
11:00 A.M.**

MINUTES

PRESENT: Chairman W.C. Jarman, Vice Chairman Paul Buchanan, Commissioner Barbara Ilkner, Commissioner William H. Keller III, Commissioner Lionell Midgett, County Manager Jeff Hudson, Deputy County Manager David Cotton, County Attorney Leslie Moxley, Finance Officer David McCole, County Clerk Julie Wand, Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Thomas Leonard, Dick Macartney, and Michael Yawn, Town Manager Steve Foster, Finance Officer Breck Smith, Town Clerk Carin Faulkner and Peter Ravella (presenter).

1. **CALL TO ORDER:** The Onslow County Board of Commissioners was called to order by Chairman W.C. Jarman and the North Topsail Board of Aldermen was called to order by the Mayor Daniel Tuman at 1:00 p.m.
2. **PLEDGE OF ALLEGIANCE:** The Board of Commissioners, Board of Alderman, and Citizens recited the Pledge of Allegiance.
3. **INTRODUCTIONS:** Chairman Jarman introduced the County Commissioners and County Staff. Mayor Tuman introduced the Board of Aldermen and Town Staff.
4. **PRESENTATION:** Mayor Tuman introduced Peter Ravella of Peter A. Ravella Consulting. Mr. Ravella gave a presentation titled, "The Power of Collaboration and Partnerships in Addressing Coastal Issues" (Attachment A).
5. **DISCUSSION:** Mr. Ravella took questions from the County Commissioners and there was discussion.
6. **ADJOURNMENT:** Both governing boards adjourned at 12:28 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 11/1/12

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Steven H. Foster
Town Manager

Carin Z. Faulkner, MPA
Town Clerk

Board of Aldermen Regular Meeting Minutes Thursday, October 4, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard, Dick Macartney, and Mike Yawn, Town Attorney Brian Edes, Town Manager Steve Foster and Town Clerk Carin Faulkner.

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Mayor Tuman gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
 - Alderman Macartney made a motion to approve the agenda with the addition of New Business Item D to discuss the Town Manager search. Alderman Yawn seconded the motion.
 - The amended agenda was approved unanimously.
- V. **MANAGER'S REPORT:**
 - A. **Peter Ravella Workshop Sessions:** Mr. Foster reported that Peter Ravella will be holding additional public input workshop in October 6th 2:00 & 6:30 PM. We hope that all interested parties can attend. Please check with the Town Clerk to register for the webinar if you cannot attend.
 - B. **CBRA News Update:** Mr. Foster reported that Congress is on extended recess and will be out until after the November election, when presumably the House committee will reschedule hearing on the L06 CBRA Zone modification. The good news is that Senator Kay Hagan has introduced a companion bill in the Senate
 - C. **Easements for the Realignment Project:** Mr. Foster reported that Town staff has mailed "Notices of Condemnation" by certified mail in order to procure remaining easements necessary for the NRI Channel Project. There were 50 notices in all. The Town Attorney has determined that we need to include affected lien holders in the process, and his office and our staff are currently processing those. The Town Attorney will be making a report on easements at the regular October 4th meeting. As

the Board requested we included the letter that the Board approved at their last meeting.

- D. Next Town Vegetation Pickup:** Mr. Foster reported that the Town's next vegetation pickup will be November 26th-30th. As usual we ask that the vegetation debris to be placed in brown debris bags that can be purchase at hardware and building supply companies. The Town has just completed the September pickup.
- E. "No Parking Sign" Installation New River Inlet Road:** Mr. Foster reported that the Town has received another 100 "No Parking" signs from the Department of Corrections to continue with policy of no parking on New River Inlet Road. Staff will be identifying areas where there are worst violations, and placing signs in those locations. Additionally staff will be replacing the "no parking signs "on Topsail Road since those signs have faded to the point that that are non recognizable in some cases
- F. Joint Meeting with the County:** Mr. Foster reported that the Board of Aldermen and the Onslow County Board of Commissioners met on September 28th to discuss funding options for beach maintenance projects. Peter Ravella made an informative presentation and facilitated the discussion with the County. Mr. Foster added that there was a follow-up meeting with Town and County staff on potential common ground on funding.
- G. New River Dredging:** Mr. Foster announced that the Army Corps of Engineers has contracted with Southwind to do some dredging and sand disposal in January 2013. It is estimated that 60,000 – 100,000 cubic yards of sand will be disposed on the north end after the NRI Channel Realignment Project is completed.
- H. Last Meeting for Town Manager:** Mr. Foster announced that this will be his last meeting with the North Topsail Beach Board of Aldermen. He said that his experience with the Board, Staff, and citizens has been one of the best experiences of his career in public management. The Town has a great future and has demonstrated a desire and determination to maintain a good quality environment to continue to distinguish it from any other beach communities. He thanked the Board as a whole for their confidence and support in his tenure here. He thanked the hardworking Staff for the support they have shown. He said that the Town is fortunate to have such a competent group of employees. He said that the Town of North Topsail Beach will always hold a warm place in his heart. The Board and audience applauded.

VI. **OPEN FORUM:** No one came forward.

VII. **CONSENT AGENDA:**

- A. Request to Approve Municipal Records Retention and Disposition Schedule
- B. Request to Adopt Resolution Authorizing the Disposition of Certain Personal Property
- C. Approval of Minutes: September 6, 2012

- D. Department Head Reports: Finance, Fire, Inspections, Planning, Police Departments
- E. Committee Reports: Planning Board, Board of Adjustment, TISPC, ONWASA, Beautification and Recreation
 - Alderman Yawn made a motion to approve the Consent Agenda as presented.
 - Mayor Pro Tem Gray seconded the motion.
 - The motion passed unanimously.

VIII. **NEW BUSINESS:**

A. Request to Suspend Noise Ordinances (Sec. 6-123 & Sec. 6-136) for the Construction of the New River Inlet Channel Realignment Project:

- Mr. Foster introduced this item.
- Alderman Leonard moved that the Town of North Topsail Beach Board of Aldermen waive Section 6-123 & 6-136 for the contractor working on the New River Inlet Channel Realignment Project for the period of construction.
- Alderman Yawn seconded the motion.
- The motion passed unanimously.

B. Request to Approve Preconstruction and Construction Oversight Proposal:

- Mr. Robert Neal from Coastal Planning & Engineering explained the scope of work which will be in their proposal; he explained that they do not have a proposal to present to the Board tonight. He said that CP&E will be giving biweekly updates on the construction of the NRI Channel Realignment project and that they will have someone on site 10 hours a day. He indicated that the contract with Marinex will be finalized next week and that equipment will arrive prior to the November 16th start date.
- Mr. Neal took questions from the Board.
- The Board will have an oversight proposal to approve at next month's meeting unless notified otherwise by CP&E. Mr. Foster will be able to authorize a preconstruction proposal prior to that.
- There was discussion about the Army Corps of Engineers dredging in January.
- Mayor Tuman suggested that CP&E set up a meeting with the Corps to coordinate the projects.

C. Request to Amend Ordinance 2012-4 – Amending Section 6-103 No Parking Area Designated:

- Alderman Macartney introduced this item.
- Alderman Macartney moved that the Town of North Topsail Beach Board of Aldermen adopt Ordinance 2012-5 to Amend the Town Code Section 6-103 to read – Parking is prohibited along both shoulders of S.R. 1568 (New River Inlet Road) from its intersection with N.C. 210 to GySgt D.W. Boatman Drive.

- Mayor Pro Tem Gray seconded the motion.
- There was discussion.
- Alderman Macartney amended his motion to read “parking is prohibited along New River Inlet Road where posted.”
- The amended motion passed unanimously.

D. Discussion and Update on Town Manager Search:

- Alderman Macartney said he wanted the public to know that the Board will be meeting in Closed Session tonight to discuss the Town Manager search and come up with a process to review the applicants and start the interview process. He said that the Board intends to find a replacement as soon as possible but there is an understanding that the Town has a capable Interim Town Manager in Town Clerk, Ms. Carin Faulkner.

IX. OPEN FORUM:

Connie Pletl of 200 Oyster Lane: Mrs. Pletl thanked Mr. Foster for his work for the Town. She thanked the Board and congratulated them on LGC approval. She also thanked them from listening to her request about the parking.

X. ATTORNEY'S REPORT: Mr. Edes indicated that his report will be made in Closed Session.

XI. MAYOR'S REPORT: Mayor Tuman thanked Mr. Foster and commented on the great working relationship he had with Steve. He announced that the LGC approved the financing for the New River Inlet Channel Realignment Project and that the Town closed on the loan today. He thanked the Town's staff and the Board for their hard work on getting these tasks completed, he said it was not easy. He also thanked the many citizens who assisted and that he is thankful for all who have participated to get the project going.

XII. ALDERMEN'S REPORT:

Alderman Yawn: Mr. Yawn thanked the Town and Board for the vegetation pick up he received many compliments on it. He thanked Steve for his hard work and said “Go Atlanta Braves!”

Alderman Macartney: Mr. Macartney made comments about hiring Steve only months after he was elected to the Board. He said that the Town has accomplished a lot since Steve arrived and he is not looking forward to going through another hiring process again.

Alderman Harte: Mr. Harte thanked CCNTB for their presentation and thanked everyone for coming. He said he enjoyed working with Steve.

Alderman Leonard: Mr. Leonard thanked CCNTB for their report he said even though the survey was not sponsored by the Town it was interesting to hear what CCNTB had to

say. He said it was interesting to go up to Raleigh and to see how the LGC works. He said that the majority really does rule. He said it was a pleasure working with Steve.

Mayor Pro Tem Gray: Mrs. Gray read a prepared statement in regards to the Board’s decision to fund the north end project and the direction the Board is taking to protect, preserve and sustain the Town’s beaches and properties. She said that beach protection projects have been undertaken in many communities with great success and that is the hope for our Town.

XIII. **CLOSED SESSION:**
Alderman Leonard made a motion to go into Closed Session per N.C.G.S. 143-318.11 (3) (5) and (6). Mayor Pro Tem Gray seconded the motion. The motion passed unanimously. Alderman Yawn made a motion to come out of Closed Session. Mayor Tuman announced that no action was taken in Closed Session.

XIV. **RECESS:** Alderman Macartney made a motion for the Board to recess this meeting to October 17th at 9:00 a.m. The motion passed unanimously.

XV. **CALL TO ORDER:** Mayor Tuman called the recessed meeting to order at 9:04 a.m. on October 17th. Alderman Macartney was absent from the meeting. The Board continued their discussion considering the qualifications of the Town Manager applicants. No action was taken.

XVI. **ADJOURNMENT:** The Board adjourned this meeting at approximately 10:30 a.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Carin Z. Faulkner, Town Clerk

Approved on: 11/1/2012

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Carin Z Faulkner, MPA
Interim Town Manager

Terrie Woodle
Deputy Town Clerk

Board of Aldermen Regular Meeting Minutes* Thursday, November 1, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte, Tom Leonard and Mike Yawn, Town Attorney Brian Edes, Interim Town Manager Carin Faulkner, Deputy Town Clerk Terrie Woodle

NOT PRESENT: Alderman Dick Macartney

- I. **CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. **INVOCATION:** Alderman Leonard gave the invocation.
- III. **PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. **APPROVAL OF AGENDA:**
 - Alderman Leonard made a motion to approve the agenda with the addition of New Business Item F to Request to suspend permit fees for storm damage.
 - Mayor Pro Tem Gray seconded the motion.
 - The amended agenda was approved unanimously.
- V. **PUBLIC HEARINGS/PRESENTATIONS:**
 - A. **Presentation - Progress Report on New River Inlet Channel Realignment Project- Robert Neal, Coastal Planning & Engineering (CP&E):**
 - Coastal Planning & Engineering, the Town's engineer for the New River Inlet Channel Realignment Project, presented a progress report on the New River inlet Channel Realignment Project. Attachment A includes Mr. Neal's PowerPoint presentation.
 - B. **Request to Approve Construction Administration Services Proposal from CP&E:**
 - Alderman Yawn made a motion that the North Topsail Beach Board of Aldermen authorizes Town Staff to execute the construction oversight

*There are attachments to these minutes.

contract with CP&E for construction administration services at a not-to-exceed amount of \$91,575.00 and to include reports that will reflect the location of sand placement, location will be referenced as station numbers or pre project mean high water line and post project mean high water line in such a manner that would allow a surveyor to stake it out if necessary.

- Alderman Leonard seconded the motion.
- The motion passed unanimously.

C. Presentation - Alternative Borrow Sources for the North Topsail Beach Nourishment Project- Chris Gibson, Gahagan & Bryant:

- Mr. Gibson gave a presentation based on his research on what it would take to obtain the permits for the use of the spoil island sand in conjunction with the Town's existing beach nourishment efforts. Attachment B includes Mr. Gibson's PowerPoint presentation.

VI. MANAGER'S REPORT:

- A. Peter Ravella Consulting Activities:** Ms. Faulkner reported that Peter Ravella is planning to meet with Concerned Citizens of North Topsail Beach (CCNTB) on Friday November 2nd at 2:00 p.m. at the Stump Sound Club House. He has been working on the 3rd model of the beach funding spreadsheet which was updated to include the Federal project and to take care of other revisions. He said he will be getting it out this week and will be posted on the website. This model will be close to what will be provided to the Board in his final report and recommendations in December.
- B. CBRA News Update:** Ms. Faulkner reported that Marlowe & Company is working with Senator Hagan and Representative Jones to see if they can get the CBRA bill attached to another piece of legislation and passed during the "lame duck" period after the election. Mr. Harms with Marlowe & Company said that Congress will have its hands full in December as it tries to strike deals to avoid the sequestration, expiration of the Bush tax cuts, and other critical issues. This means that "floor time," the schedule of what bills get debated and voted on the floor, will be extremely hard to get. Therefore they are trying to get the CBRA bill attached to a larger piece of legislation and have it passed that way.
- C. Easements for the Realignment Project:** Ms. Faulkner reported that Town staff has mailed "Notices of Condemnation" by certified mail in order to procure remaining easements necessary for the NRI Channel Project. There were 50 notices in all. After the notices were mailed the Town received calls from a few property owners who were willing to sign the easements. The Town Attorney and Ms. Hill have been working hard to get the paperwork completed in order for the Town to procure the remainder of the easements. This is the last step the Town needs to take in order for the NRI Channel Realignment Project to begin on November 16th as scheduled. She thanked Ms. Hill for her work on this.

- D. New River Dredging:** Ms. Faulkner reported that she and the Mayor attended a meeting with the Army Corps of Engineers, NC DENR and Onslow County's Chief Operations Officer, Angela Christian to discuss the permitting process for getting the New River dredged in the future. As many know, the Corps will not be doing any dredging after this year. The County has heard from many boaters that they are getting stuck between channel markers 16 through 17A. The agencies indicated that the permitting process would be straightforward if the County was planning on dredging where the Army Corps had dredged in the past to the same depth and in the same footprint. CP&E offered to provide Ms. Christian with a report that will provide an overview of the permitting process and rough estimates on the cost to be presented to the Board of Commissioners. The Town of North Topsail Beach's possible role would be to collaborate with the County on the dredging as some of the sand that would be dredge could be placed on the shoreline of NTB.
- E. Next Town Vegetation Pick up:** Ms. Faulkner reported that the Town's next vegetation pickup will be November 26th through the 30th. The Town asks that the vegetation be placed in paper lawn and leaf bags that can be purchased at local hardware stores.
- F. BASES Awards:** Ms. Faulkner reported that the Town received awards from BASES (Businesses Assisting Schools in Educating Students) for Fire, EMS and for participating in career day. This is a joint project of the Jacksonville Onslow Chamber of Commerce and the Onslow County Schools established to encourage and facilitate business involvement in the schools.
- G. Pre-Construction Monitoring:** Ms. Faulkner reported that conditions for the USACE permit for the Town requires some monitoring conditions which includes surveys and environmental monitoring for the Project. She said she executed a contract with CP&E for preconstruction coordination services. This will take care of the Town's responsibilities in this pre-construction area.
- H. Replacement of Computer System:** Ms. Faulkner reported that after receiving quotes from Dell and Hp off of the NC State Contract Division and our local Computer Warrior Representatives, Ms. Hill negotiated a competitive price for an upgrade of the Town's computer hardware and software. As soon as the Town receives its hardware, Computer Warriors will be completing the installation of the hardware and software.
- I. Replacement of Phone System:** Ms. Faulkner reported that the Town took quotes for the replacement of the Town's phone system to include new equipment and installation. Installation was completed on Monday, October 22nd. The system seems to be very user friendly. She thanked Ms. Kim Weaver for her work in getting this accomplished.
- J. Federal Project (NTB/SC Coastal Storm Damage Reduction Project):** Ms. Faulkner reported that she delivered hard copies of the Town's utility maps to Pam Castens (project manager at the Army Corps of Engineers) at the recent TISPC

- meeting. She had requested these to prove that the empty lots on the oceanfront are developed because of the existence of utility lines. This is to avoid having to pay 100% of the construction costs. The Board of Aldermen will be discussing and possibly taking action on another request from the Corps. They are recommending that the Town approve additional sampling of borrow areas for the Corps project.
- K. HVAC Town Hall Building Repair:** Ms. Faulkner reported that Town has advertised twice for quotes for needed repairs of the heating and air conditioning systems. The system has been faulty since the building was constructed, and the problem has worsened such that action is necessary. The Town has received two quotes and it is recommended that the Board award the contract; this is New Business Item A.
- L. Southside Park Property- Deed Held by the NC Coastal Land Trust:** Ms. Faulkner explained that Mr. Foster asked that the Southside Park property continue to be held by the NC Coastal Land Trust for an extended period so as to have the ability of the Town to resubmit a PARTF application. As the Board will remember, the land and beach access was acquired to meet the USACE requirement for public parking. The Town received a \$125,000 grant from the Division of Coastal Management to pay for acquisition of the property, but the original PARTF grant was not funded this past year. There is a good possibility that it could get funded this year. Mr. Foster recommended that the Town resubmit the grant application. Town Staff will notify the Board when further action is needed.
- M. Topsail Road Acquisition by the Town and Resurfacing by the DOT:** Ms. Faulkner reported that Robert Vause has indicated that he plans for the Road to be resurfaced sometime in the spring of 2013. Mr. Foster recommended that the Board authorize acceptance officially after this work is completed in the spring.
- N. Hurricane Sandy:** Ms. Faulkner reported that Hurricane Sandy brushed the coast late Friday through early Sunday. The Town fared very well through this storm. The sandbags at the North End made all the difference for the Topsail Reef condo complex. Staff took pictures and video of the shoreline to see what impact the storm had on the dunes and the Town's crossovers. The Town had some overwash in a few areas and ponding on the roads in the typical areas. There was an average of 1-2 feet escarpment and 2-4 feet in isolated areas. She and Ms. Hill toured the beach with Doug Haas, from NC Department of Public Safety Emergency Management. Onslow County EOC submitted a request to the State for a beach erosion assessment. Ms. Faulkner said she heard from Mr. Charles Edwards who works under the State's Recovery Director and he said that beach assessment teams will start working tomorrow (Friday). They are starting at the Brunswick beaches and heading north, so they will not reach us until probably early next week. Ms. Faulkner said she would let the Board know the results of the assessment. She thanked the Board and Staff for their assistance before, during, and after the storm.
- O. Miss Onslow County:** Ms. Faulkner announced that the new Miss Onslow County was crowned this past Saturday. She is from Sneads Ferry, but her father is an

important person at North Topsail Beach. The new Miss Onslow County is Samantha (Sammy) Best, Chief Thomas Best's daughter. Chief Best has worked for the Town for over 20 years.

VII. **OPEN FORUM:** Ms. Anna Stangl of 119 Topsail Reef came forward to speak. She thanked Topsail Reef for the placement of the sandbags, they really helped. She had taken pictures of Hurricane Sandy and passed them around. She stated that the sandbags did a great job. She saw waves go 17 feet over the sandbags, she stated no matter what happens, on the 16th of November it will be taken care of. She thanked the Board for the realignment project and the reassurance it gives her.

VIII. **CONSENT AGENDA:**

- A. Request to Approve Tax Refunds
- B. Request to Adopt Budget Amendment #2
- C. Request to Approve Mutual Aid Agreement for Fire Protection- NTB and Surf City
- D. Approval of Minutes
September 27, 2012 September 28, 2012 October 4, 2012
- E. Department Head Reports: Finance, Fire, Inspections, Planning, Police
- F. Committee Reports: Planning Board, Board of Adjustment, TISPC, ONWASA, Beautification and Recreation
 - Mayor Pro Tem Gray made a motion to approve the Consent Agenda as presented
 - Alderman Harte seconded the motion.
 - The motion passed unanimously.

IX. **NEW BUSINESS:**

A. Request to Award Mechanical Modification Contract (Town Hall HVAC System):

- Alderman Yawn made a motion that the North Topsail Beach Board of Aldermen authorize Town Staff to enter into contract with Miller Heating & Cooling Inc. to perform the Mechanical Modifications to the Town Hall HVAC system as specified in the bid in the total amount of \$15,750.00 to be paid out of the Maintenance and Repair Building and Grounds budget line item.
- Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

B. Request to Appoint Town Official to Represent NTB on the Board of ONWASA:

- Alderman Yawn made a motion to nominate Mayor Daniel Tuman to serve on the Board of ONWASA representing the Town of North Topsail Beach.

- Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

C. Discussion on Video to Document New River Inlet Channel Realignment Project

- Alderman Leonard made a motion to direct Town Staff to coordinate as required to find out what the cost would be for a 5-7 minute video and to have that information back to the Board ready to present no later than next week.
- Alderman Harte seconded the motion.
- Motion passed 3-1 with Alderman Yawn voting against.

D. Request to Authorize Borrow Area Sampling for NTB/SC Project:

- Alderman Yawn made a motion to authorize the expense of \$39,935.35 from the Beach Fund to perform additional borrow area sampling as recommended by the Army Corps of Engineers.
- Alderman Leonard seconded the motion.
- The motion passed unanimously.

E. Discussion on Advertising Campaign for Beach Nourishment along NC Coast:

- The Board had a discussion about the various organizations in support of coastal issues. The Board agreed that it should stay abreast of the activities of these organizations such as NC 20, NCBIWA, and the local chambers of commerce.
- Mayor Tuman suggested that TISPC should encourage the Greater Topsail Area Chamber of Commerce to get on the agenda for the Committee of 100 to make a presentation to expand on its importance.
- Ms. Faulkner suggested putting a link on the Town's website to the organizations in order to encourage citizen participation.

G. Request to Suspend Permit Fees for Storm Damage:

- Alderman Leonard made a motion to suspend permit fees for Hurricane Sandy related storm damage for 90 days.
- Mayor Pro Tem Gray seconded the motion.
- The motion passed unanimously.

- X. **OPEN FORUM:** No one came forward to speak.
- XI. **ATTORNEY'S REPORT:** Attorney Edes will have his report in closed session; he did thank Ms. Hill for her work on the Easements.
- XII. **MAYOR'S REPORT:** Mayor Tuman complimented Town staff, Police, Fire, and Public Works as they were all on stand by and ready to do what they had to do to minimize any impact on the Citizens.

XIII. **ALDERMEN'S REPORT:**

Alderman Yawn: Alderman Yawn thanked Ms. Faulkner for doing such a great job as Interim Town Manager. He wished everyone a very Happy Thanksgiving this month and a Happy Sebastian's Day November 10, 2012.

Alderman Harte: No report at this time.

Alderman Leonard: Alderman Leonard wished everyone a Happy Thanksgiving later this month. He stated giving the way we dodged the bullet with Hurricane Sandy, we have a lot to be thankful for and our thoughts go out to those up North. He received a text message from Ms. Lanci who used to be a Board member here, she is up in NJ and things are not looking good. He spent Saturday out with Bill Poe- North Topsail Beach's Fire Captain looking at the damage. He went and looked at Topsail Reef; he thinks if Topsail Reef hadn't had the sandbags there would have been a lot of problems at the Reef.

He wished everyone a Happy Veterans Day. The purpose of Veterans Day is to celebrate all United States Military Veterans. He wished a very Happy 237th Birthday to the United States Marine Corps on November 10th.

Finally on a somber note, we observe another important date this month. We have a street in the Town named Gunnery Sergeant D. W. Boatman Drive. This is also a plaque on the wall regarding the dedication of the street. Gunnery Sergeant Boatman died on November 4, 2005 at Landstuhl Regional Medical Center, Germany, from wounds sustained on November 2, 2005, from improvised explosive device, while conducting combat operations in the vicinity of Habbaniyah, Iraq. He was a member of the 8th Engineer Support Battalion, 2nd Marine Logistics Group, II Marine Expeditionary Force, Camp Lejeune, North Carolina.

Gunnery Sergeant Boatman left behind a wife and two children. Semper Fidelis, Gunny.

Mayor Pro Tem Gray – Mayor Pro Tem Gray wished everyone a Happy Thanksgiving and thanked everyone for coming to the meeting. Mrs. Gray thanked Ms. Faulkner for doing a great job as Interim Town Manager and particular with the Hurricane Sandy updates.

XIV. **CLOSED SESSION:**

Alderman Leonard made a motion to go into Closed Session per N.C.G.S. 143-318.11 (3) and (5). Alderman Yawn seconded the motion. The motion passed unanimously. Alderman Yawn made a motion to come out of Closed Session. Mayor Pro Gray seconded the motion. The Motion passed unanimously. Mayor Tuman announced that no action was taken in Closed Session.

- XV. **ADJOURNMENT:** Alderman Yawn made a motion to adjourn. Mayor Pro Tem Gray seconded the motion. The motion passed unanimously. The meeting adjourned at approximately 9:30 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Terrie Woodle, Deputy Town Clerk

Town of North Topsail Beach

Daniel Tuman, Mayor
Suzanne Gray, Mayor Pro Tem
Aldermen:
Don Harte
Tom Leonard
Richard Macartney
Michael Yawn



Carin Z Faulkner, MPA
Interim Town Manager

Terrie Woodle
Deputy Town Clerk

Board of Aldermen Regular Meeting Minutes* Thursday, December 6, 2012 6:30 P.M.

PRESENT: Mayor Daniel Tuman, Mayor Pro Tem Suzanne Gray, Aldermen Don Harte and Mike Yawn, Justin Humphries (for Town Attorney Brian Edes), Interim Town Manager Carin Faulkner, Deputy Town Clerk Terrie Woodle

NOT PRESENT: Aldermen Dick Macartney, Tom Leonard

- I. CALL TO ORDER:** Mayor Tuman called the meeting to order at 6:30 p.m.
- II. INVOCATION:** Alderman Harte gave the invocation.
- III. PLEDGE OF ALLEGIANCE:** Mayor Tuman led those present in the Pledge of Allegiance.
- IV. APPROVAL OF AGENDA:**
 - Alderman Yawn made a motion to approve the Agenda as presented.
 - Mayor Pro Tem Gray seconded the motion.
 - The Agenda was approved unanimously.
- V. PUBLIC HEARINGS/PRESENTATIONS:**
 - A. Public Hearing-Preliminary Subdivision Application for Scotch Bonnet Soundside Case# SD-12-01:**
 - Mayor Tuman introduced this item.
 - Mrs. Woodle swore in Ms. Hill and Mr. Riggs.
 - Ms. Hill went over the Preliminary Subdivision Application and described features in the site plan. (See Exhibit 1, December 6, 2012 Board of Aldermen minutes).
 - Ms. Hill took questions from the Board.

* There are attachments to these minutes (Attachment-Exhibit 1 & 2 December 6, 2012 Board of Aldermen minutes).

Mr. Charles Riggs 502 New Bridge St. Jacksonville, NC came forward to speak. He stated this was originally a 10 lot subdivision, there is a an area reserved by the owner for septic tanks at the time the original plat was created in 2004, the local sewer company did not have capacity. At this time Pluris does have capacity and they are proposing to extend the sewer line from the existing lift station located at Sea Side Village along the edge of the right-of-way of hwy 210 along the property and into the site itself. This will allow them to take the abandoned septic area and create lots, they are going from 10 lots to 19 lots. The water line will be extended approximately 150 ft. they are also extending the street approximately 150 ft. and have designed a hammerhead at the end of the street. It is approved for fire trucks and emergency vehicles to turn around in that area.

The change from 10 lots to 19 lots will require modification to existing permits, he is in the process of taking care of that. They will be getting a new Major CAMA permit which addresses all upland activity. They will be receiving an erosion control permit which will handle all the land disturbance activity for the extension of the streets, water, sewer and the construction of 15 homes on the site.

Mr. Wellman and Mr. Nelson who own the property plan to build single family homes on 15 lots, the four existing lots that are owned by other individuals will not be damaged in any way by this process. If anything there will be more lot owners within the subdivision therefore there will be more people involved in the homeowners association and will result with more money for the upkeep of the private streets and pool area.

They had received a storm water permit several years ago, the owner at that time anticipated getting hooked up to sewer so the new owners went ahead and gotten their storm water permit for 19 lots.

He stated that they have built the entrance going into the property to State specs; NCDOT will just want to see that they are increasing it from 10 lots to 19 lots and will not require any additional improvements to the entrance.

He is submitting a copy of his packet for evidence, which will be identified as Exhibit 2 in the minutes.

Mr. Riggs answered questions from the Board.

- Alderman Yawn made a motion to approve the Preliminary Subdivision plat for Scotch Bonnet Soundside revised contingent upon received of a copy of all required applications (i.e. DCM CAMA Major; NCDOT Driveway; ONWASA; Pluris).
- Alderman Harte seconded the motion.
- The motion passed unanimously.

VI. Manager's Report:

- A. New River Inlet Channel Realignment Project:** Ms. Faulkner reported that Marinex Construction started pumping sand on the north end of Topsail Island at approximately 1:20 p.m. on Monday, November 26th. They began moving at 100-150 feet a day and have started moving at approximately 200-250 feet a day as they rounded the curve and began moving straight. Robert Neal with CP&E has provided the Town with updates on the progress of the project and has notified us of any potential problems along the way. She announced that the Town has scheduled Public Meetings for Mr. Neal to take questions from the Public about the project. The first one was on Thursday, November 29th and the next one will be Thursday, December 13th at 10:00 a.m. She said these meetings will continue every other Thursday at the same time until the project ends. The Town is in discussions with NCDENR to continue to resolve the issue with the fill replacement underneath the structures on the homes at the North End; the Town is hoping to get a Resolution on that soon. There will be a meeting on Monday with NCDENR Attorneys and our Town Attorney; it is still considered a legal matter.
- B. Army Corps of Engineers Maintenance Dredging & Disposal:** Ms. Faulkner reported that the Army Corps of Engineers notified the Town that they are ahead of schedule and will be performing the maintenance dredging of two areas of the New River (one area which is called the "junction" where the river and ICWW meet the other is further back toward Jacksonville) beginning around December 9 or 10th. There was a meeting between the Town, USACE, CP&E, Southwind Construction (their contractor for the project) and Marinex Construction to coordinate the two projects as they will be occurring at the same time. The two construction companies have worked together in the past and they see no conflicts or issues. Marinex should be south of the disposal project's start-area.
- C. Video on the NRI Project:** Ms. Faulkner reported that at the November 1st Board of Aldermen meeting she was asked to find out what it would cost the Town to make a 5-7 minute video of the project and to get back to the Board within a week. After talking to Peter Ravella and doing some research, she thought \$5,000 was a reasonable amount to spend (\$1,000 will be coming from TISPC). She made contact with a former professor of mine at UNCW, Dr. Lou Buttino, who is also the former chair of the Film Studies department. He agreed to make the film. According to the Town's agreement the video will be 5 minutes long including credits, he will provide 15 DVD copies of the video, and will make sure the video can be uploaded to YouTube so that we can reach a wide audience and post a link to the Town's website. Dr. Buttino and his cameraman have already filmed pre-construction and construction footage and are happy with what they have gotten. She said the next step is working on a script and storyboard for the video.
- D. Peter Ravella Consulting Activities:** Ms. Faulkner reported that Peter Ravella was originally scheduled to make his report and recommendations to the Board of Aldermen at the December meeting. He had most recently been working on

incorporating the proposals made by Chris Gibson of Gahagan and Bryant into his report and the Board offered to give him more time to work on this effort. He will be making his presentation to the Board at a Special Meeting scheduled for Monday, January 28th at 2:p.m.

- E. CBRA Update:** Ms. Faulkner reported that Mr. Harms from Marlowe & Company indicated that nothing much has changed since his last update and he will be contacting me after my Manager Report is distributed to give me any new detail. In his last update he said that they are working with Senator Hagen and Representative Jones to see if they can get the CBRA bill attached to another piece of legislation and passed during the “lame Duck” period after the election. He said that Congress will have its hands full in December as it tries to strike deals to avoid the sequestration, expiration of the Bush tax cuts, and other critical issues. This means that “floor time,” the schedule of what bills get debated and voted on the floor, will be extremely hard to get. Therefore they are trying to get the CBRA bill attached to a larger piece of legislation and have it passed that way. In the Town newsletter Ms. Faulkner included an abbreviated version of Mayor Tuman’s statement that would be used at a committee hearing that Congressmen Jones may have in the future. The Town also has a sample letter for citizens to use to write to their representatives, it is available on the Town’s website.
- F. Sand Pushing Permit:** Ms. Faulkner reported that on November 19, 2012, the Town of North Topsail Beach surveyed the entire shoreline and dune coverage to evaluate the amount and severity of erosion caused by recent storm events that impacted the beach on November 12-18, 2012. The level of escarpment ranges from severe (approximately 10-12 feet) to moderate (approximately 2-4 feet). Because of the conditions observed, the Town has requested permission from CAMA to push various sections on the shoreline. At this time, the Town will be doing what it did earlier this year, it obtained the permit from CAMA and then those private property owners who wish to do a push can contact the Town, pay the Town for the cost of the push and the Town will pay the contractor. This is so that CAMA and the Town can keep track of the areas of the beach that are pushed.
- G. Fall Newsletter:** Ms. Faulkner reported that the Fall 2012 edition of the North Topsail Times, the Town’s bi-annual newsletter is out. It was mailed to all property owners and is available for view on the Town’s website. Hard copies can also be picked up here at Town Hall.
- H. The Giving Tree:** Ms. Faulkner reported that the Town is collecting donations again this year for the Giving Tree. The Christmas tree in the lobby of Town hall includes ornaments that have a list of suggested items and return them to Town Hall unwrapped and we will make sure they get to the child. She thanked Terrie Woodle and Kim Weaver for coordinating this effort. If you would like to make a donation instead of purchasing items, Terrie and Kim will be shopping for the remainder of the items that were not taken from the tree. This is a great way to make sure local kids in

need receive something this year during the holiday season. In addition, Ms. Faulkner thanked the Jacksonville Wal-Mart for their \$100 donation to this effort.

- I. NTB Holiday Celebration:** The Town will be having its Holiday Celebration for elected officials, staff, and volunteers on December 14th at 6:00 p.m. at the North Shore Country Club.
- J. CRS Recertification:** Ms. Faulkner reported that Ms. Hill was notified by the ISO/CRS Specialist that the Town has been recertified. The Town's rating is a 7 out of 10 and that means ¼ million dollars of savings in insurance for property owners.

VII. OPEN FORUM: No one came forward.

VIII. CONSENT AGENDA:

- A. Request to Approve Tax Refund
- B. Request to Adopt a Resolution Opposing Unfair Property Insurance Increases
- C. Request to Adopt a Resolution for Designation of Applicant's Agent.
- D. Approval of Minutes: November 1, 2012
- E. Department Head Reports: Finance, Fire, Inspections, Planning, Police
- F. Committee Reports: Planning Board, Board of Adjustment, TISPC, ONWASA, Beautification and Recreation
 - Alderman Yawn made a motion to approve the Consent Agenda as presented.
 - Mayor Pro Tem Gray seconded the motion.
 - The motion passed unanimously.

IX. NEW BUSINESS:

A. Update on National Flood Insurance Program (NFIP) Reform:

Ms. Hill stated on July 6, 2012, the President signed into law the surface Transportation Bill (H.R. 4348), which included the Biggert-Waters Flood Insurance Reform Act. The Act re-authorizes the National Flood Insurance Program (NFIP) through 2017 and includes numerous changes to the NFIP.

B. Resolution to Adopt Regular Meeting Schedule:

N.C. General Statute 160A-71 allows a Board to fix a time and place for regular meetings and N.C. General Statute 143-318.12 (a) requires the Board of Aldermen's schedule of regular meeting to be kept on file with the Town Clerk.

Each December the Board of Aldermen adopts a resolution to adopt the regular meeting schedule for the following year.

- Mayor Pro Tem Gray made a motion that the Board adopts Resolution 2012-21, A Resolution to Adopt the Regular Meeting Schedule of the Board of Aldermen of the Town of North Topsail Beach for 2013.
- Alderman Yawn seconded the motion.
- The motion passed unanimously.

- X. OPEN FORUM:** No one came forward to speak.
- XI. ATTORNEY’S REPORT:** No report.
- XII. Mayor’s Report:** Mayor Tuman is monitoring the progress of the beach project and it is looking good. He feels very good for the people who have been severely affected by the problems associated with the beach and the weather. He believes that they are more secure in their beds at night considering the progress that has been made so far. When he checked this morning building 2 of the Topsail Reef was being completed and it looks like in another week or so the Topsail Reef will have a large wide beach in front of it and the project will proceed further south. He thanked everyone for coming tonight and wished everyone a Happy Holiday and looked forward to seeing everyone next year.
- Alderman Harte:** Thanked everyone for attending and wished everyone a Happy and safe Holiday, Merry Christmas to everyone.
- Alderman Yawn:** Wished everyone a wonderful Holiday season and safe travels.
- Mayor Pro Tem Gray:** Wished everyone a Merry Christmas and said be safe.
- XIV. CLOSED SESSION:**
Mayor Pro Tem made a motion to go into Closed Session per N.C.G.S. 143-318.11 (6). Alderman Harte seconded the motion. The motion passed unanimously.
- Alderman Yawn made a motion to come out of Closed Session. Mayor Pro Tem Gray seconded the motion. The motion passed unanimously.
- XV. ADJOURNMENT:** Alderman Yawn made a motion to adjourn. Mayor Pro Tem Gray seconded the motion. The motion passed unanimously. The meeting adjourned at 7:20 p.m.

APPROVED:

Daniel Tuman, Mayor

ATTEST:

Terrie Woodle, Deputy Town Clerk



TOWN OF NORTH TOPSAIL BEACH

Board of Aldermen

Agenda Item

Agenda Item:	V.A. PUBLIC HEARING
Date:	12/6/2012

Issue:	Case #SD-12-01: Scotch Bonnet Soundside (Revised) Subdivision (Preliminary)
Department:	Planning
Staff:	Deb Hill, AICP - Planning Director
Presentation:	Yes

STAFF REPORT

Summary of Proposal: The developer proposes to subdivide 7.85 acres into 19 lots with an average lot size of 13,680 square feet (5,000 sq. ft. minimum required).

Property Owner: Wellman’s Construction, Inc. and Thomas Nelson.

Surveyor/Engineer: Charles F. Riggs & Associates, Inc./Paramount Engineering, Inc.

Property Location: On Island Drive, between 2111 N New River Drive, Surf City and 122 Seaside Lane, North Topsail Beach.

Zoning: Mobile Home Residential (MHR).

Existing Land Use/Development: Vacant ten (10) lot subdivision with existing asphalt streets, water service from ONWASA and an existing pool for the subdivision. No changes are proposed for lots 1-8.

Existing Adjacent Land Use(s): The project is surrounded by single-family homes (Seaside Village – north) and and commercial, *Margarita’s* (MU-Surf City).

Utilities: The parcels will be served by Pluris, Inc. and ONWASA.

Fire District: Municipal **ISO:** 6

Floodplain/Wetlands: The property is located within the regulated floodplain (Flood Zone VE). The 401 and 404 wetlands are shown on the plan.

Access/Traffic: The applicant proposes to remove the cul-de-sac and extend the street 155.12 feet. A 10-foot public access easement exist between Island Drive to the Banks Channel).

Comprehensive Plan (CAMA Core Land Use Plan): High Density Residential – This district is intended to allow for development on smaller lot sizes.

Key Issues/Analysis:

- A CAMA Major Permit application is required.
 - A review by North Carolina Division of Water Quality (DWQ) is required.
 - Normal high waterline and coastal wetlands delineation must be updated and approved by DCM and U. S. Army Corps of Engineers (USACE).
- Requires new permit application or application to modify existing NCDOT Driveway Permit #0-1430 issued November 5, 2004.
- A water plan is required to be submitted to ONWASA pursuant to their submittal procedures.
- A development agreement with Pluris, Inc. is required.

RECOMMENDATION:

The Planning Board unanimously recommends approval of the Preliminary Subdivision Plat of Scotch Bonnet Soundside (Revised) contingent upon receipt of a copy of all required applications (i.e., DCM CAMA Major; NCDOT Driveway; ONWASA; Pluris).

ATTACHMENTS:

1. Preliminary Subdivision Application dated October 29, 2012.
2. Preliminary Plat of Scotch Bonnet Soundside (Revised) dated October 29, 2012.
3. Charles F. Riggs letter dated November 25, 2012.



Town of North Topsail Beach
SUBDIVISION APPLICATION

Date Submitted: October 29, 2012CASE NO. SD- 12 - 01Name of Subdivision: Scotch Bonnet Soundside (Revised)Location: (Road name & SR number) N.C. Highway 210/Island Drive Exemption (\$50)

Subdivision/PRD

 Sketch (\$300) Preliminary (\$300) Final (\$150)Tax Parcel ID: 804A-47; 804A-52; 804A-54Smallest lot: 0.134 Acres (5,843 Sq.Ft.)Total acreage: 7.650 AcresAverage lot size: 0.380 Acres (16,342 Sq.Ft.)Number of lots 19 + Common AreaZoning District: MHR**Infrastructure:**Water Supply: ONWASA individual well community systemSewer Type: Pluris individual septic community systemStreets: public privateSurveyor/Engineer: Charles F. Riggs & Associates, Inc.Address P. O. 1570, Jacksonville, NC 28541Phone Fax 455-0877/455-9033Email address riggsland@bizec.rr.comDeveloper Wellman's Construction, Inc. and Thomas W. NelsonAddress 250 Graham Lane, Holly Ridge, NC 28445Phone Fax 455-0877/455-9033Email address riggsland@bizec.rr.comProperty Owner Wellman's Construction, Inc. and Thomas W. NelsonAddress 250 Graham Lane, Holly Ridge, NC 28445Phone Fax 455-0877/455-9033Email address riggsland@bizec.rr.com

I, CHARLES FRANCIS RIGGS, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY AS SHOWN HEREON IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA. THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS: 1:10,000.

CHARLES FRANCIS RIGGS P.L.S. L-2981

THIS IS TO CERTIFY THAT THE SUBJECT PROPERTY IS LOCATED IN FLOOD ZONE VE (E1=1.0, Z2) WHICH IS A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND THE NATIONAL FLOOD INSURANCE PROGRAM. COMMUNITY PANEL NUMBER 370466 3720424500K, FEBRUARY 16, 2007

NOTES
 TOTAL ACREAGE: 7,650 ACRES
 TOTAL ACREAGE TO BE SUBDIVIDED: 7,650 ACRES
 TOTAL ACREAGE TO BE RESIDENTIAL: 5,968 ACRES
 TOTAL ACREAGE TO BE NONRESIDENTIAL: 0.688 ACRES (PROPOSED R/W) 0.994 ACRES (COMMON AREA)
 NUMBER OF LOTS: 8 EXISTING & 11 PROPOSED/REVISED = 19 TOTAL
 SIZE OF LOTS: 13680 Sq.Ft. AVERAGE (5000 Sq.Ft. MINIMUM REQUIRED)
 SIZE OF SMALLEST LOT: 5843 Sq.Ft. (0.134 ACRES) (LOTS 13-17)
 EXISTING USES OF LAND: NONE
 EXISTING USES OF ADJOINING LAND: RESIDENTIAL & COMMERCIAL
 PROPOSED USES OF LAND: RESIDENTIAL
 PROPOSED STREET WIDTH: 20' ASPHALT
 PROPOSED RIGHT-OF-WAY WIDTH: 25' & 30'
 PROPOSED LENGTH OF STREET: 1012'
 ZONING OF ADJOINING LAND: MHR & MU (SURF CITY)
 ZONING OF ADJOINING LAND: MHR & MU (SURF CITY)
 ALL PROPOSED LOTS TO UTILIZE ONWASA WATER & FLURIS SEWER ELECTRIC & TELEPHONE LINES TO BE UNDERGROUND

TOTAL DISTURBED AREA
 76307 Sq.Ft.
 1.752 ACRES

NOW OR FORMERLY
 DEACON
 D.B. 2349, P. 917
 ZONED MHR
 USE: VACANT

CURVE TABLE				
CURVE #	LENGTH	RADIUS	CHORD	BEARING
C1	31.22'	20.00'	28.15'	N08°51'53"E
C2	40.30'	25.50'	36.24'	N81°08'05"W
C3	39.81'	25.50'	35.89'	S08°51'55"W
C4	31.58'	20.00'	28.40'	N81°10'28"W

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	36.30'	S53°35'10"W
L2	24.12'	N35°51'20"W
L3	12.50'	S54°08'40"W
L4	12.50'	S54°08'40"W
L5	24.86'	S35°51'20"E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L6	46.27'	S52°30'40"W
L7	25.14'	S08°40'07"E
L8	49.03'	S52°38'20"W
L9	18.43'	N78°33'25"W
L10	29.34'	S03°39'37"W
L11	39.43'	S45°11'17"W
L12	66.46'	S44°16'01"W
L13	53.70'	S40°03'28"W
L14	30.86'	S77°05'52"W
L15	43.98'	S69°08'08"W
L16	32.81'	S38°09'45"W
L17	20.90'	N89°49'30"W
L18	27.21'	N14°39'58"W
L19	27.07'	S29°02'23"W
L20	18.26'	S05°06'31"E
L21	49.97'	S37°38'06"W
L22	63.33'	S55°02'35"W
L23	23.70'	N78°38'38"W
L24	37.28'	N46°12'21"W
L25	18.09'	N08°38'30"E
L26	18.59'	S89°51'25"W
L27	74.95'	N35°16'13"W
L28	5.35'	N45°06'05"W
L29	5.06'	N08°42'13"W
L30	47.88'	N32°33'07"W
L31	2.40'	N19°58'13"W

NOTE
 BENCHMARK: NCGS MONUMENT "FIRTH"
 NORTHING: 256781.43'
 EASTING: 2448576.31'
 ELEVATION: 3.9'
 HORIZONTAL DATUM: NAD 83 (2011)
 VERTICAL DATUM: NAVD 88
 HORIZONTAL & VERTICAL DATUM OBTAINED WITH TOPCON GRS USING N.C. GEODETIC CONTINUOUS OPERATING REFERENCE STATIONS

OWNERS
 WELLMAN'S CONSTRUCTION, INC & THOMAS W. NELSON
 250 GRAHAM LANE
 HOLLY RIDGE, N.C. 28445

TITLE SOURCE
 D.B. 3852, P. 699

REFERENCES
 D.B. 414, P. 200
 D.B. 1111, P. 925
 D.B. 1112, P. 250
 D.B. 1341, P. 670
 D.B. 1386, P. 645
 D.B. 1727, P. 528
 D.B. 1840, P. 222
 D.B. 3550, P. 226
 D.B. 3852, P. 699
 M.B. 9, P. 71
 M.B. 29, P. 171
 M.B. 44, P. 30
 M.B. 44, P. 66
 M.B. 47, P. 116
 M.B. 51, P. 168

ZONED MHR ZONING SETBACKS
 FRONT = 20'
 REAR = 20' (HIGHWAY)
 REAR = 30' CAMA OR 404 WETLANDS
 SIDE = 8'
 CORNER = 15'
 MINIMUM WIDTH = 50'
 MINIMUM SIZE = 5,000 Sq.Ft.

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
 WM = WATER METER
 FH = FIRE HYDRANT
 W = WATER VALVE
 SM = SANITARY MANHOLE
 CO = CLEAN OUT
 TP = TELEPHONE PEDESTAL
 TV = TELEVISION PEDESTAL
 FCM = FIBER OPTIC CABLE MARKER
 ET = ELECTRIC TRANSFORMER
 LP = LIGHT POLE
 PP = POWER POLE
 LN = POWER LINE
 1 = LOT NUMBER
 105 = EXISTING LOT ADDRESS
 X = PENDING LOT ADDRESS
 A = PROPERTY OWNER
 S = PROPOSED STORMWATER FLOW

SEASIDE VILLAGE PHASE II
 M.B. 47, P. 66

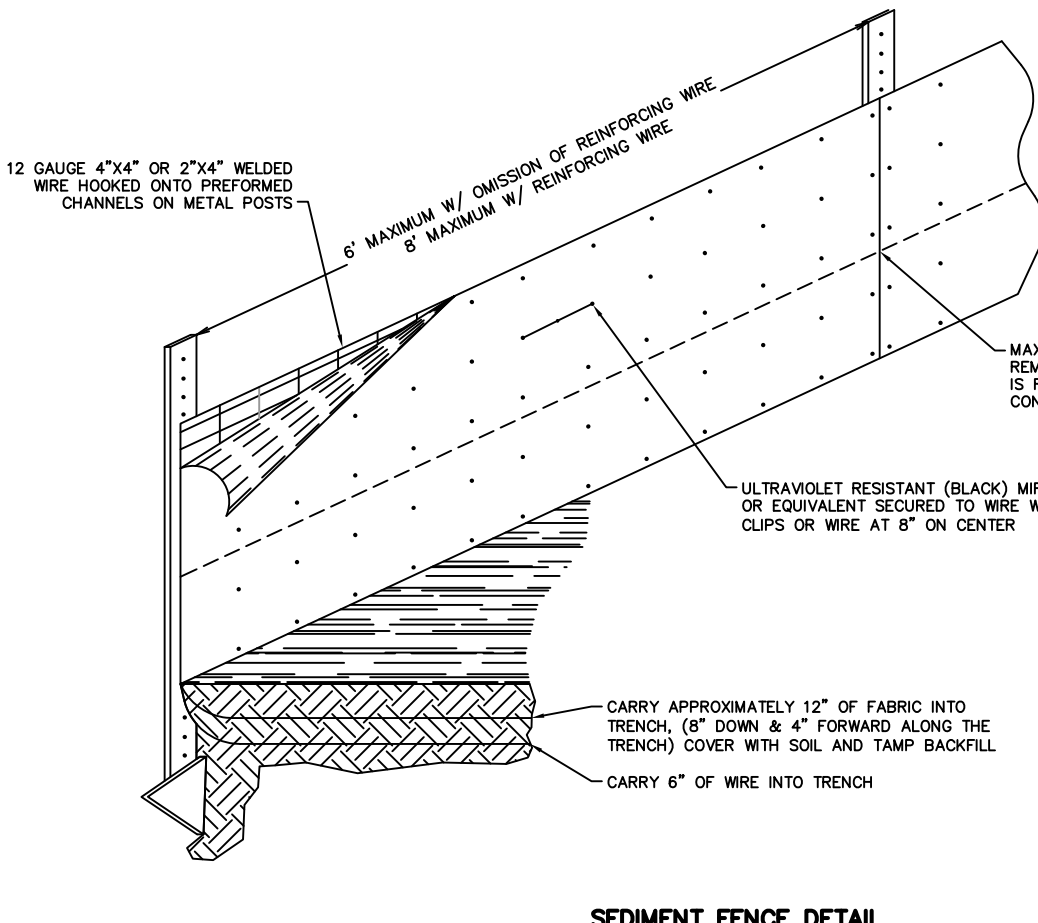
LEGEND
 CC = CONTROL CORNER
 ECM = EXISTING CONCRETE MONUMENT (FOUND)(CONTROL CORNER)
 EIP = EXISTING IRON PIPE (FOUND)
 EIR = EXISTING IRON ROD (FOUND)
 EMN = EXISTING MAGNETIC NAIL (FOUND)(CONTROL CORNER)
 EPK = EXISTING PARKER-KALON NAIL (FOUND)(CONTROL CORNER)
 ERRS = EXISTING RAILROAD SPIKE (FOUND)
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 PP = POWER POLE
 LN = POWER LINE
 1 = LOT NUMBER
 105 = EXISTING LOT ADDRESS
 X = PENDING LOT ADDRESS
 A = PROPERTY OWNER
 S = PROPOSED STORMWATER FLOW

LIFT STATION: TOP OF LIFT STATION: 5.33'
 MAPPING DATE: OCTOBER 29, 2012
 DEPTH OF LIFT STATION: -3.71'
 INV IN: -2.61' 8" PVC

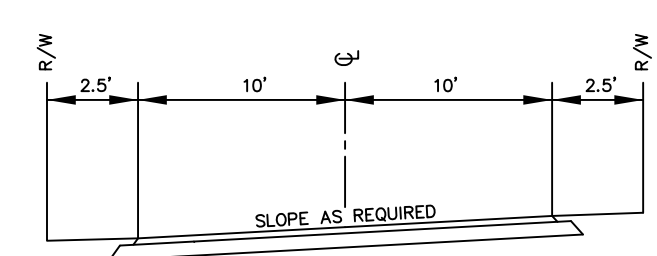
GRAPHIC SCALE
 (IN FEET)
 1 inch = 40 ft.

ACTUAL FIELD SURVEY DATE: OCTOBER 11, 2012
 MAPPING DATE: OCTOBER 29, 2012
 DRAWN BY: J. HELMS
 CHECKED BY: C.F. RIGGS
 FIELD BOOK: IND PAGE: 3

PROJECT NUMBER: 12-06-07



SEDIMENT FENCE DETAIL
 NOT TO SCALE



SECTION BB
TYPICAL SECTION OF TWO LANE ROADWAY
NO CURB & GUTTER
 NOT TO SCALE

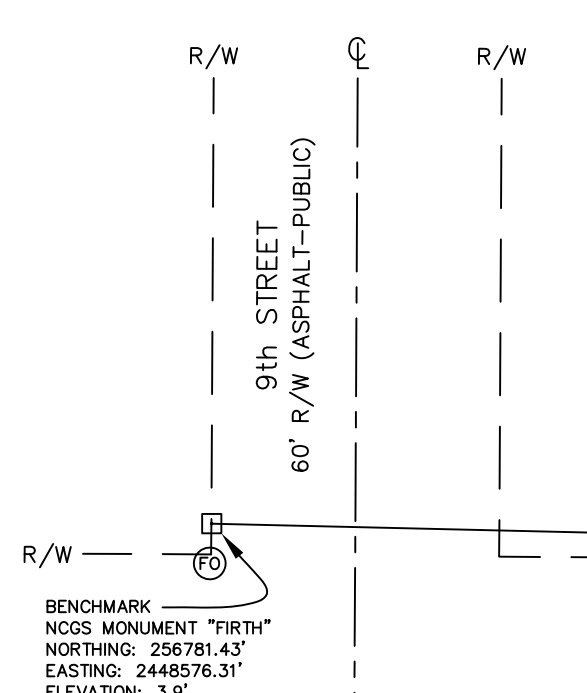
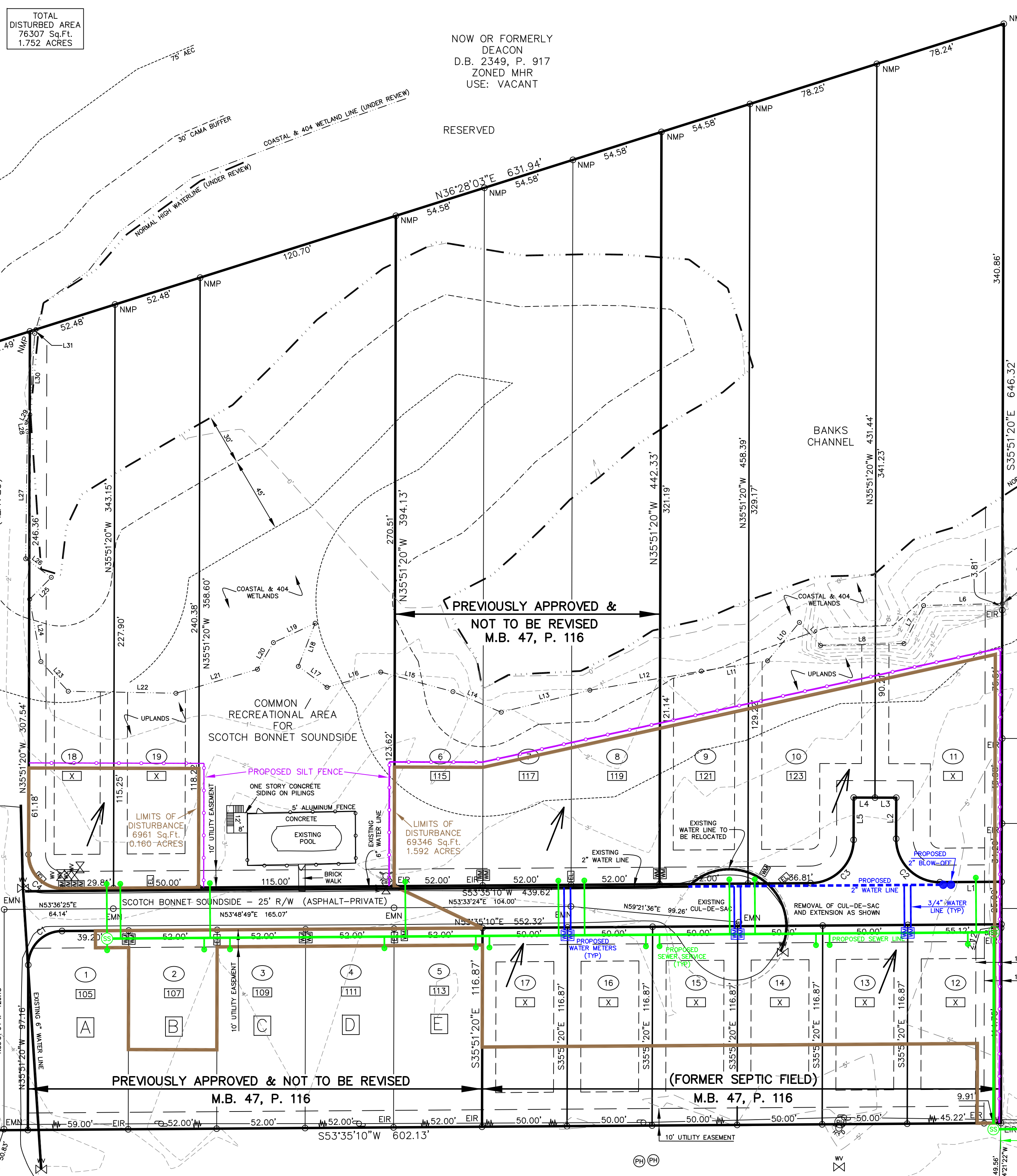
A	NOW OR FORMERLY WILLIAMSON D.B. 2407, P. 692 ZONED MHR USE: RESIDENTIAL
B	NOW OR FORMERLY WELLMAN'S CONSTRUCTION, INC & THOMAS W. NELSON D.B. 3852, P. 699 ZONED MHR USE: RESIDENTIAL
C	NOW OR FORMERLY SOUTHERN COASTAL INVESTMENTS, LLC D.B. 2393, P. 601 ZONED MHR USE: RESIDENTIAL
D	NOW OR FORMERLY GTD ASSOCIATES, LLC D.B. 2389, P. 538 ZONED MHR USE: RESIDENTIAL
E	NOW OR FORMERLY BEACH MOUNTAINS, LLC D.B. 3338, P. 951 ZONED MHR USE: RESIDENTIAL

LOT	LOT AREAS	ALLOWABLE IMPERVIOUS
LOT 1	6811 Sq.Ft. 0.156 ACRE	2600 Sq.Ft.
LOT 2	6077 Sq.Ft. 0.140 ACRE	2050 Sq.Ft.
LOT 3	6077 Sq.Ft. 0.140 ACRE	2600 Sq.Ft.
LOT 4	6077 Sq.Ft. 0.140 ACRE	2600 Sq.Ft.
LOT 5	6077 Sq.Ft. 0.140 ACRE	2600 Sq.Ft.
LOT 6	20912 Sq.Ft. 0.480 ACRE	2050 Sq.Ft.
LOT 7	21748 Sq.Ft. 0.499 ACRE	2050 Sq.Ft.
LOT 8	22583 Sq.Ft. 0.518 ACRE	2050 Sq.Ft.
LOT 9	23419 Sq.Ft. 0.538 ACRE	2050 Sq.Ft.
LOT 10	34270 Sq.Ft. 0.787 ACRE	2050 Sq.Ft.
LOT 11	35982 Sq.Ft. 0.826 ACRE	2050 Sq.Ft.
LOT 12	6439 Sq.Ft. 0.148 ACRE	2050 Sq.Ft.
LOT 13	5843 Sq.Ft. 0.134 ACRE	2050 Sq.Ft.
LOT 14	5843 Sq.Ft. 0.134 ACRE	2050 Sq.Ft.
LOT 15	5843 Sq.Ft. 0.134 ACRE	2050 Sq.Ft.
LOT 16	5843 Sq.Ft. 0.134 ACRE	2050 Sq.Ft.
LOT 17	5843 Sq.Ft. 0.134 ACRE	2050 Sq.Ft.
LOT 18	16684 Sq.Ft. 0.383 ACRE	2050 Sq.Ft.
LOT 19	17544 Sq.Ft. 0.403 ACRE	2050 Sq.Ft.
COMMON	43282 Sq.Ft. 0.994 ACRE	2050 Sq.Ft.
R/W	29952 Sq.Ft. 0.688 ACRE	
TOTAL	333149 Sq.Ft. 7.650 ACRES	

PERMIT #SW8 040501 MOD
 ALLOWABLE IMPERVIOUS

NOW OR FORMERLY MILLER
 D.B. 1840, P. 222
 ZONED MU
 USE: COMMERCIAL

NOW OR FORMERLY MOYLAN
 D.B. 1386, P. 645
 ZONED MU
 USE: COMMERCIAL



N.C. HIGHWAY 210 - ISLAND DRIVE
 100' R/W (ASPHALT-PUBLIC)

WATER & SEWER DESIGN BY
 PARAMOUNT ENGINEERING, INC.
 5911 OLEANDER DR, SUITE 201
 WILMINGTON, NC 28403
 TELEPHONE: (910) 791-6707
 FACSIMILE: (910) 791-6760

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, N.C. 28541-1570
 TELEPHONE: (910) 455-0877
 FACSIMILE: (910) 455-9033
 E-MAIL: riggsland@bizec.rr.com

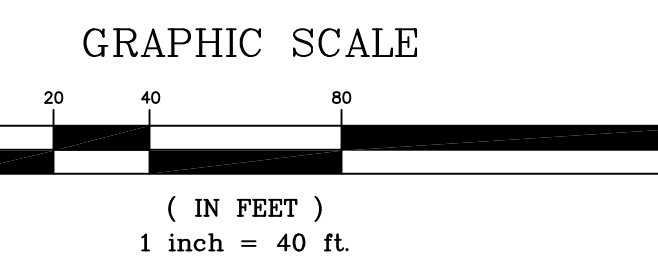
101 SCOTTS HILL LOOP ROAD
 WILMINGTON, N.C. 28411
 TELEPHONE: (910) 681-7444
 E-MAIL: riggsland@bizec.rr.com

PRELIMINARY PLAT
 NOT FOR RECORDATION,
 CONVEYANCES OR SALES

SCOTCH BONNET SOUNDSE (REVISED)

7.650 ACRE TRACT ON N.C. HIGHWAY 210
 STUMP SOUND TOWNSHIP, ONSLOW COUNTY, NORTH CAROLINA
 ISLAND DRIVE

PRELIMINARY PLAT
 OF
 SCOTCH BONNET SOUNDSE
 M.B. 44, P. 30



ACTUAL FIELD SURVEY DATE: OCTOBER 11, 2012
 MAPPING DATE: OCTOBER 29, 2012
 DRAWN BY: J. HELMS
 CHECKED BY: C.F. RIGGS
 FIELD BOOK: IND PAGE: 3
 PROJECT NUMBER: 12-06-07

CHARLES F. RIGGS & ASSOCIATES, INC.**Land Surveyors**

Charles F. Riggs, P.L.S. L-2981
James A. Lewis, P.L.S. L-4562, S.C.# 27741
Kenneth E. Johnson, P.L.S. L-4925
Corporate License (C-730)

502 NEW BRIDGE STREET
P.O. Box 1570
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Wilmington Office:
101 Scotts Hill Loop Road
Wilmington, N.C. 28411
(910) 681-7444

November 25, 2012

Scotch Bonnet Soundside Revised
N.C. Highway 210/Island Drive
Town of North Topsail Beach
Stump Sound Township, Onslow County, North Carolina

EXISTING CONDITIONS

Scotch Bonnet Soundside is an existing 10 lot subdivision recorded in Map Book 47, Page 116 of the Onslow County Registry. This subdivision was created by Scotch Bonnet Enterprises, Inc. c/o Mr. Robert W. Gilbert, 124 Martin Lane, Sneads Ferry, North Carolina 28460. This property is located in the Cape Fear River Basin with Banks Channel listed as the receiving stream and the stream class was SA;HQP. This subdivision has existing asphalt streets, water service from ONWASA and an existing private pool for the subdivision. All infrastructure was installed with the exception of the proposed septic fields for the proposed homes. This property is presently vacant. All infrastructure was installed properly and I am unaware of any violations or issues related to this project.

These activities were developed utilizing the following permits:

Major CAMA Permit 120-04
NCDENR – Land Quality – Erosion Control Permit Onslow-2004-313
NCDENR - Water Quality – Stormwater Permit SW8 040501 (Low Density)
NCDoT-Driveway Permit 150238-47900022-3./-06711-3846 0-430
Onslow County Water & Sewer Department- Onslow County I.D. #04-67-035
North Carolina Department of Health Services #04-00777
Onslow County Health Department Improvement Permits for 10 Lots

In August of 2010, in anticipation of removing the proposed septic fields and connecting to the local sewer company, Pluris, LLC, the owner at that time Deacon Real Estate Investments, LLC applied for and received a modification to the existing stormwater permit to accommodate 19 lots. This Permit is SW8 040501 MOD.

PROPOSED CONDITIONS

The entire property is presently owned by Wellman's Construction Inc. & Thomas W. Nelson with the exception of Lots 1, 3, 4 & 5. These lots are owned by separate individuals as illustrated on the attached site plan. Wellman intends to abandon the proposed septic field and install gravity sewer through the project and along the right-of-way of N.C. Highway 210 to the existing Lift Station located approximately 240 feet northeast of the project. This abandonment of septic field and installation of sewer line will allow Wellman to add nine lots to the subdivision. This addition of lots will also require both street and waterline extension. Wellman intends to construct not only the street, water and sewer, but to also construct single family dwellings on pilings on his 15 lots. All of this activity will lie within uplands. No activity will take place within wetlands or within the 30' CAMA Buffer. The total amount of proposed disturbed area is 1.75 acres.

Wellman's intention is to obtain the following permits:

- North Topsail Beach Board of Alderman Approval of Subdivision Design
- Major CAMA Permit (Address all upland activity within project)
- NCDENR – Land Quality – Erosion Control Permit (1.75 acres including 15 dwellings)
- NCDENR – Water Quality- Stormwater Permit SW8 040501 MOD (Request Transfer of Permit)
- NCDoT – Driveway Permit (Modification may be needed to address the additional 9 Lots)
- ONWASA – Water Extension (To accommodate the additional 9 Lots)
- Pluris – Sewer Extension (To accommodate all 19 Lots)

Jason Dail, DCM is reviewing the normal high water line and coastal wetlands and David Bailey, USACE is reviewing the 404 wetlands.

Upon receipt of all permits, Wellman intends to install street, water and sewer and commence construction of the 15 dwellings.