

Town of North Topsail Beach  
 Regular Board Meeting  
 January 6, 1998

PRESENT: Mayor Marlow F. Bostic, Jr., Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes; Town Manager Ann Vause, Town Attorney Lynn Coleman and Town Clerk Leigh Etheridge.

CONVOCATION: Mayor Bostic called the meeting to order at 7:00 p.m. at the North Topsail Beach Town Hall and declared a full quorum present.

INVOCATION: Rev. Collins from the North Topsail Shores Baptist Church opened the meeting with prayer.

APPROVAL OF  
 THE AGENDA:

The following changes were made to the agenda:

- To be added as item c. under Old Business - A discussion on the status of the inlet at bridge on State Road 1568.
- Deleted from the agenda was New Business item g. - Status of Unit #1 - 2316 New River Inlet Road. This item was replaced with a discussion of FEMA requirements for the NFIP.

A motion was made by Alderman Barbara Haynes and seconded by Mayor Pro-Tem Steve Smith to approve the agenda as amended. Passed unanimously.

APPROVAL OF  
 MINUTES:

- Regular Meeting held December 4, 1997:  
 - A motion was made by Mayor Pro-Tem Steve Smith and seconded by Alderman Joe Vecchione to approve corrected minutes. Passed unanimously.
- Special Meeting held December 9, 1997.  
 - A motion was made by Alderman Otis Sizemore and seconded by Alderman Joe Vecchione to approve corrected minutes. Passed unanimously.

PLANNING  
BOARD  
REPORT:

Bill O'Donnell:

The Planning Board met on Thursday, December 11th. In the absence of Chairman Joe Moseley, the board, by consensus, chose member Bill O'Donnell to run the meeting.

A General Discussion was held on the following issues.

- \* Workshop on Zoning / Sub-Division Regulations,
- \* Fee Schedule for Violations of the Land Use Plan regarding removal of vegetation;
- \* Increase of CAMA permit fees.

No action was taken by the Planning Board on any of these issues.

The next meeting is scheduled for Thursday, January 15th at 7:00p.m.

DONATION  
OF LOT/SEA  
RANCHES:

At the November meeting the Board was presented with a letter from Mr. M.H. Askew offering to donate his lot at Sea Ranch Subdivision to the town. Mr. Askew has several lots and it was not clear exactly how much of his property he was donating. The donation was delayed until we could obtain more information. Mr. Askew is offering Lot 4 2L which is an ocean front lot. Prior to the storms there were 2 lots (75'X150' & 75'X195'). The lot now measures approximately 75'X100'. If accepted, the lot could possibly be eligible for a CAMA grant similar to the one the town obtained for the Oyster Lane Crossover. After a brief discussion, the board decided to accept the donation and directed the Town Manager and Town Attorney to correspond with Mr. Askew concerning the donation.

STATUS OF  
MYRTLE  
DRIVE:

The status of Myrtle Drive in our town street system has been a concern since the storms. All property owners in this area were sent certified letters asking how they felt about the street being closed. Most of the owners have indicated that they would not have access to their property

unless the street is reopened. The town portion of Myrtle Drive goes from Island Drive to within 30 feet of the private crossover. From that point property owners have a private easement to their property. After a brief discussion, a motion was made by Mayor Pro-Tem Steve Smith and seconded by Alderman Peter Hillyer to reopen Myrtle Drive and put the street back as it was before the storm. Passed unanimously. At this time, the motion was rescinded. It was decided that cost figures of repairing the street were necessary. A motion was made by Alderman Otis Sizemore and seconded by Mayor Pro-Tem Steve Smith to keep the street open and gather cost figures to determine the feasibility for the types of necessary repair. Passed unanimously.

STATUS OF INLET  
AT BRIDGE ON  
SR 1568:

A discussion was held concerning the status of the inlet cut under the bridge on State Road 1568. Mayor Bostic advised that the town authorize and utilize Galleon Bay as a spoil area for sand so that a dune may be built in this area. Questions arose concerning how much of the Galleon Bay material would be needed and necessary contractors for the work. It was decided that this item would be discussed further in section (7e) and that the Town Manager would research the necessary details for using this site as a spoil area for the inlet area.

PLANNING  
BOARD  
APPOINTMENT:

An application to fill a vacancy on the Planning Board was presented to the Board of Aldermen. Citizen Mike Rupert submitted his application requesting to replace Mr. Otis Sizemore. After a brief discussion, a motion was made by Mayor Pro-Tem Steve Smith and seconded by Alderman Joe Vecchione to appoint Mike Rupert to the Planning Board. Passed unanimously.

RESOLUTION-  
NEUSE RIVER  
COUNCIL OF  
GOVERNMENTS:

A resolution was presented to the Board of Aldermen requesting the release of North Topsail Beach Region "P" funds to the Neuse River Council of Governments. This is done on an annual basis and the amount this year is \$79.08. A motion was made by Mayor Pro-Tem Steve Smith and seconded by Alderman Peter Hillyer to accept the resolution. Passed unanimously.

PUBLIC  
HEARING

DATE:

A request was made to select a Public Hearing date to receive citizen input on the closing of the northern portion of Haven Street. The Public Hearing date was scheduled for February 5th at 6:30 p.m., before the next regular board meeting.

RESOLUTION-

SURPLUS

VEHICLES:

RESOLUTION AUTHORIZING THE DISPOSITION OF  
CERTAIN PERSONAL PROPERTY BY PRIVATE SALE

WHEREAS, the Board of Aldermen of the Town of North Topsail Beach desires to dispose of certain surplus property of the town;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen that:

(1) The following described property is hereby declared to be surplus to the needs of the Town of North Topsail Beach:

1992 Ford Bronco	Serial # 1FMEU15NXNLA96385
1985 Chevrolet Blazer	Serial # 1G8ED18JIFF162054
1983 Chevrolet Pick-Up	Serial # 1GCGD34J2EF303499

(2) The Town Manager is authorized to dispose of the described property by private sale at a negotiated price.

(3) The Town Clerk shall publish notice summarizing this Resolution in accordance with G.S. 160A-267.

(4) The sale may be consummated not earlier than 10 days from the date of publication.

DULY ADOPTED THE 10 DAY OF January, 1998.

A motion was made by Alderman Peter Hillyer and seconded by Alderman Barbara Haynes to declare the vehicles as surplus property. Passed unanimously.

DUNE

STABILIZATION: A lengthy discussion was held concerning dune stabilization within the town. The main focus of discussion was proper ways to stabilize the dunes and how to contract the services. The Board of Aldermen decided that a beach ride to spot problem areas would be beneficial. The Board also instructed the Town Manager to search for a contractor to push the dunes and draw a plan to begin pushing after research on available funds and price quotes are done.

BUDGET  
AMENDMENT

#1-FY 1997-98: The following Budget Amendment was presented to the Board of Aldermen for approval. The amendment includes all additional funds approved by the board since July 1, 1997.

AN ORDINANCE AMENDING THE TOWN OF NORTH  
TOPSAIL BEACH BUDGET ORDINANCE FOR FISCAL  
YEAR 1997-98

BE IT ORDAINED BY THE TOWN OF NORTH TOPSAIL BEACH BOARD OF  
ALDERMEN MEETING IN REGULAR SESSION THIS 6TH DAY OF  
JANUARY 1998, THAT THE BUDGET ORDINANCE FOR FISCAL YEAR  
1997-98 ADOPTED JUNE 5, 1997, IS HEREBY AMENDED AS FOLLOWS:

GENERAL FUND - EXPENDITURES:

Governing Body	61,890.00*
Administration	164,671.00
Elections	2,500.00
Inspections/Zoning	126,761.00
Public Buildings	154,900.00
Police Department	409,634.00
Public Works	74,810.00
Utilities	16,300.00
Street Improvements (Powell Bill)	215,349.00*
Sanitation	101,200.00
Recreation	12,100.00
Fire Department	264,194.00
Committees	1,500.00
DABSTEC	52,638.00
Contingency	<u>15,500.00</u>
Total	<u>1,673,947.00</u>

GENERAL FUND - REVENUES  
GENERAL FUND - REVENUES

Beach Restor/Dune Stabilization	52,638.00
Taxes Budget Year 1997	456,201.00
Prior Years Taxes	61,222.00
Inventory Tax Reimbursement	35,000.00
Tax Penalties/Interest	22,000.00
Privilege License	3,500.00
Cable Franchise	9,000.00
Interest - Investments	70,000.00
Miscellaneous	10,000.00
Miscellaneous Permits	250.00
Payment Lieu Open Space	3,000.00
Utilities Franchise Tax	63,000.00
Intangible Property Tax	26,000.00
Beer & Wine Tax	6,000.00
Powell Bill Allocation	37,000.00
Local Option Sales Tax	76,000.00
Local Option Sales Tax - Onslow County	66,000.00
Mosquito Control Grant	11,500.00
Building Permits	45,000.00
LUP Grant	10,000.00
Mechanical Permits	20,000.00
Electrical Permits	20,000.00
Plumbing Permits	15,000.00
Homeowners Recovery Fund	200.00
Inspection Fees	300.00
CAMA Permits Local	7,000.00
CAMA Permits - Reimb. State	19,000.00
Tax Refunds - Sales	15,000.00
Tax Refunds - Gasoline	7,000.00
Other State Revenues	2,500.00
Officer Fees & Violations	5,000.00
Fund Balance Appropriated	<u>499,636.00*</u>

Total 1,673,947.00

DULY ADOPTED; THE 6 DAY OF January, 1998.

A motion was made by Aldermen Joe Vecchione and seconded by Aldermen Peter Hillyer to approve Budget Amendment #1 - Fiscal Year 1997-98. Passed unanimously.

FEMA  
REQUIREMENTS  
FOR NFIP:

New FEMA requirements for the NFIP that must be incorporated into the town's Flood Damage Prevention Ordinance were presented to the Board of Aldermen. Failure to incorporate the new requirements would jeopardize the town's NFIP program and CRS rating.

AN ORDINANCE AMENDING THE NORTH TOPSAIL BEACH  
FLOOD DAMAGE PREVENTION ORDINANCE

Section I:

ARTICLE 5, PROVISIONS FOR FLOOD HAZARD REDUCTION, SECTION B (3) MANUFACTURED HOMES IS AMENDED TO READ AS FOLLOWS:

(13) Notwithstanding any other provisions of 60.3, a community may approve certain development in Zones A1-30, AE, and Ah, on the community's FIRM which increases the water surface elevation on the base flood by more than one foot, provided that the community first applies for a conditional FIRM revision, fulfills the requirements for such a revision as established under the provisions of 65.12, and receives the approval of the administrator.

Section II:

ARTICLE 5, SECTION (4) RECREATIONAL VEHICLES IS AMENDED TO READ AS FOLLOWS:

Require that recreational vehicles placed on sites within zones A-30, AH, and A on the community's FIRM either (i) be on the site for fewer than 180 consecutive days, (ii) be fully licensed and ready for highway use, or (iii) meet the permit requirements of paragraph (b) (1) of this section and the elevation and anchoring requirements for "manufactured homes" in paragraph © (6) of this section. A recreational vehicle is ready for highway use; use if it is on its wheels or jacking system, is attached to this site only by quick disconnect type utilities and security devices, and has no permanently attached additions. (d) When the Administrator has provided a notice of final base flood elevations within zones A1-30, and/or A on the community's FIRM and, if appropriate, has designated AO zones, AH zones A99 zones, and A zones on the community's FIRM, and has provided data

from which the community shall designate its regulatory floodway, the community shall:

- (1) Meet the requirements of paragraphs (1) through (14) of this section;
- (2) Select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designated to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot at any point;
- (3) Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge;

Section III:

SECTION 9--COASTAL HIGH HAZARD AREAS (v - zones)  
SUBPARAGRAPHS B THROUGH L ARE AMENDED TO READ AS  
FOLLOWS:

- (4) Provide that all new construction and substantial improvements in Zones V-1-30 and V, and also Zone V if base flood elevation data is available, on the community's FIRM, are elevated on pilings and columns so that
  - (i) the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level; and
  - (ii) the pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those required by applicable state or local building standards. A registered professional engineer or architect shall develop or review the structural design specifications and plans for the construction and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of paragraphs (e)(4)(i) and (ii) of this section.
- (5) Provide that all new construction and substantial improvements within Zones V1-30, V and V on the community's FIRM have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse,



displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by Local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

- (i) Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and,
- (ii) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components, (structural and non-structural). Water loading values used shall be those associated with the base flood.

SECTION IV: All laws and clauses in conflict with this ordinance amendment are hereby repealed.

SECTION V: This amendment shall be effective with the Fiscal Year 97-98, adopted by the Board of Aldermen January 6, 1998.

Duly adopted the 6 day of January, 1998.

MANAGER'S  
REPORT:

1. THE STATE HAS PROVIDED US INFORMATION CONCERNING FUNDS FOR REPLANTING DUNES AND SAND FENCING. WE ARE PREPARING AN APPLICATION TO THE STATE REQUESTING THESE FUNDS. THE FIRST PART OF THE PROCESS WILL REQUIRE US TO SEND CERTIFIED LETTERS TO ALL OCEAN FRONT PROPERTY OWNERS TO OBTAIN THEIR PERMISSION TO PLACE FENCE, GRASS ON THEIR PROPERTY. THIS LETTER SHOULD GO OUT WITHIN THE NEXT 5-10 WORKING DAYS. WE WILL BE REQUIRED TO REQUEST BIDS FOR GOODS AND SERVICES.

2. THE DEPARTMENT OF INTERIOR HAS NOT RESPONDED TO OUR LETTER DATED DECEMBER 4TH CONCERNING THEIR STANCE ON DUNE RESTORATION IN THE CBRA ZONE. WE WILL CONTACT THEM AGAIN THIS WEEK.
3. SEWER LIFT STATION: 24 HOUR TELEPHONE ANSWERING SERVICE WENT ON LINE DECEMBER 17TH. THE SYSTEM IS BEING TESTED NOW AND WILL GO ON LINE THE FIRST OF JANUARY 1998. ONSLOW CONSTRUCTION COMPANY HAS BEEN AWARDED THE BID TO REMOVE THE OLD PUMP STATION. THEY WERE GIVEN A NOTICE TO PROCEED DECEMBER 15TH AND WERE GIVEN 60 DAYS TO REMOVE TANK, PUMP CONTROLS.
4. ALL BOARD MEMBERS HAVE BEEN PRE-REGISTERED FOR THE SCHOOL FOR NEWLY ELECTED MAYORS & COUNCIL MEMBERS SCHEDULED FOR FEBRUARY 24-26, 1998 IN WILMINGTON.
5. OSHA INSPECTED THE TOWN OF NORTH TOPSAIL BEACH. THE INITIAL FINES AMOUNTED TO \$300.00. HOWEVER, AFTER MEETING WITH THEM 2 OF THE FINES WERE REMOVED LEAVING US WITH A FINE OF \$100.00.
6. THE NATIONAL HURRICANE CONFERENCE COORDINATOR HAS APOLOGIZED TO THE TOWN FOR THE PHOTO DISPLAYED IN THEIR ADVANCE REGISTRATION FORMS. THE PICTURE DEPICTED NORTH TOPSAIL BEACH AS AN EXAMPLE OF POOR CONSTRUCTION WHICH CAUSED SEVERE DAMAGE DURING THE HURRICANES. THE PHOTO THEY DISPLAYED WAS NOT NORTH TOPSAIL BEACH.
7. THE CHRISTMAS TREE PROJECT BEING HANDLED BY CHARLOTTE WILMER IS DOING WELL. SEVERAL INDIVIDUALS HAVE EXPRESSED INTEREST IN USING CHRISTMAS TREES ON THEIR DUNES. CHARLOTTE IS RECEIVING ASSISTANCE FROM SEVERAL VOLUNTEER

ORGANIZATIONS SUCH AS GIRL SCOUTS, ETC. THE TREES ARE BEING HELD AT THE SOUNDSIDE PARKING AREA OF ONSLOW COUNTY PARK #2. ANYONE INTERESTED IN PLACING TREES ON THEIR DUNES CAN PICK THEM UP AT THIS LOCATION.

8. DISASTER SURVEY REPORTS ARE STILL BEING FINALIZED. ONCE THESE REPORTS ARE FINALIZED AND AN AUDIT COMPLETED BY FEMA WE EXPECT TO BE REIMBURSED APPROXIMATELY \$250,000.00 FOR COST EXPENDED BY THE TOWN. IN ADDITION, WE ARE REQUESTING ADDITIONAL FUNDS TO REPAIR STREET DAMAGE. FEMA PAID THE TOWN \$78,278.00 FOR STREET DAMAGE. HOWEVER THE ESTIMATE, PER OUR CURRENT CONTRACT, TO REPAIR THESE STREETS IS OVER \$200,00.00. WE ARE REQUESTING A SUPPLEMENT TO OUR DSR FOR THE ADDITIONAL FUNDS.
  
9. ONE MAJOR PROBLEM WE ENCOUNTER IN WAITING FOR REIMBURSEMENT IS THE LENGTH OF TIME IT NOW TAKES FOR FEMA AND THE STATE TO PROCESS ALL REQUESTS, AUDITS, ETC. IT NOW TAKES APPROXIMATELY 8-10 WEEKS FOR APPROVAL OR DENIAL AND IF APPROVED, IT TAKES AN ADDITIONAL 3-4 WEEKS TO RECEIVE THE REIMBURSEMENT CHECK.

ATTORNEY'S  
REPORT:

Attorney Lynn Coleman announced that she did not feel that Onslow County would be adopting the Cable Television Franchise at this time. She also advised that there would be no disadvantage to North Topsail Beach to leave the situation as is until it is known what the other towns will do concerning this franchise.

ALDERMEN'S  
REPORT:

Alderman Peter Hillyer:

Stated that our depleted undesignated fund balance was due to our problem with agencies changing the rules for reimbursement and that once we receive all funds from the storm - we should be in fairly decent shape.

MAYOR'S  
REPORT:

Mayor Marty Bostic:

Reported that he would address the following issues with the DOT Task Force at their next meeting to be held January 16th - street paving, shoulder problems, establish a no parking zone on areas of SR1568.

OPEN FORUM/  
CITIZENS  
REQUEST:

Sam McGinn:

Complimented the town on a big recovery from the storms. He also expressed his concern about the recent purchase of the fire department vehicle.

Bev Sizemore:

Questioned the sandbags on the beach in reference to the county following regulations.

CLOSED  
SESSION:

A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to enter into closed session to discuss the following: litigation, possible acquisition of facility and personnel. Passed unanimously.

A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to return to regular session. Passed unanimously.

Mayor Bostic announced that no action was taken in closed session.

ADJOURNMENT:

A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to adjourn the meeting at 10:25 p.m. Passed unanimously.

Leigh Etheridge  
Leigh Etheridge - Town Clerk

Town of North Topsail Beach  
Special Meeting  
January 22, 1998

PRESENT: Mayor Marty Bostic, Mayor Pro Tem Steve Smith; Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes.

CLOSED  
SESSION:

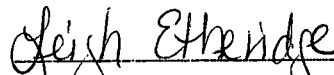
A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to enter into closed session at 6:30 p.m. at the North Topsail Beach Town Hall to discuss personnel issues. Passed unanimously.

REGULAR  
SESSION:

A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to enter into regular session. Passed unanimously.

Mayor Bostic announced that no action was taken at this meeting.

ADJOURNMENT: A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to adjourn the meeting at 10:30 p.m. Passed unanimously.

  
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Leigh Etheridge - Town Clerk

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Town of North Topsail Beach  
Special Meeting  
January 28, 1998

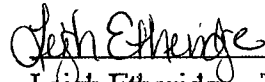
PRESENT: Mayor Marty Bostic, Mayor Pro Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes. |

CLOSED SESSION: A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to enter into closed session at 6:30 p.m. at the North Topsail Beach Town Hall to discuss personnel issues. Passed unanimously.

REGULAR SESSION: A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to enter into regular session. Passed unanimously.

Mayor Bostic announced that no action was taken at this meeting.

RECESS TO RECONVENE: A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to recess the meeting until Wednesday, February 4, 1998 at 6:30 p.m.. The meeting recessed at 9:00 p.m.. Passed unanimously.

  
\_\_\_\_\_  
Leigh Etheridge - Town Clerk

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**Town of North Topsail Beach  
Special Meeting  
February 4, 1998**

**PRESENT:** Mayor Marty Bostic, Mayor Pro Tem Steve Smith, Alderman Peter Hillyer, Otis Sizemore, Joe Vecchione, Barbara Haynes.

**CLOSED  
SESSION:**

A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to enter into closed session at 7:00 pm at the North Topsail Beach Town Hall to discuss personnel issues. Passed unanimously.

**REGULAR  
SESSION:**

A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to enter into regular session at 8:45 pm at the North Topsail Beach Town Hall. Passed unanimously.

\*\* A motion was made by Alderman Peter Hillyer and seconded by Alderman Barbara Haynes to adopt the new Employee Evaluation form and the new Job Description for the Town Manager, motion Passed unanimously.

\*\* A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione directing the Town Manager to begin using the new Employee Evaluation form, motion Passed unanimously.


\*\* A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to eliminate the RECEPTIONIST POSITION EFFECTIVE 2/17/98, motion Passed unanimously.

\*\* A motion was made by Alderman Otis Sizemore and seconded by Alderman Barbara Haynes to place the Town Manager in charge of day to day Financial activities, to be assisted by the present Finance Officer, motion Passed unanimously.

\*\* A motion was made by Alderman Joe Vecchione and seconded by Alderman Peter Hillyer to discontinue the present cleaning service at Town Hall and direct Public Works to be responsible for this work, motion Passed unanimously.

**ADJOURMENT:**

A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to adjourn the meeting at 9:00 p.m., motion Passed unanimously.

 2/4/98

Town of North Topsail Beach  
Public Hearing/Regular Board Meeting  
February 5, 1998

**PRESENT:** Mayor Marlow F. Bostic, Jr., Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes; Town Manager Ann Vause, Town Attorney Lynn Coleman and Town Clerk Leigh Etheridge.

**PUBLIC HEARING-  
CLOSING OF**

**HAVEN STREET:** Mayor Bostic called the Public Hearing to order at 6:30 p.m. and declared a full quorum present. There were approximately twelve citizens present. Dr. Rufus Warren addressed the board concerning the portion of Haven Street that he is requesting be closed. The portion of Haven street dealing with this hearing is a section that has never been opened but is on the town's Powell Bill map. Citizen Geardean Walker commented that notification was not given to many of the property owners who wanted to attend the public hearing but could not travel to attend due to such short notice. Dr. Warren advised the board that he notified an adjacent property owner but was not aware that all property owners needed notification. It was decided that CAMA/Zoning Administrator Terri Potts would notify the property owners and that another Public Hearing would be scheduled for 6:30 p.m. on March 5th before the regular board meeting.

**ADJOURNMENT:** The Public Hearing on the closing of Haven Street adjourned at 6:45 p.m.

**REGULAR  
MEETING:**

Mayor Bostic called the regular meeting to order at 7:00 p.m. at the North Topsail Beach Town Hall and declared a full quorum present.

**INVOCATION:**

Alderman Peter Hillyer led the pledge of allegiance.

**APPROVAL OF  
AGENDA:**

The following additions/deletions were made:

- Add minutes from continued special meeting held on February 4, 1998 as item 4. d.
- Add Beach Grass Grant as item 9. e. under new business.
- Delete Knightdale Awning - Item 6.



A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to approve the agenda as amended. Passed unanimously.

APPROVAL  
OF MINUTES:

- a. Regular Meeting held January 6, 1998:  
A motion was made by Alderman Otis Sizemore and seconded by Mayor Pro Tem Steve Smith to approve minutes as written. Passed unanimously.
- b. Special Meeting held January 22, 1998:  
A motion was made by Alderman Otis Sizemore and seconded by Mayor Pro Tem Steve Smith to approve minutes as written. Passed unanimously.
- c. Special Meeting held January 28, 1998:  
A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to approve minutes as written. Passed unanimously.
- d. Continued Special Meeting held February 4, 1998.  
A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Barbara Haynes to approve minutes as written. Passed unanimously.

PLANNING  
BOARD  
REPORT:

Mr. Bill O'Donnell reported that the Planning Board last met on January 15, 1998 and the following motions were passed:

- A motion was made by Bill O'Donnell and seconded by Linda Knowles to present to the Board of Aldermen a formal recommendation as follows:

To have written into the Major CAMA Permit for the Galleon Bay (southside) Dredge Project, if and when submitted to the Town of North Topsail Beach for comment, the specific condition that all beach compatible sand dredged from the canal must be placed back on the beach to replenish the dunes. Passed unanimously.

A motion was made by Mike Rupert and seconded by Linda Knowles to recommend to the Board of Aldermen to have "Keep off the Dunes" signs made, clearly stating a maximum fine amount and made available for residents to purchase in concurrence with the present Beach Renourishment policy of the town paying half the cost and the purchasing resident paying the remaining half. Passed unanimously.

Mr. O'Donnell concluded his report by stating that the next Planning Board meeting will be held on February 12, 1998 and he encouraged citizens to attend.

REZONE  
REQUEST/  
DON MARSH:

Mr. Don Marsh addressed the Board of Aldermen regarding the rezoning of 1690 New River Inlet Road (the old abandoned pier building), from commercial to residential. Mr. Marsh stated that his intent was to make the structure into four residential units and his reason for addressing the Board was to make sure all correct procedures were followed before he began the rezone process. The Board of Aldermen recommended that Mr. Marsh and the owners of said property study the procedures for rezoning and check the zoning ordinance for regulations before any decisions are made. Mr. Marsh was also instructed that at some point a Public Hearing would be necessary for this type of request.

MYRTLE  
DRIVE  
COST  
FIGURES:

Presented to the Board of Aldermen was bid estimates from Parker & Associates, Inc. to add Myrtle Drive to the street improvement contract. It was decided to wait for Mr. Charles Riggs' right-of-way survey before making a decision with the cost figures to replace the street. Town Manager Ann Vause advised the Board that Mr. Riggs should be finished with his survey next week.

BEACH  
BULLDOZING:

Members of the Board of Aldermen, Town Manager Ann Vause and CAMA/Zoning Administrator Terri Potts reviewed areas within the town which require the most bulldozing. These critical areas were designated by a purple outline on the beach bulldozing map. Town Manager Ann Vause

advised the Board that she should be hearing from the Marine Corps by Wednesday or Thursday of next week with statistics on pushing the dunes and the length of time before the Corps could start. In the meantime, as a back-up plan, the Board discussed allowing the town to push the dunes in the most critical areas, breaks in bridges, etc.. A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Peter Hillyer to authorize the Town Manager to spend up to \$8500.00 for 100 hours of bulldozing in the most critical and breached areas. Passed unanimously.

REFUSE  
COLLECTION/  
MULTI-PLEX  
UNITS:

The Board of Aldermen were presented with information on the refuse service currently provided, through private contracts, to the various multi-plex units in North Topsail Beach. It was requested that the Board discuss adding these units to the town's contract with Waste Industries, Inc. for residential refuse collection. During a brief discussion, it was noted that pertinent information was not received from all of the multi-plex owners. The Board decided to schedule a meeting with Waste Industries, Inc. and the multi-plex owners for Wednesday, February 18th at 6:30 p.m. to discuss this issue.

COMMUNITY  
WORK  
PROGRAM:

A request was made to the Board of Aldermen to approve an agreement with Duplin County for the use of prison inmates to assist with planting seed grass as part of erosion control along the North Topsail Beach shoreline. A motion was made by Alderman Barbara Haynes and seconded by Aldermen Joe Vecchione to authorize the Town Manager to sign agreement. Passed unanimously.

LEASE  
AGREEMENT:

A lease agreement for the minolta copier in town hall was presented to the Board of Aldermen. The options given were to extend the current contract, keeping the same copier at the same rate of \$390.00/month or to upgrade to a newer model at an increased cost of \$20.00/month. Town Manager Ann Vause advised the Board that it may be better to extend the current lease until June 30, 1998 and decide on a possible upgrade during budget workshops for the 1998-99 Fiscal Year rather than change the budget figures already allocated for Fiscal Year 1997-98. A motion was made by

Alderman Peter Hillyer and seconded by Mayor Pro Tem Steve Smith to extend the current lease on the minolta copier until June 30, 1998. Passed unanimously.

REQUEST  
FOR STREET  
ACCEPTANCE:

A request was presented to the Board of Aldermen to accept Cape Lane and Sailview Drive into the town street system as part of the Cape Island Subdivision. A motion was made by Alderman Otis Sizemore and seconded by Alderman Joe Vecchione to accept the streets of Cape Lane and Sailview Drive into the town system provided they meet state standards. Passed unanimously.

"NO-PARKING"  
ORDINANCE  
AMENDMENT:

The following amendment was presented to the Board of Aldermen as a "blanket" ordinance allowing the enforcement of no-parking in designated areas of the town.

AN ORDINANCE AMENDING CHAPTER 6 - PUBLIC SAFETY  
ARTICLE V - STOPPING, STANDING & PARKING  
SECTION 6-85 PROHIBITED AT CERTAIN PLACES

SECTION I:

Chapter 6 Public Safety, Article V Stopping, Standing & Parking, Section 6-85 Prohibited at Certain Places is hereby amended by adding the following section:

- (12) The Town Manager shall have the authority to mark off and designate areas within the Town as "No Parking" areas and shall be authorized to erect, have the North Carolina Department of Motor Vehicles to erect or contract with a public or private entity to erect such signs or notices as are necessary to identify such "No Parking" areas. The Town Manager shall also be allowed to restrict the time of enforcement of said "No Parking" areas. These "No Parking" regulations within the Town of North Topsail Beach, North Carolina are hereby adopted pursuant to authority granted by the North Carolina General Statutes and shall apply to all incorporated areas within the boundaries of the Town of North Topsail Beach.

SECTION II: All laws and clauses in \_\_\_\_\_ ance amendment are hereby repealed.

SECTION III: This amendment shall be effective upon adoption and erection of proper signage.

DULY ADOPTED THE 5<sup>th</sup> DAY OF February, 1998.

A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to adopt amendment. Passed unanimously.

BEACH  
GRASS/  
SAND FENCE  
BIDS:

CAMA/Zoning Administrator Terri Potts:

Initially, this project was to be awarded to one company. Unfortunately, not every contractor has both plant and fence. Also, not every contractor has all three types of plant that we need to re-establish on our dunes.

After carefully reviewing the bids submitted regarding the above referenced project, I am respectfully, recommending the following information to you for review:

The contract for Sea Oats and Bitter Panicum plants be awarded to Coastal & Native Plants Specialties, Inc. located in Milton, Florida. This company comes with a very high recommendation from every contact I made regarding the quality of plant and work. This company is the only bidder that guarantees its product and survival rate. (80% guaranteed, or they replant for free) (The seeds for these plants were gathered from Topsail Island and grown in Florida for this express purpose) They give very specific dimensions of the plants that they will be providing. These specifics are very important in determining, upon arrival and inspection the durability of the plants. They will also provide technical advice as needed for no charge.

The bid for American Beachgrass to Starwood, Inc. from Myrtle Beach.

The bid for sand fence, I would, again, respectfully submit, be delayed until

I can obtain some local figures. The bids submitted were; \$86,486.40 and \$43,277.37. These were the only two submitted (No installation) I think that a local contractor can give a better price.

Following a brief discussion, a motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to recommend the state accept the low bid from Coastal & Native Plants Specialties, Inc. for Sea Oats and Bitter Panicum grass and accept the bid from Starwood, Inc. for American Beachgrass. Passed unanimously.

MANAGER'S REPORT:

1. THE TOWN HAS RECEIVED ITS PERMIT FOR TOWN WIDE BULLDOZING.
2. THE TOWN HAS RECEIVED ITS PERMIT TO CLOSE THE INLET.
3. ONSLOW COUNTY GARDEN CLUB HAS MET CONCERNING PLACING PLANTS ON PUBLIC CROSSOVERS AND BEACH ACCESSES. THEY WILL MEET AGAIN TOMORROW.
4. THE CONTRACTOR WILL BE HERE TO REMOVE THE OCEAN CITY MOTEL ON FEBRUARY 12TH.
5. WE HAVE BEEN PROVIDED AN EASEMENT FOR THE GREEN STREET CROSSOVER. THE ATTORNEY IS REVIEWING THE EASEMENT AND WILL HAVE IT RECORDED.
6. STREET WORK CONTINUES. THE CONTRACTOR IS WORKING ON THE NORTH END OF TOWN.

January 28, 1998

Mayor & Board of Aldermen  
Town of North Topsail Beach  
2008 Loggerhead Court  
North Topsail Beach, NC  
28460

Dear Mayor & Board of Aldermen:

*During the past 8 years I have been a part of North Topsail Beach as it developed and paid for upgraded fire service, inspections, CAMA and public works. In addition, the town has built a town hall that many envy and all citizens can take pride in. The staff for the most part has remained stable. North Topsail Beach has professional, dedicated employees that handle their task above and beyond the requirements of their positions. During 1996 we experienced storms that devastated the town. But, we are bouncing back and will be stronger than before.*

*I now feel it is time for me to step down and let someone else lead the town into the future. Therefore, I hereby submit my resignation effective March 31, 1998.*

*My best wishes and hopes go with the town, its citizens and employees. Over the past 8 years I have had the opportunity to meet and work with some exceptional people. North Topsail Beach is on its way to being a town others will envy and pattern themselves after.*

*Sincerely,*

*Ann Vanse*

ATTORNEY'S  
REPORT:

Attorney Lynn Coleman reported that she is still working on the cable franchise and is receiving amended suggestions while in the process of drawing up the agreement.

ALDERMEN'S  
REPORT:

Alderman Joe Vecchione:

Announced that he had the opportunity to meet with the press (Channel 12) and he thanked citizens for their cooperation with the Christmas tree effort.

Alderman Otis Sizemore:

Discussed the idea of arranging for citizens to take rides with the Police Department if anyone is interested in doing so.

Mayor Pro Tem Steve Smith:

Thanked everyone for coming out for the meeting and advised the public that the Board is working very hard. Mayor Pro Tem Smith also announced that members of the Board would be attending the School for newly elected officials in Wilmington.

MAYOR'S  
REPORT:

Mayor Marty Bostic:

Discussed the idea of acquiring pagers for all Board members to help with communication. He also reported that the Board had met quite a bit lately concerning personnel issues.

OPEN FORUM/  
CITIZENS  
REQUEST:

Linda Knowles:

Stated that Town Manager Ann Vause had been with the Town of North Topsail Beach since the very beginning and it will be very hard to see her go. She thanked Ann for her service to the town.

Charlotte Wilmer:

Discussed the establishment of a web page for the town and the possibility of using rotating pagers for the Board in order to have an "on call" Board member. She also reported that all persons who helped with the Christmas tree project were sent a nice thank you letter from the town and recommended sending certificates of gratitude if the town has them.

CLOSED  
SESSION:

A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to enter into closed session to discuss personnel issues. Passed unanimously.



REGULAR  
SESSION:

A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to return to regular session. Passed unanimously.

Mayor Bostic announced that no action was taken in closed session.

ADJOURNMENT:

A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to adjourn the meeting at 10:00 p.m. Passed unanimously.



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Leigh Etheridge - Town Clerk

Town of North Topsail Beach  
Special Board Meeting  
February 18, 1998

PRESENT: Mayor Marlow F. Bostic, Jr., Mayor Pro-Tem Steve Smith, Aldermen Otis Sizemore, Peter Hillyer, Joe Vecchione and Barbara Haynes; Town Manager Ann Vause. Town Attorney Lynn Coleman and Town Clerk Leigh Etheridge were absent.

CALL TO ORDER: Mayor Bostic called the meeting to order at 6:45 p.m. at the North Topsail Beach Town Hall and declared a full quorum present.

REFUSE  
COLLECTION/  
MULTI-PLEX  
UNITS:


A general discussion was held concerning the possibility of the town offering refuse services to residents at multi-plex units. Mr. Dallas Goodwin and Mr. Eric Carraway from Waste Industries, Inc. were in attendance to provide the Board with cost figures that would be incurred to include the multi-plex units on our town contract and offer refuse service. Other items of concern were commercial versus residential rates, tipping fees and the cost of refuse containers. At the conclusion of this discussion, it was decided that this matter would be researched and figured during the budget process for 1998-99 fiscal year. It was also decided that the Board wanted to see the figures from the 1996-97 fiscal year audit before working on a plan for implementation.

A motion was made by Alderman Joe Vecchione and seconded by Alderman Peter Hillyer to close the special meeting and enter into closed session to discuss a personnel issue. Passed unanimously.

A motion was made by Alderman Joe Vecchione and seconded by Alderman Peter Hillyer to return to regular session. Passed unanimously.

A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to hire Mr. William Fuss as the Town Attorney. Passed unanimously.

ADJOURNMENT: A motion was made by Alderman Joe Vecchione and seconded by Alderman Peter Hillyer to adjourn the meeting at 8:48 p.m. Passed unanimously.

  
\_\_\_\_\_  
Dartha Campbell, Finance Officer

Street  
Closing

Town of North Topsail Beach  
Public Hearing/Regular Board Meeting  
March 5, 1998

**PRESENT:** Mayor Marlow F. Bostic, Jr., Mayor Pro Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore and Joe Vecchione; Town Manager Ann Vause, Town Attorney Bill Fuss and Town Clerk Leigh Etheridge. Alderman Barbara Haynes was not present.

**PUBLIC HEARING-  
CLOSING OF  
HAVEN STREET:**

Mayor Bostic called the Public Hearing to order at 6:30 p.m. and declared a quorum present. There were approximately twenty citizens present. Ms. Joanne Williams, 314 Haven Street, inquired as to which portion of Haven Street is in question for closing. Dr. Rufus Warren advised that he is the petitioner for his brother and himself for the closing of the Northern 200 feet of Haven Street, a section which has never been opened. It was noted that a few objections to the closing of this street were received, however, no one in attendance strongly objected to the closing. No action was taken at this Hearing.

**ADJOURNMENT:** The Public Hearing on the closing of Haven Street adjourned at 6:45 p.m.

**REGULAR  
MEETING:**

Mayor Bostic called the regular meeting to order at 7:00 p.m. at the North Topsail Beach Town Hall and declared a quorum present.

**INVOCATION:**

Mayor Pro Tem Steve Smith led the pledge of allegiance.

**APPROVAL OF  
AGENDA:**

The following additions/deletions were made:

- Replace Knightdale Awning (item #5) with the Presentation of the Fiscal Year 1996-97 audit,
- Add discussion of Galleon Bay Projects as item b. under Old Business;
- Add discussion of possible Accommodations Tax as item f under New Business.

Myrtle  
Drive

A motion was made by \_\_\_\_\_ re and seconded by  
Mayor Pro Tem Steve Smith to approve the agenda as amended. Passed  
unanimously.

APPROVAL  
OF MINUTES:

- a. Regular Meeting held February 5, 1998:  
A motion was made by Mayor Pro Tem Steve Smith and seconded  
by Alderman Otis Sizemore to approve minutes as written. Passed  
unanimously.
- b. Special Meeting held February 18, 1998:  
A motion was made by Mayor Pro Tem Steve Smith and seconded  
by Alderman Joe Vecchione to approve minutes as written. Passed  
unanimously.

PRESENTATION  
OF FY 1996-97  
AUDIT:

Mr. John Carraway, CPA, presented the Fiscal Year 1996-97 audit  
to the Board of Aldermen. He discussed at length all sections of the  
audit and reported that the town was still in good financial shape  
even for this to be a fiscal year still affected by the hurricanes of  
1996. Mayor Bostic announced that copies of the 1996-97 Fiscal  
Year Audit would be available at Town Hall for anyone interested.

REQUEST TO  
ADDRESS THE  
BOARD/NANCY  
ROGERS-MYRTLE  
DRIVE:

Ms. Nancy Rogers addressed the Board of Aldermen concerning the  
replacement of Myrtle Drive.

February 17, 1998

Dear Sir/Madam:

In regards to replacing Myrtle Avenue the question should be, not if,  
but when?

There are six property owners who have in the past year paid a lot  
of tax and have a right to be taken care of by the Town as any other.

Myrtle Avenue was a state road, maintained by the state. About four (4) years ago you requested that the state turn it over to the town of North Topsail Beach, so you could get more money from the federal government (without the permission of the property owners). I don't know if that was something you had to do.... We were unaware it was property of the town so some months after Fran I talked to Drew Cox with the state to see when they were going to replace Myrtle Avenue, at which time he told me (right away-soon). Then he began checking and told me you had taken it over. I talked with Ann and she added it to the list of roads to get money from FEMA to replace it.

We realize we cannot build now, but there is a good chance in a few years can. I have been here since 1970 and have seen the lot build to 30' of sea oats in front of my house. That was also the only hill Hazel did not go over, so it had to be a tornado or water spout in that area which may not happen again in a hundred years. Anyway, you cannot deny us a way to get to our property and a chance to use it.

I understand some property owners in the neighborhood are against it. They were blessed to have not lost their homes and now they want oceanfront property which they did not buy like we did, which I think is a little selfish.

Myrtle Avenue was put in by the state for the six oceanfront lots. The six back lots have access from Hwy. 210 and have nothing to do with Myrtle Avenue. The back lot has a 20' easement in front of their house to get to the 8' easement over the hill to the beach. It is a private easement for the six lots only. Even if a few trespass - most people tend to obey the law so unauthorized users will be at a minimum. It will never be a public access, but we need a way to get to our property, and if we are blessed with the right kind of weather we may be able to rebuild sometime in the future, which can only help to improve North Topsail Beach.

Now we are all going to work hard planting grass and sand fences to get our beach back. We don't understand why there would be a discussion or a vote unless someone stands to gain from our loss.

Thank you.

Nancy Rogers

A discussion was held where members of the board assured Ms. Rogers that Myrtle Drive would be replaced as was motioned in previous meetings. The question remaining was not whether Myrtle Drive would be replaced, but the type of surfacing based on the cost figures to replace. It was also noted that the town is still waiting on a right-of-way survey from Mr. Charles Riggs which will help in the determination of cost figures, as well. A motion was made by Mayor Pro-Tem Steve Smith and seconded by Alderman Joe Vecchione to allow the Town Manager to go ahead and contract and rock the city portion of Myrtle Drive and figure paying the street into the next year's budget. Passed unanimously.

PLANNING  
BOARD  
REPORT:

Ms. Patsy Jordan reported that the Planning Board last met on February 12, 1998 and the following events took place:

- Planning Board member Bill O'Donnell was absent from the meeting;
- A motion was made to elect Patsy Jordan as Vice-Chairman of the Planning Board;
- Town Clerk Leigh Etheridge was named as the new Planning Board Secretary;
- A discussion was held on man-made hazards within the area; no definitive action was taken;
- Planning Board members discussed beginning zoning workshops again with the Board of Aldermen;
- The final plat of Cape Island II Subdivision was presented for review;
- The meeting adjourned at 8:05 p.m.

ACCEPTANCE  
OF PUBLIC  
ACCESS WALK/  
CAPE ISLAND  
SUBDIVISION:

At the last regular meeting two streets from the Cape Island Subdivision were accepted into the town street system; Cape Lane and Sailview Drive.

accepting as well. A motion was made by Alderman Otis Sizemore and seconded by Mayor Pro Tem Steve Smith to accept the Public Access Walk in Cape Island Subdivision. Passed unanimously.

GALLEON BAY PROJECTS:

A discussion was held concerning available sand from Galleon Bay north and south. It the hopes of the town to be able to haul sand to the breached inlet area and utilize to build a sand dune. Before this can take place, necessary CAMA permits must be obtained along with other appropriate documents granting indemnity from the landowner. A motion was made by Alderman Peter Hillyer and seconded by Alderman Otis Sizemore to authorize the Town Manager and the Town Attorney to draft the appropriate documents and coordinate with CAMA for the two Galleon Bay Projects. Passed unanimously.

DONATION OF LOT/SEA HAVEN BEACH:

A lot donation from the heirs of Robert F. and Rozelle R. Royall was presented to the Board of Aldermen. The lot in question is Lot 2, Block D, Seahaven Beach, Subdivision 4. It was noted that this lot formerly was 318 Topsail Road and has been deemed as unbuildable since Hurricane Hazel. After a brief discussion, a motion was made by Alderman Otis Sizemore and seconded by Mayor Pro Tem Steve Smith to accept Lot 2, Block D, Seahaven Beach, Subdivision 4 at its accessed property value. Passed unanimously.

WARRANTY FOR NORSTAR TELEPHONE SYSTEM:

Attached for Board review was a Centurion Service Agreement for the town hall Norstar telephone system. The current warranty on the phone system expires on March 25, 1998. The contract included four service options which consisted of Standard Service, Standard with Lightning Damage, Extended Service and Extended with Lightning Damage. After a brief discussion, the board advised the Town Manager verify if the town insurance covers lightning damage or service interruption for the phone utility. Once this information is obtained, the board can carefully discuss which service options, if any, will be necessary. No action was taken on this subject at this time.



BUDGET  
 AMENDMENT  
 #2-FY 1997-98:

Budget Amendment #2 incorporates grant funds the town has received for the Police Department into the budget. Grant funds in the amount of \$700.00 were received for safety vests and the town received \$300.00 for "In-Service" Police Training.

AN ORDINANCE AMENDING THE TOWN OF NORTH  
 TOPSAIL BEACH BUDGET ORDINANCE FOR FISCAL  
 YEAR 1997-98

BE IT ORDAINED BY THE TOWN OF NORTH TOPSAIL BEACH BOARD OF ALDERMEN MEETING IN REGULAR SESSION THIS 5TH DAY OF MARCH 1998, THAT THE BUDGET ORDINANCE FOR FISCAL YEAR 1997-98 ADOPTED JUNE 5, 1997, AMENDED JANUARY 6, 1998, IS HEREBY AMENDED AS FOLLOWS:

GENERAL FUND - EXPENDITURES:

Governing Body	61,890.00
Administration	164,671.00
Elections	2,500.00
Inspections/Zoning	126,761.00
Public Buildings	154,900.00
Police Department	410,634.00*
Public Works	74,810.00
Utilities	16,300.00
Street Improvements (Powell Bill)	215,349.00
Sanitation	101,200.00
Recreation	12,100.00
Fire Department	264,194.00
Committees	52,638.00
Contingency	<u>15,500.00</u>
Total	<u>1,674,947.00</u>

General Fund - Revenues:

Beach Renrsh/Dune Stabilization	52,638.00
Taxes Budget Year 1997	456,201.00
Prior Years Taxes	61,222.00
Inventory Tax Reimbursement	35,000.00
Tax Penalties/Interest	22,000.00
Privilege License	3,500.00
Cable Franchise	9,000.00
Interest - Investments	70,000.00
Miscellaneous	10,000.00
Miscellaneous Permits	250.00
Payment Lieu of Open Space	3,000.00
Utilities Franchise Tax	63,000.00
Intangible Property Tax	26,000.00
Beer & Wine Tax	6,000.00
Powell Bill Allocation	37,000.00
Local Option Sales Tax	76,000.00
Local Option Sales Tax - Onslow County	66,000.00
Mosquito Control Grant	11,500.00
Building Permits	45,000.00
LUP Grant	10,000.00
Mechanical Permits	20,000.00
Electrical Permits	20,000.00
Plumbing Permits	15,000.00
Homeowners Recovery Fund	200.00
Inspection Fees	300.00
CAMA Permits Local	7,000.00
CAMA Permits - Reimb. State	19,000.00
Tax Refunds - Sales	15,000.00
Tax Refunds - Gasoline	7,000.00
Other State Revenues	2,500.00
Officer Fees & Violations	5,000.00
Fund Balance Appropriated	<u>500,636.00*</u>

Total 1,674,947.00

DULY ADOPTED; THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1998.

A motion was made by Alderman Otis Sizemore and seconded by Mayor Pro Tem Steve Smith to adopt Budget Amendment #2, Fiscal Year 1997-98. Passed unanimously.

DONATION  
REQUEST:

The Board was presented with a donation request from the Greater Topsail Island Chamber of Commerce & Tourism for a hole sponsorship in their upcoming Celebrity Golf Tournament. A motion was made by Alderman Peter Hillyer and seconded by Mayor Pro Tem Steve Smith to contribute \$100.00 for a hole sponsorship in the Celebrity Golf Tournament. Passed unanimously.

RESOLUTION/  
ON SLOW  
COUNTY-AD  
VALOREM TAX  
BILLS:

The following resolution was presented to the Board of Aldermen:

North Carolina  
County of Onslow

RESOLUTION TO FORGO COLLECTION OF  
MINIMAL AD VALOREM TAX BILLS

WHEREAS, N.C.G.S. 105-321 (F) allows counties to forgo collection of Ad Valorem tax bills that do not exceed an amount up to (\$5.00).

WHEREAS, the cost of billing is estimated to exceed \$3.00 on Ad Valorem bills rendered in Onslow County.

THEREFORE, BE IT RESOLVED that the Board of Commissioners directs the County Tax Administrator not to render Ad Valorem Tax bills where the total bill including municipal and special district taxes does not exceed \$3.00.

THEREFORE, BE IT FURTHER RESOLVED that the Tax Administrator keep a record of the taxpayers and the amount of taxes not billed by the county and report to the Board of Commissioners as part of the settlement for the year.

This resolution shall be effective on July 1, 1998, and shall remain in effect until amended or repealed by resolution of the taxing unit.

Adopted this the 20th day of January 1998.

Onslow County Board of Commissioners

ORIGINAL  
SIGNATURE

Anthony M. Padgett, Chairman

ATTEST

ORIGINAL  
SIGNATURE

Marianne M. Reeves  
Deputy Clerk to the Board

A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Joe Vecchione to adopt said resolution. Passed unanimously.

DISCUSSION/  
POSSIBLE  
ACCOMMODATIONS  
TAX FOR NORTH  
TOPSAIL BEACH:

This item was included for discussion to initiate the process of a possible accommodation tax for the Town of North Topsail Beach. Town Attorney Bill Fuss commented that under state law there are specific procedures that must be met before a resolution of this nature can be passed. He advised that he would begin the process by consulting with local and state representatives at an upcoming meeting on March 11, 1998. Mr. Fuss also stated that he would meet with the board once he has all parameters on the subject. Board consensus was to allow the Town Attorney to begin the process of establishing a possible accommodations tax for the town and all available information could be reported in an upcoming workshop.

MANAGER'S  
REPORT:

1. I AM CURRENTLY WORKING ON EMPLOYEE EVALUATIONS. THEY SHOULD BE COMPLETED WITHIN THE NEXT WEEK.

- 2. THE STAFF AND I ARE WORKING ON THE PROPOSED BUDGET FOR FISCAL YEAR 1998-1999. THIS WILL BE PRESENTED TO THE BOARD AT THEIR APRIL BOARD MEETING.
- 3. OUR STREET REPAIR IS ALMOST COMPLETED. THE CONTRACTOR SHOULD BE THROUGH WITHIN THE NEXT WEEK. STREETS WERE REPLACED TO PRE-STORM CONDITION. SOME RESIDENTS HAVE REQUESTED THEIR STREETS BE PAVED RATHER THAN ROCKED. DURING FISCAL YEAR 1998-99 CONSIDERATION SHOULD BE GIVEN TO PAVING THESE STREETS WITH POWELL BILL FUNDS.
- 4. THE STATE HAS ADVISED US THAT THE TOWN SHOULD EXPEND THE FUNDS FOR BEACH GRASS AND SAND FENCE AND THEN REQUEST REIMBURSEMENT FROM THE STATE. CONSIDERING OUR MAJOR EXPENSES SINCE THE STORM, WE HAVE REQUESTED THE STATE PROVIDE US FUNDS UP FRONT FOR THIS PROJECT. THEY ARE CONSIDERING OUR REQUEST AND WILL PROVIDE US WITH A DETERMINATION WITHIN THE NEXT FEW DAYS.
- 5. THE COUNTY HAS REQUESTED THE BOARD REAFFIRM BILL POE AS OUR REPRESENTATIVE ON THE E911 COMMITTEE.

A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Joe Vecchione to recommend Bill Poe to previous position on the E911 Committee. Passed unanimously.

- 6. NOW THAT THE AUDIT FOR FISCAL YEAR HAS BEEN COMPLETED THE STAFF WILL PREPARE A BUDGET AMENDMENT FOR THE BOARD TO BRING REMAINING FUNDS FROM THE DUNE DESIGNATION, TOWN HALL CONSTRUCTION, POWELL BILL AND CROSSOVER REPAIR INTO THIS YEARS BUDGET. THIS WILL BE PRESENTED TO THE BOARD AT THEIR APRIL MEETING.

ATTORNEY'S  
REPORT:

Town Attorney Bill Fuss took this opportunity to thank the Board of Aldermen for their trust in him as the new attorney for the Town of North Topsail Beach. He also advised the Board that he would be in contact with former attorney Lynn Coleman to receive information on pending projects such as Falcon Cable. Mr. Fuss also informed the Board that he had completed the document packet for the financing of the Fire Department vehicle.

ALDERMEN'S  
REPORT:

Otis Sizemore: Expressed that he was pleased to hear such positive things from the Town Attorney.

Steve Smith: Welcomed Mr. Fuss as our new Town Attorney and thanked the citizens for coming out for the meeting.

MAYOR'S  
REPORT:

Marty Bostic: Welcomed Bill Fuss as the new Town Attorney and discussed holding a farewell party for Town Manager Ann Vause. It was decided that the party would be held at Roger's Bay Campground on Sunday, March 29, 1998 from 3:00 p.m. on with the details to be worked out at a later date. Mayor Bostic also thanked the Town Attorney for the information and research provided for an accommodations tax for the Town of North Topsail Beach.

OPEN FORUM/  
CITIZENS  
REQUEST:

Ann Penta: Questioned if persons caught crossing the dunes were being seen and ticketed.

Wade Chestnut: Commented on a possible contingency plan for the pushing of the dunes.

ADJOURNMENT:

A motion was made by Alderman Otis Sizemore and seconded by Alderman Joe Vecchione to adjourn the meeting at 9:35 p.m. Passed unanimously.

Rich Etheridge - Town Clerk

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**Town of North Topsail Beach  
Special Meeting  
March 12, 1998**

PRESENT: Mayor Marty Bostic, Mayor Pro Tem Steve Smith, Alderman Peter Hillyer,  
Otis Sizemore, Joe Vecchione  
(Barbara Haynes on military duty)

CLOSED  
SESSION: A motion was made by Alderman Joe Vecchione and seconded by  
Alderman Peter Hillyer to enter into closed session at 6:15 pm at the North  
Topsail Beach Town Hall to discuss personnel issues. Passed unanimously.

\*\*\*\* NO ACTION TAKEN

MEETING WAS RECESSED UNTIL MARCH 20 1998 6:30 PM

PRESENT: Mayor Marty Bostic, Mayor Pro Tem Steve Smith, Alderman Peter Hillyer,  
Otis Sizemore, Joe Vecchione  
(Barbara Haynes on military duty)

\*\*\*\* Personnel issues discussed  
\*\*\*\* NO ACTION TAKEN

MEETING WAS RECESSED UNTIL MARCH 23 1998 1:00 PM

PRESENT: Mayor Marty Bostic, Mayor Pro Tem Steve Smith, Alderman Peter Hillyer,  
Otis Sizemore, Joe Vecchione  
(Barbara Haynes on military duty)

\*\*\*\* Personnel issues discussed  
\*\*\*\* NO ACTION TAKEN

MEETING WAS RECESSED UNTIL MARCH 25 1998 6:30 PM

PRESENT: Mayor Marty Bostic, Mayor Pro Tem Steve Smith, Alderman Peter Hillyer,  
Otis Sizemore, Joe Vecchione  
(Barbara Haynes on military duty)

\*\*\*\* Personnel issues discussed  
\*\*\*\* NO ACTION TAKEN

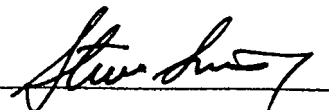
MEETING WAS RECESSED UNTIL APRIL 16 1998 6:30 PM

PRESENT: Mayor Marty Bostic, Mayor Pro Tem Steve Smith, Alderman Peter Hillyer,  
Otis Sizemore, Joe Vecchione, Barbara Haynes

\*\*\*\* Personnel issues discussed  
\*\*\*\* NO ACTION TAKEN

ADJOURNMENT:  
A motion was made Alderman Joe Vecchione and seconded by Alderman  
Barbara Haynes to adjourn the meeting at 9:00 pm., motion passed  
unanimously.

Submitted by Mayor Pro-tem Steve Smith

 4/16/98

Town of North Topsail Beach  
Budget Workshop  
March 23, 1998

PRESENT: Mayor Marlow F. Bostic, Jr., Mayor Pro Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes; Town Manager Ann Vause and Town Clerk Leigh Etheridge.

CONVOCAATION: Mayor Bostic called the meeting to order at 6:45 p.m. at the North Topsail Beach Town Hall and declared a full quorum present.

BUDGET  
WORKSHOP/  
FISCAL YEAR  
1998-99:

An unbalanced budget was presented to the Board of Aldermen so that the estimated revenues could be viewed in comparison with expenditure requests for all departments. The Board of Aldermen took this opportunity to discuss both the estimated revenues and expenditures with Town Manager Ann Vause and various department heads.

A general discussion was held on the following items with no definitive action taken:

1. Current Year Taxes
2. Refuse Collection
3. FEMA Reimbursement
4. Governing Body
5. Administration
6. Inspections
7. Public Facilities
8. Police Department

It was decided that detailed information was needed for any line item expenditure amounts that were questioned. These line items range from salaries to capital outlay. After the discussion Mayor Bostic recommended the meeting be recessed until Monday, March 30, 1998 at 6:30 p.m.

RECESS: The meeting recessed at 9:25 p.m.

*Leigh Etheridge - Town Clerk*



Town of North Topsail Beach  
Budget Workshop  
March 30, 1998

**PRESENT:** Mayor Marlow F. Bostic, Jr., Mayor Pro Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes; Interim Town Manager Gus Ulrich and Town Clerk Leigh Etheridge.

**CONVOCATION:** Mayor Bostic called the meeting to order at 6:40 p.m. at the North Topsail Beach Town Hall and declared a full quorum present.

**BUDGET  
WORKSHOP/  
FISCAL YEAR  
1998-99:**

A balanced budget was presented to the Board of Aldermen at this Budget Workshop whereas an unbalanced budget was presented at the first workshop held March 23, 1998. The Board of Aldermen took this opportunity to discuss the balanced budget and its changes. Questions and comments were discussed for the revenue side as well as each department on the expenditure side. Changes that were made would be noted within the budget and presented at the next budget workshop.

A general discussion was held on the following items with no definitive action taken:

1. Tax Liability for the Town
2. Taxes Budget Year
3. Local Option Sales Tax
4. Building Permit Fees
5. Refuse Collection
6. Governing Body
7. Administration
8. Inspections
9. Public Facilities
10. Police Department
11. Public Works
12. Utilities
13. Street Improvements
14. Sanitation
15. Special Projects/Grants
16. Fire Department

The Board of Aldermen authorized Interim Manager Gus Ulrich to make any necessary corrections to the budget as discussed at this workshop. At this time, Mayor Bostic recessed the workshop until Monday, April 6, 1998 at 6:30 p.m.

RECESS:

The meeting recessed at 9:45 p.m.

Town of North Topsail Beach  
Regular Board Meeting  
April 2, 1998

**PRESENT:** Mayor Marlow F. Bostic, Jr., Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes; Interim Town Manager Gus Ulrich, Town Attorney Bill Fuss and Town Clerk Leigh Etheridge.

**CALL TO ORDER:** Mayor Bostic called the regular meeting to order at 7:00 p.m at the North Topsail Beach Town Hall and declared a full quorum present.

**INVOCATION:** Mayor Pro Tem Steve Smith led the pledge of allegiance.

**APPROVAL OF AGENDA:** The following additions were made:

- Add as item 7.f (new business) - The Closing of Haven Street;
- Add as item 7.g. (new business) - Request for Public Hearing Date for the proposed FY 1998-99 Budget;
- Add as item 7.h. (new business) - Discussion on Dune Renourishment.

A motion was made by Alderman Peter Hillyer and seconded by Alderman Barbara Haynes to approve the agenda as amended. Passed unanimously.

**APPROVAL OF MINUTES:**

- a. Regular Meeting held March 5, 1998:  
A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Otis Sizemore to approve minutes as written. Passed unanimously.
- b. Budget Workshop held March 23, 1998.  
A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to approve minutes as written. Passed unanimously.

ONSLow  
HEALTH  
SERVICES HOME  
CARE:

Phyllis Starzynski and Donna Cowart addressed the Board of Aldermen with a brief presentation about Onslow Health Services Home Care and what this service provides for persons in seven surrounding counties. Home Care services are available to any patient who is too sick to care for themselves, a patient who is home bound or a patient that needs special treatments. The scope of these services was also discussed and Ms. Starzynski and Ms. Cowart thanked the Board and the citizens for their time and for allowing this presentation.

PLANNING  
BOARD  
REPORT:

Mr. Bill O'Donnell reported that the Planning Board last met on March 24, 1998 and the following item was discussed:

- A discussion was held to obtain the general consensus of the Planning Board members concerning the rezoning of an area known as the Barton College Tract land on SR 1568 owned by Sonny Johnson and others. It was the consensus of the Planning Board that in the future a building plan for this tract of land would be acceptable if it came before them and met the following conditions:

Re-zoned at R-10 Conditional with the following conditions:

- Single Family Dwelling
- Maximum Density # of lots = 9
- Open Space Dedication
- Sewer Taps Be Paid
- Improvements to Land (streets, street lights)
- Maximum # of Lots = 8
- Protect and Maintain Wetlands

No other items of business were discussed. The Planning board meeting adjourned at 8:20 p.m.

RESOLUTION/  
3-TOWN  
COMMUNICATION  
SYSTEM:

The following resolution was presented to the Board of Aldermen:

RESOLUTION TO ESTABLISH A MAINTENANCE AGREEMENT  
BETWEEN THE 3-TOWNS FOR THE EMERGENCY  
COMMUNICATION SYSTEM INSTALLED BY WILMINGTON  
COMMUNICATIONS ON WATER TANK LOCATED IN THE TOWN OF  
HOLLY RIDGE, N.C.

Whereas, the Town of Holly Ridge, North Topsail Beach and Town of Topsail Beach mutually acknowledge that, the cooperative undertaking of the emergency communications system purchased from Wilmington Communications shall incur damages and maintenance costs from time to time.

Whereas, the Town of Holly Ridge, North Topsail Beach and Town of Topsail Beach agree to share equally such costs of repairs or maintenance required to the antenna or repeater system in order to maintain the current level of service during the course of using this system and frequency.

Whereas, at the time such expenses are incurred notification will be given to each town of the estimated cost in repairs and upon mutual agreement from all (3) towns repairs will be authorized.

Whereas, after the satisfactory work is completed payment of one third of the cost of repairs will be paid directly to the company by each town.

**THEREFORE, BE IT RESOLVED,** That the Town Council of the Town of North Topsail Beach, North Carolina, adopts this Resolution declaring its share of obligation to any mutually agreed expenses which may occur to the 3-Towns Emergency Communications System.

Witnessed this the 2<sup>nd</sup> day of April, 1998 in Onslow County.

By:

Attest:

**ORIGINAL  
SIGNED****ORIGINAL  
SIGNED**\_\_\_\_\_  
Mayor\_\_\_\_\_  
Town Clerk

A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Peter Hillier to adopt the resolution for the 3-Town Communication System. Passed unanimously.

PROCLAMATION/  
LITTER SWEEP:

STATE OF NORTH CAROLINA

COUNTY OF ONSLOW

A PROCLAMATION  
LITTER SWEEP 1998

WHEREAS, North Carolina's beautiful scenery and clean environment are a source of great pride, attracting tourists and aiding in recruiting new industries; and

WHEREAS, the North Carolina Department of Transportation's Office of Beautification Programs organizes a statewide cleanup campaign each spring and fall to ensure clean roadsides throughout our state; and

WHEREAS, a spring cleanup campaign has been planned for April 17-30, 1998, to help educate the public about the harmful effects of litter on the environment and give every citizen the opportunity to take responsibility for clean roads in North Carolina; and

WHEREAS, this year's spring and fall cleanups will be especially meaningful as 1998 marks the 10th anniversary of the Adopt-A-Highway program in North Carolina. The program began with a few hundred groups and has grown to approximately 6,000 groups. More than 200 Adopt-A-Highway groups have been cleaning their adopted highways since the program in 1988;

NOW, THEREFORE, I, MARLOW F. BOSTIC, JR., Mayor of the Town of North Topsail Beach, North Carolina, do hereby proclaim April 17-30, 1998, as "LITTER SWEEP" in North Topsail Beach, North Carolina, and urge citizens to acknowledge the fine work of beautification groups and aid them in their valued efforts.

ORIGINAL  
SIGNED

Marlow F. Bostic, Jr. - Mayor

this 2nd day of April, 1998

ORIGINAL  
SIGNED

Attest: \_\_\_\_\_

Town Clerk

A motion was made by Alderman Peter Hillyer and seconded by Mayor Pro Tem Steve Smith to approve the "LITTER SWEEP" proclamation. Passed unanimously.

BUDGET  
AMENDMENT  
#3/FY 1997-98:

Budget Amendment #3 FY 1997-98 was presented to the Board of Aldermen in order to bring allowed funds forward from fiscal year 1996-97.

AN ORDINANCE AMENDING THE TOWN OF NORTH  
TOPSAIL BEACH BUDGET ORDINANCE FOR FISCAL YEAR  
1997-98

BE IT ORDAINED BY THE TOWN OF NORTH TOPSAIL BEACH BOARD OF ALDERMEN MEETING IN REGULAR SESSION THIS 2ND DAY OF APRIL, 1998 THAT THE BUDGET ORDINANCE FOR FISCAL YEAR 1997-98 ADOPTED JUNE 5, 1997, AMENDED JANUARY 6, 1998, AMENDED MARCH 5, 1998, IS HEREBY AMENDED AS FOLLOWS:

GENERAL FUND - EXPENDITURES:

Governing Body	61,890.00
Administration	164,671.00

Elections	2,500.00
Inspections/Zoning	143,511.00*
Public Facilities	275,108.00*
Police Department	410,634.00
Public Works	90,310.00*
Utilities	16,300.00
Street Improvements (Powell Bill)	272,717.00*
Sanitation	101,200.00
Recreation	12,100.00
Fire Department	264,194.00
Committees	1,500.00
Dune Renourishment/Stabilization	52,638.00
Hurricane Fran Expenses	228,552.00
Contingency	0
SUB-TOTAL	2,097,825.00
Police Asset Acct	11,539.00*
	<hr/>
TOTAL	2,109,364.00

GENERAL FUND - REVENUES:

Dune Renourishment/Stabilization	52,638.00
Taxes-Budget Year 1997	456,201.00
Prior Years Taxes	61,222.00
Inventory Tax Reimbursement	35,000.00
Tax Penalties/Interest	22,000.00
Privilege License	3,500.00
Cable Franchise	9,000.00
Interest - Investments	70,000.00
Miscellaneous	10,000.00
Miscellaneous Permits	250.00
Payment - Lieu of Open Space	3,000.00
Utilities Franchise Tax	63,000.00
Intangible Property Tax	26,000.00
Beer & Wine Tax	6,000.00
Powell Bill Allocation	37,000.00
Local Option Sales Tax	76,000.00
Local Option Sales Tax - Onslow County	66,000.00
Mosquito Control Grant	11,500.00
Building Permits	45,000.00



LUP Grant	10,000.00
Mechanical Permits	20,000.00
Electrical Permits	20,000.00
Plumbing Permits	15,000.00
Fund Bal. Forward-Hurricane Bertha Funds	30,908.00*
Hurricane Fran Reimbursements	228,552.00*
Insurance Reimbursement - Vehicle	16,750.00*
Fund Bal. Forward-Powell Bill 96/97	57,368.00*
Fund Bal. Forward-Town Hall Const. Escrow	89,300.18*
NCLM Grant	700.00
In-House Training - Police	300.00
Homeowners Recovery Fund	200.00
Inspection Fees	300.00
CAMA Permits Local	7,000.00
CAMA Permits Reimb. State	19,000.00
Tax Refunds - Sales	15,000.00
Tax Refunds - Gasoline	7,000.00
Other State Revenues	2,500.00
Officer Fees & Violations	5,000.00
Fund Balance Appropriated	<u>499,636.00</u>
SUB-TOTAL	2,097,825.00
Fund Bal. Forward Police Asset Acct.	<u>11,539.00*</u>
 TOTAL	 2,109,364.00

DULY ADOPTED THE 2nd DAY OF April, 1998.

Following a brief discussion, a motion was made by Alderman Peter Hillyer and seconded by Alderman Otis Sizemore to approve Budget Amendment #3 FY 1997-98. Passed unanimously.

**CROSSOVER  
REPAIR:**

CAMA/Zoning Administrator Terri Potts:

A meeting was held to discuss the replacement of the crosswalks within the Town. To follow, for your review, are the results of the meeting.

With the limited funds available, the committee is respectfully submitting that the following crosswalks be put back as "hard" structures: They are numbered as to beginning of construction.

- |                        |  |
|------------------------|--|
| 1) TOPSAIL REEF        | this structure needs only minor repair.  |
| 2) OYSTER LANE         | this structure needs only minor repair.  |
| 3) ROYAL DUNES**       | ** these two properties have extremely heavy foot traffic, even with the proximity of the County access.**   |
| 4) SEA DUNES**         |  |
| 5) TOPSAIL ROAD/2ND    | this location would appear to be sufficient for a handicapped ramp.  |
| 6) OCEAN SOUND VILLAGE | has an existing structure, needs minor repair.   |
| 7) SCOTCH BONNET PIER  | 10' easement/this area is high traffic, uncontrolled and will suffer severe damage this season. Hard structure here is a must.                       |
| 8) GREEN STREET        | 10' easement/possible handicapped ramp, there is an agreement of record that the Town will install and maintain a wooden structure at this location. |

The following areas will be earthen crosswalks until the funds are available to allow for the construction of wooden structures.

- |   |   |
|---|---|
| UTOPIA STREET<br>OCEAN CITY PIER  | (with the construction of the new pier a walkway will be added beside the pier next to VOSS)                |
| GRAY STREET<br>10TH AVENUE<br>6TH AVENUE<br>ROGER'S BAY<br>180 TOPSAIL ROAD<br>JENKINS WAY AREA | (next to St. Moritz)<br><br>(donated lot with a concrete pad on it/future site of a gated Emergency Access) |

Several bids have been received for the crosswalks. Due to the condition of the sand dunes, an exact dimensional, consistent construction plan could not be made. Each site must be evaluated separately. Due to the limited funds and the amount of time that remains before turtle season, the Committee recommends awarding the contract to the lowest bidder.

After a brief discussion on the crosswalk information presented, Board consensus was to table this item and include on the next regular meeting agenda with cost figures and individual bid information on the crossover.

PLANNING  
BOARD  
REAPPOINT-  
MENTS:

Two Planning Board vacancies were presented to the Board of Aldermen. These vacancies became available due to the expiration of term date. After a very brief discussion, it was the consensus of the Board to advertise these positions and give interested citizens the opportunity to apply before any reappointments are filled. It was decided to include this subject on the agenda for the next regular meeting.

CLOSING  
OF HAVEN  
STREET:

On February 5, 1998, and March 5, 1998, respectively, the Board of Aldermen held public hearings to receive citizen input for the closing of the Northern 200 feet of Haven Street. The formal order and findings of fact for the closing of this street were presented to the Board from the Town Attorney. A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Peter Hillyer to close the northern 200 feet of Haven Street. Passed unanimously.

REQUEST  
FOR PUBLIC  
HEARING  
DATE:

A request was made to set a public hearing date for the proposed Fiscal Year 1998-99 budget. The date was set for Thursday, May 7, 1998, at 6:30 p.m., before the next regular meeting.

DISCUSSION/  
DUNE

RENOURISHMENT: This item was added to discuss the status of the renourishment efforts in the Town and the concerns of the citizens. Discussions were held about the critical areas in the town that need pushing and alternative plans for the town to assist the citizens with this project. Mayor Bostic advised that currently, there are not enough funds for extensive pushing. However, the Town can concentrate on the worst areas. After a discussion, it was decided to consider additional pushing and allocate duplicate funds as

*Handwritten signature*

before of up to \$8500.00 to push the most crucial areas within the town. A motion was made by Alderman Otis Sizemore and seconded by Alderman Joe Vecchione to allow the Interim Town Manager to go out for informal bids of up to \$8500.00 to push dunes with the first priority being Ocean City. Passed unanimously.

**MANAGER'S  
REPORT:**

Interim Town Manager Gus Ulrich:

Stated that he enjoyed his first few days working with the Town and he described the staff as being very enthusiastic and conscientious about their work.

He also advised the Board that he was contacted by an individual inquiring if the town was interested in having our facilities placed on a local promotion map for \$195.00. Mr. Ulrich suggested the Board think the proposal over and get back to him next week.

**ATTORNEY'S  
REPORT:**

Town Attorney Bill Fuss:

Reported on the following items he completed or was still researching from the last regular meeting:

- Galleon Bay Easements
- Land Donation-Lot 2, Block D, Seahaven Beach
- Accomodation Tax Proposed Resolution
- Myrtle Drive Lots and Access
- Dune Crossing Ordinance
- Interim Manager Agreement
- Proposed Order to close Haven Street

Mr. Fuss apologized for any items that were not completed such as the dune ordinance. Items such as this require more research before they can be properly executed.

He also advised the Board of a discussion of a merger between Falcon Cable and TCI Companies. Mr. Fuss stated that not much is known about the specifics of the merger, but they must have approval from the Board of Aldermen. He further stated that he is reviewing the details of the merger and requested approval to prepare a letter to Mr. Joe Johnson to put on

to Mr. Johnson concerning the cable merger.

**MOTION  
TO HIRE  
INTERIM  
MANAGER:**

The Interim Manager Contract was presented to the Board of Aldermen in the Attorney's report. At this time, a motion was made by Aldermen Otis Sizemore and seconded by Mayor Pro Tem Steve Smith to hire Mr. Ulrich as Interim Town Manager under contract. Passed unanimously.

At this time, a brief discussion was held concerning the proposed Accomodations Tax Resolution as mentioned in the Attorney's Report. A public hearing date was set for Monday, May 4, 1998 at 6:30 p.m. to receive citizen input on the proposal.

**ALDERMEN'S  
REPORT:**

Alderman Otis Sizemore:

Reminded citizens to attend the upcoming budget workshops.

Mayor Pro Tem Steve Smith:

Informed the citizens that the Board is still very busy interviewing potential candidates for the Town Manager position.

**MAYOR'S  
REPORT:**

Mayor Marty Bostic:

Officially welcomed Gus Ulrich on board and encouraged the citizens to attend the budget workshops with any questions or comments.

**OPEN FORUM/  
CITIZENS  
REQUEST:**

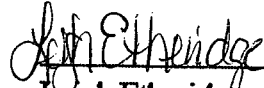
Ann Penta:

Requested the Town put more police officers on the beach with the busy season approaching.

Bill O'Donnell:

Stated that he was pleased that the Town is pursuing an accomodations tax for North Topsail Beach.

ADJOURNMENT: A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Joe Vecchione to adjourn the meeting at 8:30 p.m. Passed unanimously.



---

Leigh Etheridge - Town Clerk

Town of North Topsail Beach  
Budget Workshop  
April 6, 1998

**PRESENT:** Mayor Marlow F. Bostic, Jr., Mayor Pro Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes; Interim Town Manager Gus Ulrich and Town Clerk Leigh Etheridge.

**CONVOCATION:** Mayor Bostic called the meeting to order at 6:30 p.m. at the North Topsail Beach Town Hall and declared a full quorum present.

**BUDGET  
WORKSHOP/  
FISCAL YEAR  
1998-99:**

A reformatted budget reflecting the results of the March 30, 1998 workshop was presented to the Board of Aldermen for review. Interim Manager Gus Ulrich advised the Board that the revised budget was very close to being balanced with the exception of a few minor items.

A general discussion was held on the following items with no definitive action taken:

- 1. Sanitation/Refuse Collection
- 2. Possible Financing of Future Town Vehicles
- 3. Public Works
- 4. Police Department
- 5. Fire Department
- 6. Inspections

Mayor Bostic announced that this budget workshop would be recessed until April 15, 1998 at 6:30 p.m.

**RECESS:** The meeting recessed at 9:25 p.m.

Town of North Topsail Beach  
Budget Workshop/Special Meeting  
April 15, 1998

**PRESENT:** Mayor Marlow F. Bostic, Jr., Mayor Pro Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes; Interim Town Manager Gus Ulrich and Town Clerk Leigh Etheridge.

**CONVOCATION:** Mayor Bostic called the meeting to order at 6:30 p.m. at the North Topsail Beach Town Hall and declared a full quorum present.

**ADDITION  
TO AGENDA:**

Mayor Bostic announced that a brief discussion would be held on the subject of the Galleon Bay Project at the conclusion of the workshop and that immediately following the workshop a closed session would be held to discuss the prospective Town Manager position.

**BUDGET  
WORKSHOP/  
FISCAL YEAR  
1998-99:**

A complete reformatted balanced budget reflecting the results of the April 6, 1998 workshop was presented to the Board of Aldermen for review. At this time, Interim Manager Gus Ulrich reviewed any details and changes that were made to the proposed budget.

A general discussion was held on the following items with no definitive action taken:

1. Sanitation/Refuse Collection
2. Public Facilities
3. Street Repairs
4. Public Works
5. Inspections
6. Fire Department
7. Beach Renourishment

**GALLEON BAY  
PROJECT:**

A very brief discussion was held concerning the utilization of suitable sand from the Galleon Bay spoil site. The consensus of the board was to leave the Galleon Bay Project alone and authorize CAMA/Zoning Administrator Terri Potts to push the Galleon Bay area south.



A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to close the budget workshop. Passed unanimously.

**CLOSED  
SESSION:**

A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to enter into closed session to discuss personnel issues. Passed unanimously.

**REGULAR  
SESSION:**

A motion was made by Alderman Barbara Haynes and seconded by Joe Vecchione to return to regular session. Passed unanimously.

Mayor Bostic announced that no action was taken in closed session.

**ADJOURNMENT:**

A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to adjourn the meeting at 9:45 p.m. Passed unanimously.

Town of North Topsail Beach  
Special Meeting  
April 20, 1998

PRESENT: Mayor Marty Bostic, Mayor Pro Tem Steve Smith, Alderman Peter Hillyer,  
Otis Sizemore, Joe Vecchione, Barbara Haynes

CLOSED

SESSION: A motion was made by Alderman Peter Hillyer and seconded by  
Alderman Joe Vecchione to enter into closed session at 6:30 pm at the North  
Topsail Beach Town Hall to discuss personnel issues. Passed unanimously.

REGULAR

SESSION: A motion was made by Alderman Barbara Haynes and seconded by  
Alderman Otis Sizemore to enter into regular session at 7:30 pm at the North  
Topsail Beach Town Hall to discuss personnel issues. Passed unanimously.

\*\*\*\*

A motion was made by Alderman Barbara Haynes and seconded by  
Alderman Joe Vecchione to offer the position of Town Manager to Mr. Calvin  
Peck at a salary of 45,000 dollars. Passed unanimously. Mr. Peck was contacted  
via phone and the offer faxed to him.

ADJOURNMENT:

A motion was made by Alderman Joe Vecchione and seconded by  
Alderman Barbara Haynes to adjourn the meeting at 8:30 p.m.,  
motion Passed unanimously.

Submitted by Mayor Pro-Tem Steve Smith

 4/20/98

Town of North Topsail Beach  
Special Meeting  
April 24, 1998

**PRESENT:** Mayor Marty Bostic, Mayor Pro Tem Steve Smith, Alderman Peter Hillyer, Otis Sizemore, Joe Vecchione, Barbara Haynes

**CLOSED**

**SESSION:** A motion was made by Alderman Otis Sizemore and seconded by Alderman Joe Vecchione to enter into closed session at 5:30 pm at the North Topsail Beach Town Hall to discuss personnel issues. Passed unanimously.

**REGULAR**

**SESSION:** A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to enter into regular session at 6:30 pm at the North Topsail Beach Town Hall to discuss personnel issues. Passed unanimously.

\*\*\*\*

A motion was made by Alderman Otis Sizemore and seconded by Alderman Barbara Haynes to offer the position of Town Manager to Mr. Todd Powell at a salary of 45,000 dollars. Passed unanimously. Mr. Powell was contacted via phone and the offer faxed to him.

\*\*\*\*

A motion was made by Alderman Otis Sizemore and seconded by Alderman Barbara Haynes to increase present town employees salaries by or to:

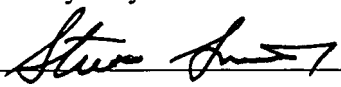
- a) Chiefs Police & Fire \$1,000 for fiscal year 98-99.
- b) Assistant Chiefs Police & Fire to \$30,000 per year.
- c) Police Sergeants to \$25,200 per year (Note pay to be retroactive to the date when promotion was achieved).
- d) New Police Officers starting salary \$20,000 per year (Note after one year probation salary to be increased to \$21,200).
- e) All other town employees 2.5% increase in salary.

Motion passed unanimously.

**RECESSED:**

At 8:00 pm Mayor Bostic recessed the meeting until April 29 at 6:30 pm.

Submitted by Mayor Pro-Tem Steve Smith

 4/24/98

# Town of North Topsail Beach Special Meeting April 29 1998

**Present:** Mayor Marty Bostic, Mayor ProTem Steve Smith, Alderman Peter Hillyer, Otis Sizemore, Joe Vecchione, Barbara Haynes

## Regular

**Session:** Mayor Bostic called the meeting back to order at 6:30 pm.

\*\*\*\* A motion was made by Mayor ProTem Steve Smith and seconded by Alderman Joe Vecchione to pass a Resolution to endorse the County wide Sewage System, motion passed unanimously.

\*\*\*\* A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to award the dunes crossover construction contract to Edens Construction Company, motion passed unanimously.

\*\*\*\* A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to recend the job position of Town Manager to Todd Powell, motion passed unanimously.

\*\*\*\* A motion was made by Alderman Otis Sizemore and seconded by Alderman Joe Vecchione to offer the position of Town Manager to Bradley Smith, motion passed unanimously.

\*\*\*\* The Board of Aldermen are dissatisfied with the job performance of interim Public Works Director Kermit Matthews, and the wishes of the board is to place John Tew in charge of Public Works for a probation period of six months, and that his pay per hour be increased to equal Kermit Matthews current hourly wages, after extensive discussion,  
A motion was made by Alderman Joe Vecchione and seconded by Mayor Pro-Tem Steve Smith to place John Tew in charge of Public Works, for a probation period of six months, motion passed unanimously.

## Adjounment:

A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to adjourn at 8:30 pm, passed unanimously.

Submitted by: Mayor Pro-Tem Steve Smith Steve Smith 4/29/98

Town of North Topsail Beach  
Public Hearing  
May 4, 1998

**PRESENT:** Mayor Marlow F. Bostic, Jr., Mayor Pro Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes; Interim Town Manager Gus Ulrich, Town Attorney Bill Fuss and Town Clerk Leigh Etheridge.

**CONVOCATION:** Mayor Bostic called the meeting to order at 6:40 p.m. at the North Topsail Beach Town Hall and declared a full quorum present.

**PUBLIC HEARING/  
PROPOSED  
ACCOMMODATIONS  
TAX:**

The purpose of this public hearing was to receive citizen input on a resolution requesting a local act permitting the Town of North Topsail Beach to levy an accommodation tax. This accommodations tax would be levied at 3% within the town's corporate boundaries and the corresponding tax revenues may be used toward beach renourishment and erosion control.

At this time, Mayor Bostic opened the meeting for citizen comments.

Cathy Medlin:

Spoke on behalf of Patsy Jordan and the owners of rental properties within the area. She expressed that an additional 3% tax would be a burden and hardship on homeowners. She also stated that she felt the county should be more generous in remitting a portion of the county's accommodations tax revenue to North Topsail Beach.

Bill O'Donnell:

Stated that he was in favor of the accommodations tax for North Topsail Beach because he thinks it is time for the town to stop carrying all the burden from tourism and since the town receives no assistance from the county. He also stated that it was okay to charge the property owners who rent out these units because they receive a tremendous benefit from the money this town spends to attract owners and renters. Finally, Mr. O'Donnell expressed that The Town of North Topsail Beach deserves a 3% accommodations tax to help the town with bills incurred as part of tourism.

Reid Flinchum:

Mr. Flinchum announced that he was a representative from the Onslow County Tourism Board and also with the NC Hotel and Motel Association. He stated that his main interest was how the town would write and propose the bill. He also stated that Onslow County opposes any additional tax unless the revenues are used in accordance with all legislative guidelines.

Dan Tuman:

Questioned how much money is raised that is passed on by the county and how much will be raised by the town if the resolution is approved?

Dave Riggs-Paragon Properties:

Stated that he disagreed with the proposed accommodations tax and felt that the town should be attacking the problem of "day-trippers" and those who do not live on the beach for increased costs instead of the seasonal tourists. He also stated that the town look into more aggressive promotions such as increasing the season or ad valorem taxes. Finally, Mr. Riggs stated that the accommodations tax was not good for commerce or the town on a long-term basis.

Joe McMillan- North Topsail Beach Homeowner's Association:

To: The Mayor and Aldermen of North Topsail Beach, NC  
From: Joseph McMillan, delegated by North Topsail Beach Homeowner's Association

Ladies and Gentlemen:

Having performed some rudimentary research on the subject of an accommodations tax, I have found that our two closest neighboring communities on our island both have an accommodations tax of 3%. However the two communities differ in their application of the monies collected.

Surf City places the money in the general fund and has earmarked it for "Recreation" and "2nd Week Garbage Pickup" and has told me that they have contributed twenty thousand dollars to the Chamber of Commerce from this fund in the past.

Topsail Beach has told me that the taxes collected in that community are

dedicated to their "Erosion Control Fund".

We in the North Topsail Beach Homeowner's Association realize that the simplicity and revenue raising potential appeals to any governing body in these times and perhaps the levying of this type of tax may be inevitable. If this is the case and indeed the tax is to become a fact. I would like to point out to you that the option of placing the money raised into an Anti-Erosion Fund is the only solution that our membership will support at this time. I would further point out that this solution is at the very heart of "The best interests of everyone who either lives here, rents out property here, or visits here for any period of time.

We realize there are many demands that can be made upon money not specifically dedicated to preservation of our island. The physical preservation that is.

We realize that these demands often seem like absolute priorities to those in government. A vehicle here, a few signs there, a new employee or piece of furniture or office equipment sometimes takes a precedence, or even an eloquent appeal from a charitable or a business oriented organization like the Chamber of Commerce would seem to merit a piece of this tax.

I once more must reiterate that although our membership is not entirely in favor of an accommodations tax, the only possible way that we as an organization will support it is if the collected monies are dedicated and stipulated in the enabling legislation that this is to go to and in addition to our present fund for the preservation of the physical topography and geography of this island which is without a doubt in all of our best interests.

Joseph D. McMillan  
Delegated by the North Topsail Beach  
Homeowner's Association

Jean Nociti:

Stated that both neighboring towns on the island collect accommodations tax for the promotion of tourism and the town should strive for the tax because in working with Onslow County tourism no dollars of the county tax come to North Topsail Beach.

Dan Turman:

Stated that he has always depended on the local community of an area to keep a rental home attractive by making the place viable so that it would be easily rented. He concluded by stating that he supports an occupancy tax if it is used as it is intended for maintenance of the beach and area.

With no further comments, the Mayor closed the public hearing.

ADJOURNMENT: A motion was made by Alderman Barbara Haynes and seconded by Mayor Pro Tem Steve Smith to adjourn the hearing at 7:25 p.m. Passed unanimously.

Leigh Etheridge - Town Clerk  
Leigh Etheridge - Town Clerk



Town of North Topsail Beach  
Public Hearing/Regular Board Meeting  
May 7, 1998

**PRESENT:** Mayor Marty Bostic, Mayor Pro Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes; Interim Town Manager Gus Ulrich, Town Attorney Bill Fuss and Town Clerk Leigh Etheridge.

**PUBLIC HEARING/  
PROPOSED BUDGET  
FY 1998-99:**

The purpose of this public hearing was to receive citizen comments on the 1998-99 proposed budget.

At this time, Mayor Bostic opened the floor for citizen comments.

Dan Tuman:

Felt that the residents should ultimately pay for the proposed fire ladder truck, not the town.

Bill O'Donnell:

Presented the following ideas to the Board:

- Give the maintenance of Highway 210 and State Road 1568 back to the state for maintenance
- Give compensatory time for police officers - eliminating excessive overtime pay
- Bring more employees up to a reasonable salaried pay - thus also eliminating overtime pay
- Have employee raises based solely on merit
- Stated that this is not the year to increase taxes for dune stabilization
- With the proposed occupancy tax, have the town consider ways to increase the rate of return on its fund balance by looking into different accounts
- Stated that the town has very fine employees; look at paying them adequately
- Discussed certain budgeted line items that he questioned the amount of changes within the budget.

Wade Chestnut:

Expressed his concern for the proposed tax increase in the 1998-99 fiscal year budget. He also stated that the town must build up the fund balance in

case of future emergencies.

Dana Scrivner:

Stated that he was in favor of the ladder pumper truck as presented in the fiscal year 1998-99 budget. He also thanked all of the employees for their hard work during the hurricanes and stated that he would support an increase in employee wages.

John Flynn:

Questioned the proposed contracting of refuse collection

Alderman Otis Sizemore:

Presented an analysis of where the town has stood financially over the past few years in comparison with current year figures as a result of regular operating expenditures and those incurred by the hurricanes of 1996.

Dan Tuman:

Suggested that the Board of Aldermen look at other ways to address line item figures when working in the budget workshops

A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to adjourn the public hearing at 7:25 p.m.. Passed unanimously.

RECESS: Mayor Bostic called a brief recess before the regular meeting.

CALL TO ORDER: Mayor Bostic called the regular meeting to order at 7:30 p.m. at the North Topsail Beach Town Hall meeting room and declared a full quorum present.

INVOCATION: A moment of silent prayer was observed.

APPROVAL OF AGENDA:

- The following additions were made to the agenda:
- 4.e. Minutes- Special recessed Meeting held March 12, 1998;
  - 4.f. Minutes- Public Hearing held May 4, 1998;
  - Old Business Item b.- Discussion and possible action on the accommodations tax resolution;
  - Request to address the board-Mike Rupert-Beautification Committee.

- New Business item e.- Discussion on handicapped persons driving on beach.
- Closed session to be held immediately after citizens forum.

A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Joe Vecchione to approve the agenda as amended. Passed unanimously.

APPROVAL  
OF MINUTES:

- a. Budget Workshop held March 30, 1998:  
A motion was made by Alderman Peter Hillyer and seconded by Alderman Barbara Haynes to approve minutes as written. Passed unanimously.
- b. Regular Meeting held April 2, 1998:  
A motion was made by Alderman Barbara Haynes and seconded by Mayor Pro Tem Steve Smith to approve minutes as written. Passed unanimously.
- c. Budget Workshop held April 6, 1998:  
A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to approve minutes as written. Passed unanimously.
- d. Budget Workshop held April 15, 1998:  
A correction was made to the heading of this set of minutes to read: Budget Workshop/Special Meeting. A motion was made by Alderman Otis Sizemore and seconded by Mayor Pro Tem Steve Smith to approve the minutes as amended. Passed unanimously.
- e. Special Recessed Meeting held March 12, 1998:  
A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to approve minutes as written. Passed unanimously.
- f. Public Hearing held May 4, 1998:  
Minutes were not approved due to a formatting problem. These will be included for approval at the June regular meeting.

REQUEST  
TO ADDRESS  
THE BOARD/  
SUE TUMAN:

Please see Attachment A.

REQUEST  
TO ADDRESS  
THE BOARD/  
MIKE RUPERT:

Mr. Mike Rupert addressed the Board of Aldermen to discuss the interests of many to restart the town's Beautification Committee. He advised that he and his wife, Lois, are currently working on setting up an organizational meeting to form this committee. He urged all interested citizens to become active in the Beautification program.

PLANNING  
BOARD REPORT:

Mr. Bill O'Donnell:  
Reported that the Planning Board met on April 28, 1998 to discuss the rezone request of the Barton College Tract of Land on State Road 1568. He stated that the Planning Board rejected their original request but did pass a motion approving the rezoning to a conditional use R10 with a list of conditions contained therein.

PLANNING  
BOARD/BOARD  
OF ADJUSTMENTS  
APPOINTMENTS:

Currently there are three vacant positions on the Planning Board and two available on the Board of Adjustments. After a brief discussion a motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Otis Sizemore to nominate Mr. John Flynn to replace the vacant position on the Planning Board held by Ms. Linda Knowles, with a term expiration date of April 7, 2000; and for Geraldean Walker to be reappointed to her position with a term expiration date of April 2, 2000. Passed unanimously. Before filling the unexpired term of Gerry Ager's position, the Board would like to have the opportunity to meet with Ms. Sue Nance, a potential nominee. The consensus of the Board was to fill Ms. Ager's position at the next month's meeting.

A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to reappoint Ms. Ann Penta to her expired position on the Board of Adjustments with a new term date of February 2,

2000. Passed unanimously.

It was the consensus of the Board to readvertise the vacant position on the Board of Adjustments held by Ms. Clara Bass.

**ACCOMMODATIONS**

**TAX RESOLUTION:** Town Attorney Bill Fuss presented a revised Accommodations Tax Resolution (98) to the Board of Aldermen for review. He stressed the importance of formally adopting this resolution in due time so that he may present it to Senator Patrick Ballantine and have the resolution enter the legislative process. After a very brief discussion, a motion was made by Alderman Otis Sizemore and seconded by Mayor Pro Tem Steve Smith to adopt the accommodations tax resolution as presented by the Town Attorney. Passed unanimously.

**CONTRACT  
TO AUDIT  
ACCOUNTS:**

Presented to the Board of Aldermen for approval was a contract from Mr. John A. Carraway, CPA, to audit the town's fiscal year 1997-98 records. A brief discussion was held by the Board members as to contract again with Mr. Carraway or search for a new auditor for the 1997-98 audit. A motion was made by Alderman Peter Hillyer and seconded by Alderman Otis Sizemore to approve John Carraway to audit the town's records for the 1997-98 fiscal year. Motion passed 4 to 1. Ayes were Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes. Voting nay was Mayor Pro Tem Steve Smith.

**REQUEST  
FOR PUBLIC  
HEARING  
DATE:**

A request was made to the Board of Aldermen to select a Public Hearing date to receive citizen input on the redone request for the Barton College Tract of land on State Road 1568. The date was set for June 4, 1998, at 6:30 p.m. before the next regular board meeting.

**RESOLUTION/  
SURPLUS  
PROPERTY:**

The following resolution was presented to the Board of Aldermen for approval:

RESOLUTION AUTHORIZING THE DISPOSITION OF CERTAIN PERSONAL PROPERTY BY PRIVATE SALE

WHEREAS, the Board of Aldermen of the Town of North Topsail Beach desires to dispose of certain surplus property of the town;

NOW, THEREFORE, BE IT RESOLVED by the Board of Aldermen that:

(1) The following described property is hereby declared to be surplus to the needs of the Town of North Topsail Beach:

1959 Ford F-700 Fire Truck Serial #F70D9U34994

(2) The Town Manager is authorized to dispose of the described property by private sale at a negotiated price.

(3) The Town Clerk shall publish notice summarizing this Resolution in accordance with G.S. 160A-267.

(4) The sale may be consummated not earlier than ten days from the date of publication.

DULY ADOPTED THIS 7th DAY OF MAY, 1998.

A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Joe Vecchione to adopt the resolution to declare the 1959 Ford F-700 fire truck as surplus. Passed unanimously.

BUDGET AMENDMENT

#4- FY 1997-98: Budget Amendment #4 was presented to the Board of Aldermen for approval.

AN ORDINANCE AMENDING THE TOWN OF NORTH TOPSAIL BEACH BUDGET ORDINANCE FOR FISCAL YEAR 1997-98 (Amendment No.4)

BE IT ORDAINED BY the Mayor and Board of Aldermen of the Town of North Topsail Beach meeting in regular session this 7th day of May, 1998 that the budget ordinance for fiscal year 1997-98 adopted June 5, 1997 as

amended is hereby amended as follows:

GENERAL FUND

Expenditures

<u>Department</u>	<u>Line Item</u>	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
580 Sanitation				
	.45 Contracted Services	101,200	20,000	121,200
720 Beach Renor/Dune				
	.45 CAMA Grass/Fence	0	112,102	112,102
Total General Fund Expenditures		2,109,364	132,102	2,241,466

Revenues

<u>Source</u>	<u>Adopted</u>	<u>Change</u>	<u>Amended</u>
336.05 CAMA Grant-Fence/Grass	0	112,102	112,102
999 Fund Balance Appropriated	499,636	20,000	519,636
Total General Fund Revenues		2,109,364	2,241,466

This ordinance is effective upon adoption this 7<sup>th</sup> day of May, 1998.

ORIGINAL  
SIGNED

\_\_\_\_\_  
Marlow F. Bostic, Jr., Mayor

ATTEST  
ORIGINAL  
SIGNED

\_\_\_\_\_  
Leigh Etheridge, Town Clerk

A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Barbara Haynes to adopt Budget Amendment #4 - Fiscal Year 1997-98. Passed unanimously.

**BEACH DRIVING  
FOR HANDICAPPED  
PERSONS:**

A discussion was held concerning the ruling of allowing four-wheel drives on the beach for handicapped persons. A concern on the weight classification of these vehicles was the basis for discussion. The current ruling from Oct 1, 1997, allows those with a handicapped status to pick up a permit at the Police Department. After a brief discussion, a motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to suspend permits for vehicles over 1000 pounds until such time as The Board of Aldermen is given a full report from the Town Attorney for 4-wheel drives on beach. Passed unanimously.

**MANAGER'S  
REPORT:**

Interim Manager Gus Ulrich:

Reported that the Assistant Fire Chief's bronco was sold for an amount of \$1400.00. He also advised that if there was no minimum figure for the surplus fire truck, the Town would accept the highest bid. If no inquiries were received, the Town should donate the truck to a charitable organization.

**ATTORNEY'S  
REPORT:**

Attorney Bill Fuss:

Discussed his findings on research done for the enforcement of the Town's Sand Dune Ordinance. He advised that the criminal penalty be changed from \$50.00 to \$500.00 and to initiate a citizen involvement enforcement to help the police department enforce tickets written to those in violation of crossing the dunes. He also reported that signs have been ordered to be placed within the town and also to be posted at both ends of the town limits. At this time, Mayor Bostic announced that enough time would be set aside after the zoning Public Hearing on June 4, 1998 to further discuss the dune ordinance enforcement.

**MAYOR'S  
REPORT:**

Mayor Marty Bostic:

Announced that a Budget Workshop will be held on Monday May 18, 1998 at 6:30 p.m. He also stated that he had the opportunity to meet with Mr. Doug Bowers from the Department of Transportation where he discussed



the flooding problems on Highway 210 just south of the South End Fire Station and certain areas of State Road 1568.

OPEN FORUM/  
CITIZENS  
REQUEST:

Bill Parr:

Suggested that the Town request reimbursement from Mr. Todd Powell for his expenses incurred during his interview sessions with North Topsail Beach since he agreed to a position but decided to go elsewhere.

MOMENT OF  
APPRECIATION:

Mayor Bostic took this opportunity to thank Mr. Gus Ulrich for serving as the Town's Interim Manger and his assistance and help. Mayor Bostic presented Mr. Ulrich with a North Topsail Beach pin and card.

CLOSED  
SESSION:

A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Joe Vecchione to enter into closed session to discuss personnel issues. Passed unanimously.


RETURN TO  
REGULAR  
SESSION:

A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to return to regular session. Passed unanimously.

Mayor Bostic announced that no action was taken in closed session.

ADJOURNMENT:

A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to adjourn the meeting at 9:55 p.m.. Passed unanimously.

  
Leigh Etheridge - Town Clerk

Town of North Topsail Beach  
Special Board Meeting  
May 13, 1998

**PRESENT:** Mayor Marlow F. Bostic, Jr., Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore and Joe Vecchione; Interim Town Manager Gus Ulrich Town Clerk Leigh Etheridge. Interim Manager candidate Charles McGinnis was also present. Alderman Barbara Haynes was not present due to active military duty.

**CALL TO ORDER:** Mayor Bostic called the special meeting to order at 6:40 p.m at the North Topsail Beach Town Hall and declared a quorum present.

**DISCUSSION  
WITH CANDIDATE  
FOR INTERIM  
MANAGER:**

In attendance for this special meeting was Mr. Charles D. McGinnis, a prospective Interim Manager for the Town of North Topsail Beach. At this time, Mayor Bostic announced Mr. McGinnis to the citizens and asked if Mr. McGinnis had any questions for the Board members.

Mr. Charles McGinnis:

Asked each of the Board members what were their major concerns of the Town at this time.

Alderman Peter Hillyer:

Stated that his major concern was the fiscal year 1998-99 budget.

Mayor Pro Tem Smith:

Reported that the budget and the re-establishment of the Town's sand dunes were of greatest importance to him.

Alderman Otis Sizemore:

Expressed his concern on the following items:

- FY 1998-99 Budget
- Fund Balance
- salary administration

Alderman Joe Vecchione:

Stated that the following items were of utmost concern to him:

- budget
- beach renourishment
- personnel salaries
- personnel issues

A discussion was held with Mr. McGinnis concerning his interest to serve as the town's new Interim Manager for a thirty day period. Mr. McGinnis was pleased to be selected on an interim basis to work with the Town of North Topsail Beach. A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Otis Sizemore to accept Mr. McGinnis' contract as interim manager with the stipulation that the Town research and agree on housing costs for Mr. McGinnis. Passed unanimously.

At this time, Interim Manager Gus Ulrich stated that he would run Mr. McGinnis' contract by the Town Attorney for general purposes.

DISCUSSION/  
CANDIDATES  
FOR PERMANENT  
MANAGER:

Mayor Bostic announced that the Board of Aldermen has actually made several offers to qualified candidates for the position of Town Manager, but for some reason or another they declined the offers. He also stated that the Town had received numerous resume's from very qualified persons, and there was one in particular that they would like to meet with again, Mr. D. Lockwood Wernet from Destin, Florida.

Mayor Bostic also reported that Mr. Wernet would be good for the Town if he would accept an offer.

At this time, it was the decision of the Board of Aldermen to contact Mr. Wernet expressing the Town's interest to meet with him again. The Town would like for Mr. Wernet and his family to visit North Topsail Beach at the expense of the Town and discuss the position further at an annual gross salary of \$46,000.00. A severance package of 60 days would be available if Mr. Wernet was terminated by the Town within the first year of employment. Likewise, a severance package of 90 days would be eligible if he separated from the Town after the first year of employment.

Board consensus was to offer the position of Town Manager to Mr. D. Lockwood Wernet at \$46,000.00 per year.

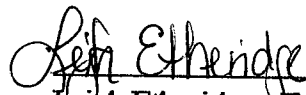
At this time, Alderman Otis Sizemore announced that he would draft a letter and send it to Mr. Wernet discussing the Town's sincere interest for another interview with him and that all accommodations would be provided by the Town of North Topsail Beach for his weekend stay.

RECESS: Mayor Bostic called for a short recess.

RETURN TO  
REGULAR  
SESSION:

A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to close the recess.

ADJOURNMENT: A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to adjourn the meeting at 8:00 p.m. Passed unanimously.

  
\_\_\_\_\_  
Leigh Etheridge - Town Clerk

Town of North Topsail Beach  
Special Board Meeting  
May 18, 1998

**PRESENT:** Mayor Marlow F. Bostic, Jr., Mayor Pro-Tem Steve Smith, Aldermen Peter Hillmyer, Joe Vecchione and Otis Sizemore; Town Clerk Leigh Etheridge and Interim Manager Gus Ulrich. Alderman Barbara Haynes was not present.

**CALL TO ORDER:** Mayor Bostic called the special meeting to order at 6:45 p.m. at the North Topsail Beach Town Hall and declared a quorum present.

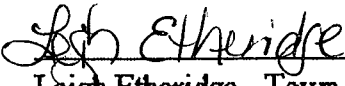
**BUDGET WORKSHOP/  
FY 1998-99:** Mayor Bostic opened the floor for discussion on any items presented in the proposed budget for fiscal year 1998-99. The following items were discussed during this workshop:

1. Sanitation
2. Employee Salaries
3. Possible Re-Financing of Town Hall
4. Committees
5. Public Works Vehicle
6. Fire Department Ladder Truck

**BOARD CONSENSUS:** Board consensus was given to allocate \$1000.00 to the Beautification committee.

Board concensus was given to instruct a consultant to meet with the Fire Department to discuss the Ladder Truck and our present equipment.

**ADJOURNMENT:** A motion was made by Alderman Joe Vecchione and seconded by Alderman Otis Sizemore to adjourn the meeting at 9:30 p.m.. Passed unanimously.

  
\_\_\_\_\_  
Leigh Etheridge - Town Clerk

Town of North Topsail Beach  
Special Board Meeting  
May 21, 1998

**PRESENT:** Mayor Marlow F. Bostic, Jr., Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Joe Vecchione and Barbara Haynes; Town Clerk Leigh Etheridge; Interim Manager candidate Charles Hammond was also present. Alderman Otis Sizemore was not present.

**CALL TO ORDER:** Mayor Bostic called the special meeting to order at 6:30 p.m at the North Topsail Beach Town Hall and declared a quorum present.

**CONTRACT WITH D&R CONSULTING:** A proposed contract was presented to The Board of Aldermen from Belinda Picklesimer D.B.A. D & R Consulting Company for services to complete the Town's Damage Survey Reports for FEMA reimbursement. After a brief discussion, the Board decided to keep the work on the DSR process "in-house" and allow Town Hall employees to finish the project under the direction of Ann Vause, Finance Officer, thus saving the town the contracted amount of \$1200.00. Board consensus was to turn the completion of the DSR project over to Ann Vause and for her to be assisted in this project by Town Hall employees.

**MELROSE SOUTH PYROTECHNICS, INC.:** An agreement from Mayor Don Betz, Town of Holly Ridge, was presented to the Board of Aldermen requesting North Topsail Beach allocate \$750.00 with the three other island Towns for the annual "area" fireworks display for July 4th, 1998. A motion was made by Mayor Pro Tem Steve Smith and seconded by Alderman Joe Vecchione to join the other three towns in donating \$750.00 for the July 4th fireworks in Holly Ridge. Passed unanimously.

**SALARIES/ FY 1998-99:** The Board of Aldermen held a discussion concerning the salaries for departments such as Administration and Inspections. Alderman Peter Hillyer announced that raises had been promised to employees in the past

but never delivered. Citizen Ann Penta stated that these employees did not get paid adequately for the work they do and should be brought up to standards. A motion was made by Mayor Pro Tem Smith and seconded by Alderman Peter Hillyer to accept a 5% increase for these employees and bring in a consultant as soon as possible to review salaries and jobs. Passed unanimously.

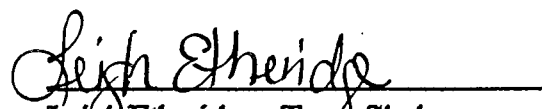
**TOWN  
MANAGER/  
INTERIM  
POSITIONS:**

The Board of Aldermen introduced Mr. Charles A. Hammond to the citizens in attendance. Mr. Hammond expressed his interest in an interim/permanent position as Town Manager for North Topsail Beach. A brief discussion followed where Mayor Bostic announced that he was pleased with Mr. Hammond's qualifications and willingness to work with the Town. A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to hire Mr. Charles A. Hammond as Interim Town Manager for a period of six months at an annual salary of \$35,000.00, to be reviewed every thirty days with the possibility of becoming permanent Town Manager at that time. Passed unanimously.

At this time, a motion was made by Alderman Joe Vecchione and seconded by Mayor Pro Tem Steve Smith to rescind the offer to employ Mr. Charles McGinnis. Passed unanimously.

**ADJOURNMENT:**

A motion was made by Alderman Joe Vecchione and seconded by Mayor Pro Tem Steve Smith to adjourn the meeting at 7:30 p.m. Passed unanimously.

  
Leigh Etheridge - Town Clerk

Town of North Topsail Beach  
Special Board Meeting  
May 27, 1998

PRESENT: Mayor Marlow F. Bostic, Jr., Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Joe Vecchione, Barbara Haynes and Otis Sizemore; Town Manager Charles Hammond and Town Clerk Leigh Etheridge.

CALL TO  
ORDER:

Mayor Bostic called the special meeting to order at 6:30 p.m at the North Topsail Beach Town Hall and declared a full quorum present.

MEETING  
WITH WASTE  
INDUSTRIES,  
INC.:

The Board of Aldermen held an informal meeting with representatives from Waste Industries, Inc., Mr. Dallas Goodwin and Mr. Eric Carraway. The purpose of this meeting was for the Board to discuss our current amended contract in which the Town entered into in 1995 and many other facets regarding refuse collection and the cost to the town for budgetary purposes. The following items were discussed with no definitive action taken:

1. Current Contract
2. Recycling Contract
3. Costs incurred to install town billing for refuse services
4. Allowable cost to charge residents for refuse services
5. Onslow County Landfill charges
6. Dumpster Services
7. Costs for services to multi-plex units

No action was taken at this meeting. It was decided that more information would be gathered by Waste Industries and the Town to help in the decision making process of refuse collection services and the possibility of instituting the billing and collection process within Town Hall. This information and its outcome to be discussed further will be necessary for the final stages of the Fiscal Year 1998-99 budget acceptance.



**ADJOURNMENT:** A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to adjourn the meeting at 7:30 p.m. Passed unanimously.

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Leigh Etheridge - Town Clerk

TOWN OF NORTH TOPSAIL BEACH  
SPECIAL MEETING  
JUNE 1, 1998

**PRESENT:** Mayor Marty Bostic, Pro Tem Steve Smith; Aldermen Otis Sizemore; Barbara Haynes, Joe Vecchione, and Peter Hillyer; Town Manager Tony Hammond. Town Clerk Leigh Etheridge was not present. Representative Sherman Pickard was also in attendance to discuss the pumper truck.

**CALL TO ORDER:** Mayor Bostic called the informal meeting to order at 7:00 p.m. at the North Topsail Beach Town Hall meeting room and declared a full quorum present.

**DISCUSSION  
ON LEASE/  
PURCHASE  
OF FIRE TRUCK:**

A discussion was held with Mr. Sherman Pickard concerning the specifications for a pumper fire truck. He advised that the town would need to focus on the needs of the Town and its resources when considering a purchase. He discussed many scenarios defending the need for a truck of this capability, but only if it is necessary for this municipality. Mr. Pickard held a question and answer session with Board members and citizens for any questions and comments about the ladder truck. No action was taken at this meeting. It was decided to schedule this item for a special meeting in July.

**ADJOURNMENT:**

A motion was made by Alderman Barbara Haynes and seconded by Alderman Joe Vecchione to adjourn the meeting at 7:50 p.m.. Passed unanimously.

TOWN OF NORTH TOPSAIL BEACH  
PUBLIC HEARING  
REGULAR MEETING  
JUNE 4, 1998

**PRESENT:** Mayor Marlow F. Bostic, Jr., Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes, Town Manager Tony Hammond and Town Attorney Bill Fuss. Town Clerk Leigh Etheride was also present.

**CALL TO ORDER:** Mayor Bostic called the Public Hearing to order at 6:40 p.m. at the North Topsail Beach Town Hall and declared a full quorum present.

**PUBLIC HEARING/  
REZONE  
REQUEST:** A public hearing was held to discuss the intent of rezoning the Barton College tract of land on State Road 1568 to a conditional use R-10, with a limitation of 8 lots, single family Dwelling only. Mr. Charles Riggs, Surveyor, was in attendance to review the 4.66 acre tract for the citizens and the Board of Aldermen. Mr. Bill O'Donnell reported that the Planning Board had reviewed this rezone request and voted unanimously in favor of a rezone to conditional use R10 with the following conditions: single family dwellings, maximum 8 lots, open space dedication, sewer taps to be paid, proper protection and maintenance of wetlands at all times and benefit for owners and those with adjacent property. No action was taken at this Public Hearing. A motion was made by Alderman Peter Hillyer and seconded by Mayor Pro-Tem Steve Smith to close the Public Hearing at 7:05 p.m. The motion passed unanimously.

**REGULAR MEETING/  
CALL TO ORDER:** Mayor Bostic called the regular meeting to order at 7:10 p.m. and declared a full quorum present.

**INVOCATION:** Mayor Pro-Tem Steven Smith led the Pledge of Allegiance.

APPROVAL OF AGENDA:

The following items were added to the agenda: New Business -- item 8e -- Budget Amendment #5, FY 1997-98; New Business -- item 8f -- Discussion on Rules of Procedure, North Topsail Beach.

A motion was made by Alderman Joe Vecchione and seconded by Alderman Peter Hillyer to approve the agenda as amended. The motion passed unanimously.

APPROVAL OF MINUTES:

a. Public Hearing held May 4, 1998

A name correction was noted for the above Public Hearing minutes. Motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to approve the corrected minutes. The motion passed unanimously.

b. Regular Meeting held May 7, 1998

Corrections were made to the open forum and Beach Driving Permit sections of the agenda. A motion was made by Alderman Joe Vecchione and seconded by Mayor Pro-Tem Steve Smith to approve corrected minutes. The motion passed unanimously.

c. Special Meeting held May 13, 1998

A correction was made to change a point of concern item from administration salaries to read: salary administration. A motion was made by Alderman Joe Vecchione and seconded by Mayor Pro-Tem Steve Smith to approve minutes with correction. The motion passed unanimously.

d. Special Meeting/Budget Workshop held May 18, 1998

e. Special Meeting held May 21, 1998

A motion was made by Alderman Joe Vecchione and seconded by Alderman Barbara Haynes to approve minutes. The motion passed unanimously.

COMMITTEE

APPOINTMENTS: A brief discussion was held concerning vacancies on the Planning Board and Board of Adjustments. A motion was made by Alderman Otis Sizemore and seconded by Alderman Peter Hillyer to appoint Sue Nance to the Planning Board to fill the unexpired term of Gerry Ager, ending May 1999. The motion passed unanimously. A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to appoint Betsy Gavey to fill the expired term of Clara Bass, with a term ending date of February, 2000. The

motion passed unanimously. A motion was made by Alderman Peter Hillyer and seconded by Alderman Joe Vecchione to appoint Charlotte Wilmer to the Beautification Committee. The motion passed unanimously.

NOMINATION TO  
THE COASTAL  
RESOURCES  
COMMISSION:

A discussion was held as to whether the Board of Aldermen wished to nominate someone as a representative for the Coastal Resources Commission. After a very brief discussion, the Board decided to find out who the County decided to nominate and table this item for further discussion in July.

DISCUSSION/  
CONTRACT ON  
TOWN HALL  
ELEVATOR:

A discussion was held concerning the need for a maintenance Contract for the Town Hall elevator. It was decided that it would be more cost effective to have the elevator inspected as required instead of paying a monthly service cost due to the newness of the elevator. As the elevator gets older, a monthly service and maintenance contract may be necessary then. Consensus of the Board was to instruct the Town Manager to make arrangements to have the elevator inspected and maintained every six months.

FALCON CABLE  
FRANCHISE  
RESOLUTION:

Mr. Bill Fuss, Town Attorney, presented a resolution and Documents supporting a transfer of minority ownership in the parent company of Falcon Cable Media. The new entity involved in the transfer is TCI, Inc. Mr. Fuss explained to the Board and citizens that the Town Board must approve the transfer of minority interests as franchise owner. Mr. Fuss also stated that the resolution sent from Mr. David Harris for the Town to adopt must be done within 120 days and the resolution must be read and presented twice before it can be adopted. Mr. Fuss then read the franchise resolution in its entirety and the Board of Aldermen scheduled to include the second reading as an agenda item in July or at a special meeting in June. No action was taken at this time.

**NCLM/SALARY  
AND BENEFIT  
ANALYSIS:**

Town Manager Tony Hammond presented information to the Board from the NCLM offering services to perform a salary and benefits study for all town positions and employees. Mr. Hammond stated that there was a great concern to have this salary study done to see if the town's salaries are comparable to other similar municipalities and also if the salaries are accurately structured based on job descriptions. He also stated that the MAPS Group sent from the NCLM would perform a total review of personnel policies. Mr. Hammond informed the Board that the total cost for the study would be \$5,500.00, which is already being saved due to the restructuring of summer help in the Public Works Department. After a brief discussion, a motion was made by Alderman Joe Vecchione and seconded by Alderman Peter Hillyer that the contract is reviewed by the Town Attorney, enter into personnel services contract with the MAPS Group, Inc., the NCLM and the Town of North Topsail Beach. The motion passed unanimously.

**BUDGET  
AMENDMENT  
#5/FY 1997-98:**

The following Budget Amendment was presented to the Board of Aldermen:

**AN ORDINANCE AMENDING THE TOWN OF NOTH TOPSAIL BEACH  
BUDGET ORDINANCE FOR FISCAL YEAR 1997-98**

BE IT ORDAINED BY THE TOWN OF NORTH TOPSAIL BEACH BOARD OF ALDERMEN MEETING IN REGULAR SESSION THIS 2<sup>ND</sup> DAY OF APRIL, 1998 THAT THE BUDGET ORDINANCE FOR FISCAL YEAR 1997-98 ADOPTED JUNE 5, 1997, AMENDED JANUARY 6, 1998, AMENDED MARCH 5, 1998, AMENDED MAY 7, 1997 IS HEREBY AMENDED AS FOLLOWS:

**GENERAL FUND - EXPENDITURES:**

Governing Body	61,390.00
Administration	168,432.00*
Elections	2,500.00
Inspections/Zoning	143,511.00
Public Facilities	275,108.00
Police Department	418,804.00*
Public Works	90,310.00
Utilities	19,326.00*

Street Improvements (Powell Bill)	287,668.00*
Sanitation	124,696.00*
Recreation	12,100.00
Fire Department	264,194.00
Committees	1,500.00
Dune Renourishment/Stabilization	164,740.00
Hurricane Fran Expenses	228,552.00
Contingency	-0-
<hr/>	
SUB TOTAL	2,263,331.00
Police Asset Acct.	<u>11,539.00</u>
TOTAL	2,263,331.00

GENERAL FUND -- REVENUES:

Dune Renourishment/Stabilization	52,638.00
Taxes - Budget Year 1997	456,201.00
Prior Years Taxes	61,222.00
Inventory Tax Reimbursement	35,000.00
Tax Penalties/Interest	22,000.00
Privilege License	3,500.00
Cable Franchise	9,000.00
Interest - Investments	70,000.00
Miscellaneous	10,000.00
Miscellaneous Permits	250.00
Payment - Lieu of Open Space	3,000.00
Utilities Franchise Tax	63,000.00
Intangible Property Tax	26,000.00
Beer & Wine Tax	6,000.00
Powell Bill Allocation	37,000.00
Local Option Sales Tax	76,000.00
Mosquito Control Grant	11,500.00
Building Permits	45,000.00
State/CAMA Grant - grass/fence	112,102.00
LUP Grant	10,000.00
Mechanical Permits	20,000.00
Electrical Permits	20,000.00
Plumbing Permits	15,000.00
Fund Bal. Forward - Hurricane Bertha Funds	30,908.00
Hurricane Fran - Reimbursements	228,552.00
Insurance Reimbursement - Vehicle	16,750.00
Fund Bal. Forward - Powell Bill 96/97	57,368.00
Fund Bal. Forward - Town Hall Const. Escrow	89,300.00
NCLM Grant	700.00
In-House Training - Police	300.00

Homeowners Recovery Fund	200.00
Inspection Fees	300.00
CAMA Permits Local	7,000.00
CAMA Permits - Reimb. State	9,000.00
Tax Refunds - Sales	15,000.00
Tax Refunds - Gasoline	7,000.00
Other State Revenues	2,500.00
Officers Fees & Violations	5,000.00
Fund Balance Appropriated	<u>553,040.00</u>
	SUB TOTAL
	2,263,331.00
Fund Bal. Forward Police Asset Acct.	<u>11,539.00</u>
	TOTAL
	2,274,870.00

It was decided that further information was necessary  
 To discuss Budget Amendment #5/FY 1997-98. No  
 Action was taken at this time. This item was deferred until  
 the next Board of Aldermen meeting.

DISCUSSION/  
 RULES AND  
 PROCEDURES:

Alderman Otis Sizemore addressed this issue concerning  
 the need for more order at town meetings and more structure  
 with citizen comments and Board decisions. Alderman  
 Sizemore suggested having a citizen's forum section before  
 the agenda items are deliberated on and then allowing the  
 Board to take action on agenda items without interruptions  
 from the public. The purpose of this suggestion was intended  
 to re-organize and conduct more orderly meetings, not to take  
 away any citizen's opportunity to speak. A discussion took  
 place where many views were heard concerning this issue.  
 Many felt as though they would not be heard without the  
 opportunity to speak at any given time and that free  
 disclosure makes North Topsail Board meetings unique. No  
 action was taken at this time. It was decided the Board  
 would think about this agenda item and bring it back at a  
 later date.

MANAGER'S  
 REPORT:

1. Finance Officer Interviews:  
 Completed 6/4/98, hopefully on the job by 6/15/98.
2. Fire Truck Bids:



As of 6/4/98, we have received 2 bids. 1 for \$1,350.00, from Mr. Randy Simpson of Jacksonville and 1 from Sidney Popkin (Boomtown Furniture, Inc.) for \$5,100.00. I would like a consensus of the Board to accept Mr. Popkins' bid of \$5,100.00 at this time and close this issue.

### 3. The Town Clerk - Leigh Ethridge:

She has tended her 2 week resignation. She has accepted a position in Wilmington at a much greater salary. Her position is already advertised and my goal is to have her replacement on staff prior to her departure. This is a key position and the candidates are going to have to be top quality with a wealth of knowledge in municipal government. I hate to see her leave, she will be missed.

### 4. Public Works Supervisor:

The position has been advertised and will close for applicants on 6/17/98.

### 5. Temporary Summer Hire:

I have requested that the ESC provide the Town of North Topsail Beach 2 or 3 summer hire personnel at a cost of \$5.50 to \$6.00 to clean the beach and cut the grass. Depending on the salary paid and the anticipation of not filling the Public Works position recently vacated, until the summer program ends, North Topsail Beach can save approximately 8 to 9k over a 3 month period.

### 6. North Carolina League of Municipalities:

It is anticipated that the Position Classification, Pay Plan, and Personnel Policies Study will cost North Topsail \$5,100.00, billed \$2,500.00 at the start and \$2,500.00 upon completion and includes 10 copies of the analysis. With the money saved in the above situation, plus the savings from the current salary of the Town Manager, as compared to what was advertised or placed in the proposed budget, let's make a wise invest in the future of the town and employees with a professional study, such as what was prepared for Holden Beach (example provided).

### 7. Staff Meeting:

I held my first weekly staff meeting to discuss policy changes, concerns, telephone etiquette timelessness, lunch breaks and several other issues. All topics were taken well and in context.

### 8. Town Hall Day:

The NCLM will hold a Town Hall Day on 6/4/98 in Raleigh. I plan to attend and would welcome anyone else who would

like to attend. The cost is \$35.00 per municipal official (training dollars will fund this expenditure).

9. Busy B Contract:

I have asked the Town Attorney, Mr. Fuss to reply to the appropriate individual to bring this issue to close.

10. Safety Committee:

Bill Poe will form and establish the NTB Safety Committee as directed by Safety Plan. Each department will provide 1 person to sit as committee member, they have been tasked with review, amend, revise, and presentation of a new Safety Plan. Also tasked with review, evaluate, revise, amend and update the NTB Disaster Preparedness Plan. This will be presented in the July meeting for discussion and hopefully approval.

11. Town Hall Information Policy:

The Town Hall has complied with the Board's motion and made available, information for citizens of NTB to review at their leisure. We have provided the upstairs conference room for this purpose. However, the first time a resident utilized this option, the entire package was removed from the Town Hall. After a phone call, the individual returned the information, but if this continues, the only option the NTB citizens will have, is to review the information in my office at my convenience.

12. NTB Town Hall Telecommunication Service:

I have reviewed the NTB TH telecommunication services, many services have been contracted individually over the previous years. For example we have long distance service with 4 different carriers, at 4 different rates. I have asked Carol Nebel (State Information Processing Service) to evaluate the NTB TH telecommunication services and expenses. She will compile spread sheets, compare what we currently pay for services, and what we will pay under state contract. There can be a substantial savings in lump sum package and we can provide a better service to the community. Some of the services offered through State Telecommunications Services are: Long Distance Network Service (we currently have 4 different carriers for this service); Cellular Phone Service; Calling Card Service, 800 Number Service; System Repair and Update; Voice Processing; Paging; Internet; WAN/LAN (Wide Area/Local Area Network); and many other services. There is no cost for this analysis.

13. 1996 Land Use Plan:

741  
56

Mr. Dale Holland (Holland Consulting Planners, Inc.) has offered his services at 7:00 p.m., June 24, 1998 to brief and discuss the proposed Draft, 1996 Land Use Plan. It is requested that an approval be given in order for Mr. Holland to make arrangements and schedule his calendar accordingly.

**ATTORNEY'S  
REPORT:**

Attorney Bill Fuss reported on the following town matters:

Falcon Cable Resolution

Beach use of handicapped vehicles - meeting with chief is necessary concerning ordinance.

Sand Dune Ordinance penalty - must hold public hearing.

Accommodations Tax Report - report that Sen. Ballantine questions the viability of introducing the bill at this time. Report did not say Sen. Ballantine would not accept or promote the accommodations tax resolution. Advised telephone calls to Sen. Ballantine to gain understanding of his letter and position at this time.

Busy "B" Cleaning Contract - contract for services terminated tomorrow and Public Works will take over duties.

At this time, a Public Hearing and Special Meeting was announced to be held Wednesday, June 17, 1998 at 6:30 p.m. and 7:00 p.m. to discuss the following:

Public Hearing - Sand Dune penalty

Special Meeting - Beach driving ordinance; Budget Amendment Cable Resolution.

**ALDERMEN'S  
REPORT:**

Joe Vecchione: Thanked the Police and Fire Departments and Public Works for working hard and being available all weekend.

Otis Sizemore: Thanked John Tew for working so hard and being the only man in the Public Works Department at this time.

**MAYOR'S  
REPORT:**

Mayor Bostic: Announced that the adoption of the fiscal year 1998-99 Budget would be included as an agenda item for the Special Meeting to be held Wednesday, June 17, 1998 at 7:00 p.m.

1425  
OPEN FORUM Lois Ruppert: Presented an update from the Beautification Committee which met on June 2, 1998.

Bill O'Donnell: Welcomed Tony Hammond's proposal of handling the \$5,000.00 necessary to perform personnel study. Mr. O'Donnell also stated that John Tew was doing an excellent job in Public Works.

ADJOURNMENT: A motion was made by Alderman Joe Vecchione and seconded by Mayor Pro-Tem Steve Smith to adjourn the meeting at 9:30 p.m. The motion passed unanimously.

Leigh Ethridge  
Town Clerk

TOWN OF NORTH TOPSAIL BEACH  
PUBLIC HEARING/SPECIAL BOARD MEETING  
JUNE 17, 1998

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione and Barbara Haynes, Town Manager Charles Hammond, town Attorney Bill Fuss and Deputy Town Clerk Dot Campbell.

QUORUM: Mayor Bostic called the public hearing to order at 6:30 p.m. in the North Topsail Beach meeting room and declared a quorum present.

PUBLIC HEARING - SAND DUNE PENALTY:

Mayor Bostic advised the purpose of the public hearing was to receive citizens input on increasing the fine for crossing the sand dunes from \$50.00 up to \$500.00 and requested citizens comments.

Dean McNease:

We have an inherent problem with people crossing the dunes. We need some signs down there. Something should be done. \$500.00 is a bare minimum that should be charged for crossing the dunes. We spent a lot of time putting sea oats, beach grass and sand fence on the dunes. We don't need people climbing on them. That our protection, as well s the whole islands. If we don't have the dunes we are done for.

Ann Penta:

She expressed here concern over residents who make a complaint about people walking on the dunes having to go to court to testify and possibly having to sign a waiver. Her concern was not knowing how the ticket process would work. She also wanted to know if it would be possible for citizens living here that witnessed a violation to issue tickets.

Linda Knowles:

The penalty is something that needs to be done. If ocean front property owners see someone on the dunes and call the police can they give a written deposition with an affidavit or would they be required to appear in court. The town attorney advised they would need to appear in court.

Bill O'Donnell:

He said the fine is an excellent idea. He would like to see the fine be as much as \$1000.00 because of some of the damage he has seen from people and vehicles being illegally on the dunes and it being highly destructive to the dunes. He wanted to know how people would pay off the tickets if they are from out of town or state. They wouldn't want to come back to pay the debt. If he sees someone crossing the dunes and calls the police, and the police give the person a ticket the question of whether I would appear in court or not would not come up until the second state of the ticket process. Most people will pay a ticket because they are out of state and it is not worth the trouble to do anything else. He also felt that by asking a person that witnesses a violation to go to court when you don't know if it would be necessary would reduce the number of citations police would write. If legal, he would like the fine procedure established so that if anyone sees a violation the police could be notified and once the violation is verified issue a ticket. If the individual didn't pay the fine the police could contact the witness and asked if they are willing to go to court. Then the police could follow through with a summons.

Sue Tuman:

She said she supports the fine. She would like to know if it was possible for someone to be guilty of more than one infraction. The attorney advised yes.

No further comments were received from the citizens present. A motion was made by Alderman Joe Vecchione and seconded by Alderman Peter Hillyer to adjourn the public hearing at 7:00 p.m. Passed unanimously.

RECESS: Mayor Bostic called for a brief recess before the beginning of the special meeting.

SPECIAL MEETING: Mayor Bostic called the special meeting to order at 7:10 p.m. and declared a quorum present.

APPROVAL OF AGENDA:

After discussion a motion was made by Alderman Vecchione and seconded by Alderman Hillyer to add the following items to the special meeting agenda:
a. Discussion/possible action to implement three positions from hourly to salaried;
b. Sand dune penalty issue;

Passed unanimously.

BUDGET AMENDMENT #5 - FY 97-98:

Town Manager Hammond reviewed Budget Amendment #5 and advised it was necessary to cover line items through June 30, 1998. Following a brief discussion a motion was made by Alderman Sizemore and seconded by Aldermen Hillyer to approved Budget Amendment # 5 for Fiscal Year 1997-98 as follows:

AN ORDINANCE AMENDING THE TOWN OF NORTH TOPSAIL BEACH BUDGET ORDINANCE FOR FISCAL YEAR 1997-98

BE IT ORDAINED BY THE TOWN OF NORTH TOPSAIL BEACH BOARD OF ALDERMEN MEETING IN REGULAR SESSION THIS 2ND DAY OF APRIL, 1998 THAT THE BUDGET ORDINANCE FOR FISCAL YEAR 1997-98 ADOPTED JUNE 5, 1997, AMENDED JANUARY 6, 1998, AMENDED MARCH 5, 1998, AMENDED MAY 7, 1998 IS HEREBY AMENDED AS FOLLOWS:

Table with 2 columns: Item Name and Amount. Includes categories like Governing Body, Administration, Elections, etc., with a SUB-TOTAL of 2,263,331.00.

Police Asset Acct.	<u>11,539.00</u>
TOTAL	2,263,331.00

GENERAL FUND - REVENUES:

Dune Renourishment/Stabilization	52,638.00
Taxes - Budget Year 1997	456,201.00
Prior Years Taxes	61,222.00
Inventory Tax Reimbursement	35,000.00
Tax Penalties/Interest	22,000.00
Privilege License	3,500.00
Cable Franchise	9,000.00
Interest - Investments	70,000.00
Miscellaneous	10,000.00
Miscellaneous Permits	250.00
Payment - Lieu of Open Space	3,000.00
Utilities Franchise Tax	63,000.00
Intangible Property Tax	26,000.00
Beer & Wine Tax	6,000.00
Powell Bill Allocation	37,000.00
Local Option Sales Tax	76,000.00
Local Option Sales Tax - Onslow County	66,000.00
Mosquito Control Grant	11,500.00
Building Permits	45,000.00
State/CAMA Grant - grass/fence	112,102.00
LUP Grant	10,000.00
Mechanical Permits	20,000.00
Electrical Permits	20,000.00
Plumbing Permits	15,000.00
Fund Bal. Frwd Hurricane Bertha	30,908.00
Hurricane Fran - Reimbursements	228,552.00
Insurance Reimbursement - Vehicle	16,750.00
Fund Bal. Forward - Powell Bill 96/97	57,368.00
Fund Bal. Forward - Twn H1 Const. Esc.	89,300.00
NCLM Grant	700.00
In-House Training - Police	300.00
Homeowners Recovery Fund	200.00
Inspection Fees	300.00
CAMA Permits Local	7,000.00
CAMA Permits - Reimb. State	19,000.00
Tax Refunds - Sales	15,000.00
Tax Refunds - Gasoline	7,000.00
Other State Revenues	2,500.00
Officers Fees & Violations	5,000.00
Fund Balance Appropriated	553,040.00
SUB-TOTAL	2,263,331.00
Fund Bal. Forward Police Asset Acct.	<u>11,539.00</u>
TOTAL	2,274,870.00

DULY ADOPTED THE 17TH DAY OF JUNE 1998.



FALCON CABLE  
RESOLUTION:

Town Attorney Bill Fuss read the Falcon Cable Resolution and advised this was the second reading as required. A motion was made by Alderman Vecchione and seconded by Alderman Haynes to adopt the Falcon Cable Resolution as follows:

A RESOLUTION APPROVING THE  
TRANSFER OF MINORITY OWNERSHIP IN THE  
PARENT COMPANY OF FALCON CABLE MEDIA

WHEREAS, Falcon Cable Media ("Falcon") is duly authorized to operate and maintain a cable communications system (the "System") in North Topsail Beach ("Franchise Authority") pursuant to a franchise (the "Franchise") granted by the Franchise Authority and;

WHEREAS, Falcon Holding Group, L.P. (FHGLP), the current managing general partner of Falcon and affiliates of Tele-Communications, Inc. ("TCI") have formed a limited partnership, called Falcon Communications, L.P. (the "Falcon/TCI Partnership"), which will be the ultimate parent company of Falcon and;

WHEREAS, FHGLP and TCI has entered into a Contribution and Purchase Agreement dated December 30, 1997 (the "Contribution Agreement") pursuant to which TCI has agreed to transfer the assets of certain of its cable systems to the Falcon/TCI Partnership and;

WHEREAS, upon the consummation of the transactions contemplated under the Contribution Agreement (the "Closing Date"), FHGLP will have approximately a 53% ownership interest in and will control and manage the day-to-day operations of the Falcon/TCI Partnership and the TCI affiliates will have approximately a 47% ownership interest in the Falcon/TCI Partnership and;

WHEREAS, the completed FCC Form 394 has been filed with the Franchise Authority and;

WHEREAS, the parties have requested consent by the Franchise Authority to the Falcon/TCI Partnership to the extent that such consent is required under the Franchise and in accordance with the requirements of the Franchise.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Franchise Authority hereby consents to the Falcon/TCI Partnership transaction which consent is required by the terms of the Franchise and applicable law and consents to the assumption by the Falcon/TCI Partnership of the obligations under Falcon's Franchise subject to applicable law and the franchise agreement.
  
2. The Franchise Authority hereby consents to the assignment, mortgage, pledge or other encumbrance, if any, of the Franchise System or assets relating thereto, or of the interests in the permitted holder thereof, as collateral for a loan provided however, that no legal transfer of a controlling interest in the System or its assets shall take place without prior consent of the Franchise Authority ;consistent with applicable law.

BE IT FURTHER RESOLVED the foregoing consent to the Contributed Agreement and assignment of the Franchise shall be effective the "Effective Date". Notice of the Effective Date of such transfer shall be given to the Town.

BE IT FURTHER RESOLVED that the Town also hereby consents to any transfer of the Franchise after the Effective Date by Falcon/TCI to any affiliate of Falcon/TCI as long as the transfer or assignment is in accordance with the Franchise.

BE IT FURTHER RESOLVED that the Town hereby confirms that to its knowledge: (a) the Franchise is currently in full force and effect and expires on October 1, 1997; (b) Falcon Cable Media is currently the valid holder and authorized grantee of the Franchise; (c) Falcon Cable Media and the Town are conducting negotiations to renew the current franchise agreement for a period of ten years; and (d) no event has occurred or exists which would permit the Town to revoke or terminate the Franchise. Subject to compliance with the terms of this Resolution all action necessary to approve the transfer of the Franchise to Falcon/TCI has been duly and validly taken.

BE IT FURTHER RESOLVED that this Resolution will be effective only upon (a) adoption; (b) receipt by the Town of written acceptance by Falcon/TCI; (c) receipt by the Town of a one thousand dollar (\$1000.00) transfer fee; and (d) certificate of insurance from Falcon/TCI.

BE IT FURTHER RESOLVED that this action be entered into the minutes of the Town Board of Aldermen and that the Town Clerk is hereby authorized to notify Falcon Cable Media and Falcon/TCI of this action in writing by furnishing these companies with an executed copy of this Resolution.

Approved by the Board of Aldermen of the Town of North Topsail Beach on the 17th day of June, 1998.

**PARKING FEES:** Police Chief Matthews advised he spoke with 8 different departments plus the other two towns on the island concerning parking fees and he found that North Topsail Beach has the lowest fines in the area. He requested the fee be raised from \$5.00 to \$25.00.

Several individuals in the audience suggested the town post "\$25.00 Fine" on signs to serve as a warning.

After a brief discussion, a motion was made by Alderman Hillyer and seconded by Alderman Vecchione to increase the parking fee fine from \$5.00 to \$25.00. Passed unanimously.

After further discussion, a motion was made by Alderman Sizemore and seconded by Mayor Pro-Tem Smith to have the town manager coordinate with the police department and order new ticket books to enable the police to start enforcing the new fine. Passed unanimously.

**APPROVAL OF  
BUDGET FOR  
FY 1998-99:**

Town Manager Hammond presented the proposed budget for Fiscal Year 1998-99 for the boards consideration.

Alderman Sizemore presented a proposed amendment to the proposed budget as follows:

1. Cut the proposed revenue from property tax by 2 cents and appropriate the funds (approximately \$42,500) from the undesignated fund balance;
2. Increase property tax by 6 cents per 100 evaluation;
3. Leave the dune fund at 3 cents.

After a brief discussion, a motion was made by Alderman Sizemore and seconded by Mayor Pro-Tem Smith to reduce the dune fund appropriation by 2 cents, designate approximately \$42,500 from undesignated fund balance and reduce the property tax rate to 6 cents per 100 valuation. Voting aye: Alderman Sizemore, Mayor Pro-Tem Smith. Voting nay: Aldermen Hillyer, Vecchione and Haynes. The motion did not pass.

A motion was made by Alderman Hillyer and seconded by Alderman Vecchione to adopt the proposed budget for Fiscal Year 1998-99 as presented. Voting aye: Aldermen Hillyer, Vecchione and Haynes. Voting nay: Alderman Sizemore and Mayor Pro-Tem Smith. The motion passed with a 3 to 2 vote.

The approved budget for Fiscal Year 1998-99 is as follows:

TOWN OF NORTH TOPSAIL BEACH  
BUDGET ORDINANCE FOR FISCAL YEAR 1998-1999

BE IT ORDAINED by the Board of Aldermen of the Town of North Topsail Beach, North Carolina:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the Town government and its activities for the Fiscal Year beginning July 1, 1998, and ending June 30, 1999 in accordance with the chart of accounts heretofore established for this Town:

<u>GENERAL FUND:</u>	
Governing Body	47,490.00
Administration	178,070.00
Elections	-0-
Inspections/Zoning	134,765.00
Public Facilities	157,000.00
Police Department	438,831.00
Public Works	117,051.00
Street Improvements	57,500.00

Sanitation	170,000.00
Fire Department	168,667.00
Committees	1,700.00
Beach Renourishment/Dune Restoration	106,350.00
Reserved for Computers	16,000.00
Contingency	19,000.00
SUB-TOTAL	<u>1,612,424.00</u>
Police Asset Fund	<u>18,709.00</u>
TOTAL OVERALL BUDGET	<u>1,631,133.00</u>

Section 2. It is estimated that the following revenues will be available in the General Fund beginning July 1, 1998, and ending June 30, 1999:

GENERAL FUND:

DOT Reimbursement	1,700.00
Beach Renrsh/Dune Restoration	106,350.00
Taxes Budget Year 1998	723,175.00
Prior Years Taxes	66,099.00
Inventory Tax Reimbursement	12,000.00
Tax Penalties/Interest	13,000.00
Privilege License	6,000.00
Cable Franchise	10,000.00
Interest - Investments	56,000.00
Miscellaneous	6,000.00
Miscellaneous Permits	400.00
Utilities Franchise Tax	46,000.00
Intangible Property Tax	25,000.00
Beer & Wine Tax	5,000.00
Powell Bill Allocation	36,000.00
Local Option Sales Tax	107,000.00
Local Option Sales Tax - Onslow County	52,000.00
Mosquito Control Grant	12,000.00
Building Permits	25,000.00
Mechanical Permits	20,000.00
Electrical Permits	20,000.00
Plumbing Permits	16,000.00
Homeowners Recovery Fund	200.00
Inspection Fees	1,000.00
CAMA Permits Local	6,000.00
CAMA Permits Reimb. - State	12,000.00
Tax Refunds - Sales	20,500.00
Tax Refunds - Gasoline	6,000.00
Other State Revenues	2,000.00
Officer Fees & Violations	4,500.00
Refuse Collection Fees	190,000.00
In-House Training - Police	500.00
Sale of Fixed Assets	5,000.00
Fund Bal Appropriated	-0-
SUB-TOTAL	<u>1,612,424.00</u>
Police Asset Account	<u>18709.00</u>
TOTAL OVERALL BUDGET	<u>1,631,133.00</u>

Section 3. There is hereby levied a tax at the rate of thirty-nine cents (.39) per one hundred (\$100) valuation of property as listed for taxes as of January 1, 1998, (five cents of the .39 cent tax rate is to be set aside for dune/renourishment work.

This rate is based on an estimated total valuation of property for the purposes of taxation of 221,561,400 and an estimated rate of collection of 96%. The estimated rate of collection is based on the Fiscal Year 1997-1998 collection rate of 96%.

Section 4. The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He may transfer amounts between objects of expenditure within a department without limitation and without a report being required.
- b. He may transfer amounts up to \$1,000.00 between departments, including contingency appropriations, within the same fund. He must make an official report on such transfers at the next regular meeting of the Board of Aldermen.

Section 5. Copies of this Budget Ordinance shall be furnished to the Clerk, to the Governing Board, and to the Budget Officer of this Town to be kept on file by them for their direction in the disbursement of funds.

DULY ADOPTED THE 17th DAY OF JUNE, 1998.

DUNE FUND  
PENALTY:

After a brief discussion, a motion was made by alderman Sizemore and seconded by Mayor Pro-Tem Smith to increase the dune penalty from \$50.00 to up to \$500.00 for illegally crossing on the dunes. Passed unanimously.

REQUEST TO  
CHANGE 3  
POSITIONS TO  
SALARIED:

Town Manager Hammond requested the board change the 2 police sergeant and the public works director positions from hourly to salaried. This would cut down on overtime. After a brief discussion a motion was made by Alderman Haynes

and seconded by Alderman Vecchione to change the police sergeant positions from hourly to salaried. Passed unanimously.

The board requested the town manager bring them information on the public works director position salary to their next meeting before a decision is made on changing this position from hourly to salaried.

MANAGER'S  
REPORT:

1. John Tew has been promoted to Public Works Director. He was chosen from 25 applicants.
2. Town Manager Hammond introduced the new Finance Officer Lydia King to the board and welcomed her aboard.
3. All but one candidate for the Town Clerk's position have been interviewed. The last candidate will be interviewed next Monday. A decision on the clerks position will be made Monday evening.

ADJOURNMENT: A motion was made by Alderman Haynes and seconded by Alderman Vecchione to adjourn the meeting at 8:50 p.m. Passed unanimously.

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Dartha Campbell  
Deputy Town Clerk

TOWN OF NORTH TOPSAIL BEACH  
REGULAR BOARD MEETING  
JULY 2, 1998

**PRESENT:** Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Barbara Haynes and Joe Vecchione, Town Manager Charles Hammond and Deputy Town Clerk Dot Campbell.

**QUORUM:** Mayor Bostic called the meeting to order at 7:00 p.m. in the North Topsail Beach meeting room and declared a quorum present.

**APPROVAL OF AGENDA:** After a brief review of the agenda two items were added to the agenda for discussion. 1. The authorization of signature cards from First Citizens Bank and 2. Jet ski or personal riding craft use. Alderman Barbara Haynes made a motion that the agenda be accepted. Motion was seconded by Alderman Peter Hillyer. Motion passed.

**APPROVAL OF MINUTES:** After a brief discussion of the minutes by the Aldermen, a motion was made by Otis Sizemore to accept the minutes with the noted changes. The motion was seconded by Alderman Peter Hillyer. Motion passed.

**Presentation of award to Bill Poe:** Dave Campbell, a representative of the State Bureau of Investigations presented Assistant Fire Marshall Bill Poe with an award for his efforts in helping the SBI to catch a serial arsonist. His efforts in helping the SBI take fingerprints proved to be a key piece of evidence that identified the individual who was setting fires in Surf City.



Request by  
Tom Dale to  
address the  
Board:

Tom Dale, a representative of the Galleon Bay Southern Canal Project, wanted to ask the Board of Aldermen if the Town would possibly assist with the removal of the sand from the canal and if they could share in the cost of relocating the sand? This sand is suitable for putting back on the beach or to rebuild dunes.

The Division of Coastal Management representatives (Bob Stroud and Janet Russell) are concerned with where the sand will eventually be placed. At this particular time, the Galleon Bay Homeowners Association do not know where the sand is projected to go.

In order for the Galleon Bay Homeowners to finish their permit, they need to have a list of proposed sites for the sand to be placed after its removal from the canal. It was the general consensus of the board that the following items be addressed at no obligation to the town, before reaching any kind of decision on this action.

1. Terri Potts, our CAMA director will make up a list of possible sites for it to be placed on.
2. The manager is to get a projected cost for the removal of the sand.
3. If the town wants to put sand back onto the crossovers, Bill Fuss, the town attorney can get permission from the homeowners to cross over on their property.

New Business: The following items were brought up for discussion and/or adoption by the board:

Sand Dune Ordinance: The proposal to adopt the Ordinance increasing the fine for crossing or defacing the dunes from \$50.00 to a maximum of \$500.00 was made by Alderman Joe Vecchione and Seconded by Alderman Steve Smith. Motion passed unanimously.

Parking fines - a motion was made by Alderman Otis Sizemore to adopt the ordinance raising the cost of parking fines from \$5.00 to \$25.00. The motion was seconded by Alderman Joe Vecchione. Motion passed unanimously.

No Smoking: Town Hall previously established a policy of no smoking through out the town hall (to include visitors and guests of the town hall). The Police Dept. began a no smoking policy in their department which they extended to include their vehicles. Mr. Hammond would like to establish the same policy for the Fire and Public Works vehicles as well.

Public Works and the Fire Department do not have a place for them to smoke that would be protected from the elements. The town manager will look into providing a smoking area for these departments. Alderman Barbara Haynes made a motion that the ordinance be adopted. Motion was seconded by Alderman Joe Vecchione. Motion passed unanimously.

**Copy Pro Lease**

**Contract:** Our lease with Copy Pro is up and we need to either upgrade our system or look into purchasing a new machine for our fax and copy systems. After researching the cost of service for Copy Pro and other companies who have comparable systems, the town manager found it would be cheaper to go with COECO systems. They offer a substantial savings for the same type of equipment. Alderman Peter Hillyer made a motion to go with COECO instead of renewing our lease contract with Copy Pro. Barbara Haynes seconded the motion. Motion passed unanimously.

**Edens Crossover**

**Construction:** Edens Construction had been given a deadline of July 4, 1998 to finish the construction on the crossovers for the beaches and they met the deadline. Upon completion of the crossovers, they were inspected by John Starzynski, the town building inspector. He reported to the town manager, Tony Hammond, that Mr. Edens had done a very good job on the construction.

### Discussion/Possible

#### Action on 1996 Land

**Use Plan:** Dale Holland of Holland Consulting Planners met with the Board of Aldermen last Wednesday night and briefly discussed the contents of the land use plan and summarized the remaining process of the land use plan before submitting it to the state. Mr. Holland was not able to be at tonight's meeting so he sent Mr. Alteri, his assistant, to answer any questions that anyone might have before the Board approves the plan for submittal to the state.

The state's review period will be approximately 60 to 75 days, after which Mr. Holland's consulting firm will receive comments back further revising the land use plan. Once the plan has been revised in response to state comments we will then schedule a formal public hearing.

It is at that public hearing that they will ask the board to adopt the land use plan. If the board needs to make any revisions, it would need to make them at the same time the states' comments are incorporated.

Alderman Hillyer made a motion for the plan to be submitted to the state "as is" for approval. Motion was seconded by Alderman Joe Vecchione. Motion passed unanimously.

#### Change of signature

**cards:** Alderman Otis Sizemore made a motion for the signature cards with the First Citizens Bank be changed so that Marty Bostic, Peter Hillyer, Joe Vecchione and new Town Manager Charles Hammond could sign checks for the town. The motion was seconded by Alderman Barbara Haynes. Motion passed unanimously.

#### Use of jet skis:

Alderman Peter Hillyer voiced his concerns over the use of people using jet skis so close to the bathers on the shore of the beach. He wanted the town attorney to check to see if there was an ordinance or town regulation against the use of these, and if not, look into developing one. Police Chief Gunnar Matthews has already checked with other towns to see if they have an ordinance or regulation limiting or prohibiting the use of these. He will let the board know what his findings are.

Ginny Hillyer wanted to know if there was some way the merchant who sells or rents this type of equipment could post a notice or city program that would inform the public of regulations or ordinances our town might have against the use of this type of vehicle?

Discussion/Pos.

Action on Barton

College Property:

Charles Riggs, of Charles Riggs & Associates request from the board a rezoning of the property known as the Old Barton College Property from B-2. They would like to rezone it as R-10.

After discussion on the issue, Alderman Otis Sizemore made a motion to accept the recommendations of the Planning Board made in the minutes of the meeting on March 24, 1998 on the "Old Barton College Property". The motion was seconded by Joe Vecchione. Motion passed unanimously.

New Town Clerk:

The Town manager introduced the new town clerk, Loraine Carbone to the Board. She will begin next Wednesday.

Managers Report:

In the managers' report, Charles Hammond related to the board that Becky Veazey of the "MAPS" group came and did a briefing of the employees in order to compile information for a study of jobs, salary analysis, personnel study, etc. to compile a package for submission for the October 1st board meeting.

Mr. Hammond will be gone from July 13 - 17 for the basic Personnel Course at Chapel Hill.

The town did receive the Census package and it calls for a committee to be established. Mr. Hammond asked Ms. Ginny Hillyer if she would be interested in Chairing the committee?

In looking at some of the personnel issues, Mr. Hammond noticed the use of several different application forms. He would like the town to start using the state wide PD-107 used by Jacksonville and Onslow County. Any one can go by the Social Security office and pick one up there. The forms are also available on the internet.

Carol Nebel from State Telecommunications will be here July 21, 1998 to change our communications systems over. There is a \$5.34 per line conversion to turn the lines over to the state contract. A nine dollar "premise visit", and a \$22.97 service order entry fee. This will offer the town a substantial savings on our overall communications bills. The board had no objections to our changing over to this system.

**Safety Grant:**

The town manager asked Bill Poe to look at a safety grant for nonmatching funds from the state.

Bill Poe submitted an amount which totaled about \$998.00 which we will probably be able to get. The deadline for submittal is September 1st.

Tom Gray from Dare County will be here July 10 with two of his individual computer advisors to work with us to determine what kind of computer programs we need and he and his staff will sit down and design what kind of systems we will need to bring our computers up to date. He may be able to equip our staff with computers for a lot less than we allocated in the budget.

The town manager informed the board that we would not be able to put the Public Works Supervisor on a salaried position instead of hourly. When it was discussed with the MAPS representative, she said the criteria set up by the Federal Labor Board would not be met because the public works director would not have enough hours in a Supervisory position with him being the only full time employee in public works at this time. (80% Supervisor - 20% working).

**Ladder Truck/  
Interest Rate**

**Proposals:** The best interest rate proposal that could be found for the proposed ladder truck was from First Citizens Bank in Jacksonville (4.85%). Their payment comes out 52,357.24 for a 10 year period. It beats the other two proposals they received by \$300.00 to \$500.00 a payment. Therefore, Mr. Hammond asked the board to approve awarding the contract to First Citizens Bank in Sneads Ferry. The board decided to have a special informational meeting with other fire equipment vendors present, in order for the board to see if we might be able to purchase this type of fire truck cheaper from another vendor. Monday, July the 20th at 7:00 p.m. was chosen as the date and time and for the special informational meeting.

Street Lights:

Mr. Clarence Payne had called the town manager and wanted to know if the town would possibly be able to take over the payments for the street light they have on their street? He and his wife purchased the light before the town put street lights on that street.

Mayor Bostic requested that before the board could address this particular issue, that the town manager ride around the area to research which lights were working, he also wanted to know the possibility of eliminating every other light in areas that had too many lights.

The town manager also reminded the board that he had been here for six weeks and the board was past due on his evaluation. The board decided that they could discuss his evaluation at the meeting on the 20th in a closed session.

Open Forum:

Ginny Hillyer asked the town manager was there a town ordinance pertaining to overgrown weeds on someone's' property? Mr. Hammond said there was, and that some of the property owners were receiving letters notifying them they have 30 days to clean up their property. This is in reference to property owners who hadn't cleaned their property of trash and debris from hurricanes Bertha and Fran. The Beautification committee was helping with this program.

Bill O'Donnell voiced his approval of the job that Charles Hammond was doing as the Town Manager. He expressed his appreciation for doing a task quickly and said he thought he was doing a fantastic job and thought the town should keep him permanently.

Linda Knowles inquired as to whether an owner had the right to trample dunes that were on their property? Bill Fuss the town attorney, replied that the town could determine if there was unnecessary damage to the dunes according to our town ordinance.

Alderman Joe Vecchione made a motion for the meeting to adjourn. The motion was seconded by Alderman Barbara Haynes. Motion passed unanimously. Meeting adjourned at 9:05 p.m.

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Dartha Campbell  
Deputy Town Clerk

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TOWN OF NORTH TOPSAIL BEACH  
SPECIAL BOARD MEETING  
JULY 20, 1998

**PRESENT:** Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Barbara Haynes and Joe Vecchione, Town Manager Charles Hammond, Town Clerk Loraine M. Carbone and Attorney William H. Fuss

**QUORUM:** Mayor Bostic called the meeting to order at 7:05 p.m. in the North Topsail Beach meeting room and declared a quorum present.

**APPROVAL OF AGENDA:** The agenda was approved as presented.

**APPROVAL OF PURCHASE/LEASE OF PUMPER LADDER FIRE TRUCK BY SUTPHEN:**

A presentation was made by Jerry Stevens, Sr., President of Stevens Fire Equipment, Inc. regarding the possible purchase of a Sutphen Pumper Ladder Fire Truck. Mr. Stevens noted that the Sutphen aerial ladder has had absolutely no failures. The reason for this is because Sutphen has patented a box boom construction. They also use alloy aluminum with no welds in the aerial, this makes it stronger. The alloy absorbs heat and it retracts easily in the cold. A video was viewed by all which described problems of other ladders. Weight is also important in avoiding ladder failure. The Sutphen's front axle load is 20,000 and its rear axle load is 34,000, compared to 50,000 rear load on other manufacturers. Excessive dynamic load increases danger.

Maintenance consists of a yearly service contract by the manufacturer, which costs \$990.00. The cost to test the aerial is \$440.00. Service is always done on your own premises.

The price to purchase the Sutphen fire truck is \$397,120.00. If we make a down payment of \$120,000.00 within 30 days of signing the contract, we will receive a discount of \$7,562.00 which will make our purchase price \$389,558. Equipment varies and some equipment can be used from existing fire trucks. There is \$7500.00 in this year's budget and also in next year's budget to buy any new equipment.

Attorney Fuss stated that the statute has changed and it is clear that you are allowed to purchase directly under the manufacturer without a bid. We need to make a determination and keep records of the meeting.

Alderman Sizemore stated that we would eventually have to buy this type of aerial fire truck because the law would adhere that we do so.

Ann Penta asked if other towns will be helping us finance this vehicle since they would benefit from using it. Mayor Bostic noted that it is our responsibility to finance this aerial and that other towns come here to help us.

At the time the fire truck is delivered, a delivery engineer will come and spend five days and will train all personnel and we would receive certification that this training was completed.

Tony Hammond, Town Manager, will compile the finance data and present the same to the Board as soon as possible.

Alderman Sizemore moved acceptance of the proposal of the Sutphen Corporation, dated July 20, 1998, one Quint fire truck, in the amount of \$397,120.00. The motion was seconded by Alderman Vecchione. The motion passed unanimously.

Attorney Fuss indicated that a Resolution should be included to pursue a discount.

**REQUEST FROM  
SURF CITY FOR  
FIRE PROTECTION:**

Andy Hedrick, Town Manager of Surf City, accompanied by Mayor Vance Kee and Fire Chief Demetrius Batts addressed the Board and thanked them for agreeing to have representatives from Surf City attend the Special Board Meeting. Mr. Hedrick noted that they have been in contract negotiations with the volunteer fire department and believed that they could lose protection within thirty days. Fortunately, they just concluded a special meeting and they are confident that they will not lose their fire protection from the volunteers so therefore, they will not need our assistance at this time.



**CHANGING EMPLOYEE  
WORKING HOURS:**

Town Manager, Tony Hammond, reported that the hours at Town Hall will change from 8:00 am - 4:30 pm to 8:00 am - 5:00 pm in order to allow all employees to take one hour for lunch. All employees were canvassed for their input in this matter. The Ordinance will need to be changed and this will be done at the August 6, 1998 meeting.

There was discussion regarding the answering machine at Town Hall. Board members have tried to call after 4:30 pm and cannot get through because they do not know the extensions of the parties they are trying to reach. Also, once the answering machine is on, no one in Town Hall can pick up any calls coming in. Mr. Hammond suggested that the message on the answering machine include all extensions.

**RESIGNATION OF  
GUNNAR MATTHEWS:**

Mr. Hammond asked the Board to accept, with regret, the resignation of Police Chief, Gunnar Matthews, effective August 4, 1998. Mr. Hammond also proposed paying Gunnar Matthews the vacation time he has coming, and at his current salary, a thirty day severance pay. Mr. Matthews has also requested awarding him his Town badge.

Alderman Sizemore moved, seconded by Alderman Hillyer, acceptance of Gunnar Matthews' resignation, paying him vacation time owed, a thirty day severance pay and awarding him his Town Badge. The motion passed unanimously.

**MUTUAL AID  
AGREEMENT FOR  
NEIGHBORING FIRE  
DEPARTMENTS:**

Fire Chief, Tom Best has drawn up a mutual aid contract to include Surf City Volunteer Department, Topsail Beach and Sloop Point in Hampstead. We already have a mutual aid agreement with Onslow County.

Alderman Smith was concerned that we would be expanding our territory and leaving North Topsail Beach vulnerable. Mr. Best stated that they would never leave North Topsail unattended and he would designate what equipment and which employees would help in neighboring towns.

Alderman Smith moved, seconded by Alderman Vecchione, to sign the mutual aid agreement with Surf City, Topsail Beach

and Sloop Point in Hampstead. The motion passed unanimously.

**OPEN DISCUSSION:**

Alderman Smith commented that G.E. was looking to purchase three defibrillators at a cost of \$3,000.00 per unit. They have agreed to do training at North Topsail to test a unit at no cost to us.

Alderman Vecchione was concerned that we are covered by EMS only from 10:00 am to 10:00 pm. Chief Poe commented that these hours are the most critical and has seen no problem. Onslow County needs more equipment and paramedics and cannot be out there twenty-four hours a day. They are currently working on a study to improve service to all towns.

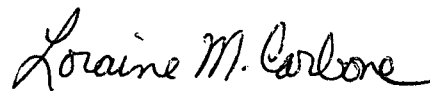
**CLOSED SESSION:**

A closed session took place at this time to evaluate the job performance of the Town Manager.

**ADJOURNMENT:**

Alderman Smith moved, seconded by Alderman Vecchione to adjourn the meeting at 9:40 p.m. The motion passed unanimously.

Respectfully submitted,



Loraine M. Carbone  
Town Clerk

TOWN OF NORTH TOPSAIL BEACH  
REGULAR BOARD MEETING  
AUGUST 6, 1998

**PRESENT:** Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer Otis Sizemore, Barbara Haynes, Town Manager Charles Hammond, and Deputy Clerk Dartha Campbell. Alderman Joe Vecchione and Town Attorney William H. Fuss were not in attendance.

**APPROVAL OF  
AGENDA:**

After reviewing the agenda the following items were included for discussion 1. Planning Board Report from Bill O' Donnell. 2. Town Hall Issue, and 3. Closed session after the regular meeting to discuss Personnel Issues. Barbara Haynes made a motion to approve the agenda. Motion was seconded by Mayor Pro-Tem Steve Smith. Motion passed.

**APPROVAL OF  
MINUTES:**

After the minutes of the Public Hearing and regular meeting of June 4th were read Mayor Pro-Tem Steve Smith made a motion to accept the minutes as read. Motion was seconded by Alderman Peter Hillyer. Motion passed.

Minutes for the July 2, 1998 minutes were read and Mayor Pro-Tem Steve Smith made a motion to accept the minutes with corrections. Motion was seconded by Barbara Haynes. Motion passed.

Minutes of the July 20th special board meeting were read and after a brief discussion, Alderman Peter Hillyer made a motion to approve the minutes with corrections. Motion was seconded by Alderman Steve Smith. Motion carried.

**BEAUTIFICATION  
COMMITTEE:**

Mike Rupert co-chairman of the Beautification Committee gave a report on the progress the committee has made in the last month. Completed projects were the weeding and mulching of area flower beds, grass trimmed around trees on Hwy. 1568 and area health hazards photographed and documented.

These were given to Manager Charles Hammond and Terri Potts so home owners in violation could be notified. The "adopt a highway" program was started and looking for more groups to participate. The Terra Company plan was chosen to do the landscaping for the front of town hall. Terri Potts will include funding for this plan in her U.S. Forestry grant application. If funded, the project could start in October.

**STORM DEBRIS:**

Benny Tripp requested the Town remove the debris on his property left by Hurricane Fran. He was told that Grubbs Construction was supposed to clear away debris for the town, but it was never picked up. He is requesting that the town remove it. The board was in agreement that the debris should be removed by the town since it wasn't removed with the rest of the storm debris. Mayor Bostic asked Acting Town Manager Charles Hammond if the Public Works Department would take care of the removal.

**PLANNING BOARD:**

Bill O'Donnell gave a report on the progress of the Planning Board. Their meeting will be Thursday, August 13th at 6:30 p.m.. Their agenda will include the Barton College Proposal and a request for rezoning of a lot adjacent to Salty's Pier. They will also have a preliminary plan for development of a project called "Dolphin Shores" north of the St. Regis Hotel. He also encouraged towns people to buy the North Topsail Beach tags for their cars to promote the town. Money received from the sale of the tags goes to the Rescue Squad.

**NOMINATION FOR CHAIR PERSON FOR CENSUS REPORT:**

Manager Charles Hammond asked Mr. Bill O'Donnell if he would like to look over the report and if he might possibly be interested in chairing the committee. The Mayor also asked if any one else might possibly be interested in helping the committee?

**DISCUSS/  
APPROVAL  
OF ORDINANCE  
AMENDMENT:**

The Board discussed the amending of section 1: chapter 3 - Personnel, Article IV, Section 3-51b to change the town hall personnel work hours from 4:30 p.m. in the afternoon to 5:00 p.m. This would ensure that during the lunch hour no more than 1/2 the Town Hall personnel will leave at any one time. Mayor Pro-Tem Steve Smith made a motion to accept the change in policy. Motion was seconded by Alderman Barbara Haynes. Motion passed.

**DISC/POSS.  
ACTION ON  
LEASE WITH  
FIRST CITIZENS:**

The town has received three lease contracts submitted to it in regards to financing the Pumper Ladder Truck:

1. First Citizens Bank & Trust Company - 4.85% based on an amount of 389,558.00. Annual payments will be \$50,082.71.
2. Commercial & Municipal Capital, LLC - 4.90 % for a term of 10 years with an annual payment of 52,920.69.
3. BB&T Government Finance - 4.93% for a period of 10 years

Of the three proposals First Citizens Bank of Sneads Ferry gave us the better rate. There was a motion made by Alderman Peter Hillyer to accept First Citizens lease contract. The motion was seconded by Steve Smith. Motion passed.

**DISC./POS.  
ACTION ON  
HEALTH PLAN:**

Having reviewed our current health plan, the town manager spoke with several companies and got rates for three different plans of insurance for the employees to review and decide which would be the better plan for the staff to choose.

1. United Health Care of North Carolina \$11.
2. United Health Care of North Carolina SP1000.
3. Blue Cross/Blue Shield of North Carolina POSEL 4

Having reviewed all proposal plans and discussing the options with all employees, the majority decided to request the proposal from Stallings & Thomas, Inc. of New Bern for the United Health Care SP 1000 plan. This plan should give the town a savings of \$6000.00 per year. Alderman Otis Sizemore made a motion that the town go accept the United Health Care plan contract from Stallings & Thomas, Inc.. Alderman Barbara Haynes seconded the motion. Motion passed.

**DISC./POS ACTION  
ON PURCHASE  
OF COPIER / FAX:**

The Board approved acceptance of the proposal of COECO but in order to save cost over a 36 month lease, Mr. Hammond asked both COPY PRO and COECO to resubmit bids on basis of purchase price of each, including cost and supplies and excess copy per page. They submitted bids of:

	<u>COECO</u>	<u>COPYPRO</u>
Copier/fax	\$9,342.75	\$8,500.00
Maint/supl.	112.50 p/m	95.25 p/m
Excs. copy	.015 ea.	.0127 ea.

Mr. Hammond asked the Board to rescind the acceptance on the COECO proposal of July 2, 1998 and award the contract to COPY PRO based on the new quotes we were given. Alderman Barbara Haynes made the motion to rescind the proposal of July 2, 1998 and go with the new proposal from Copy Pro. Motion was seconded by Alderman Steve Smith. Motion passed.

**MASTER LEASE  
AGREEMENT RATE:**

The Town Manager, Charles Hammond requested information from three companies on the lease rates for office equipment. We received these proposals:

1. COECO. - was not interested in submitting a bid.

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2. Sherman & Co. - Cost of equipment \$32,685.00 for a lease term of 36 months at a rate of .02769. The cost per month is \$905.35.
  3. Ontario Investments - Cost of equipment \$32,685.00 for a lease term of 36 months at a rate of .02732. The cost per month is \$892.932.

Of the three proposals Mr. Hammond asked the Board to accept and initiate a Master Lease Agreement with Ontario Investments, Inc. which would be utilized for all Town equipment. This agreement can be added to at any time.

The Ontario Investments lease agreement offered the best plan. With this plan we would have a 36 month lease that could be dropped at the end of the lease period or we can go into the fourth year at a reduced rate (\$20.00 a piece), and after one year when the equipment is five years old, they abandon the equipment and give it to us. Mr. Hammond explained the benefit of leasing the equipment vs. trying to purchase with this plan. He can lease all the equipment we need (put the net work in and the internet and out fit the whole town hall at one time) and at the end of the lease period they would give us the equipment.

Mayor Bostic asked Mr. Hammond to see if both companies could send us the work up agreement for consideration even though there is just a fraction of difference in the cost of both companies.

#### DISC/POSS.

#### ACTION ON STREET

#### DEDICATION:

Jean Thomas has requested that the Town pave or gravel 21st Avenue (ocean side) along with Newsome Road (Topsail Drive). The funds for paving these two streets would come out of the Powell Bill. This in turn will increase the Powell Bill funds received next year. 21st street has already been dedicated. The town needs to make sure authorization has been given in order for the town to take possession of the street.

Mayor Bostic solicited motions to allow the Town Manager to contract with Onslow Paving and Grading for the paving of the ocean side of 21st Avenue. Alderman Peter Hillyer so moved for the motion. Alderman Barbara Haynes seconded the motion. Motion passed. The cost to pave these two roads will be a total of \$11,596.85. (5,215.94 Newsome Road and \$6,380.91 for 21st Avenue.) The Town attorney will have to look over the request for the dedication of the street before it can be voted on. A public hearing will follow on the dedication at a later time.

**TOWN HALL  
ISSUE:**

Town Manager Charles Hammond was asked to look into the issue of refinancing the Town Hall. He has an appointment next week with Janet Burke, who is with the State in Raleigh. There were three questions she wanted him to bring the answers to:

1. What is the life expectancy of the Town Hall building?
2. How long do you want the terms drawn out for?
3. Why do you want to refinance the Town Hall?

On a preliminary investigation that was done several months ago, going for fifteen years would cut the Town Halls' payment almost in half. Pay off balance for the Town Hall would be \$474,398.22. with a 1% prepay clause. The purchase price was \$800,000.00. Our current rate now is 4.690%, our payments are \$130,582.35 cents a year. We have made three payments on it so far. A large number of citizens have spoken to the Board in regards to lowering the payments, so the Board asked the Town Manager to check into this possibility. Information will be made available to the citizens as soon as it becomes available to the Town.

**MANAGERS'  
REPORT:**

The Town spent \$10,000 in excess health care that we didn't really need. Mr. Hammond and the finance officer went through each persons coverage item by item and found where some employees had made over payments. These files were updated and Principal was notified of the over payment and have arranged for us to be reimbursed for \$4000.00



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DSR's - we are waiting for Scot McCabe to get back with us. More information is needed for the breakdown of expenses for each repair job. Once compiled, Mr. McCabe will return for a final review and analysis.

MAPS - Becky Veazey will review the information they compiled on our employees and will develop a draft that should be ready around mid September and have a report ready for the Board at the October meeting.

SOUTHERN SOFTWARE - installed a new finance program and a utility program. The old finance program was too old and outdated and had too many bugs in it. Lydia King our finance officer has been staying late to reenter all the finance information in the new program to get it up and running again. When she is finished, it will be a good program to work with.

STATE TELEPHONE SYSTEM - we will be connected to the State system on the 30th of September. The cost for conversion is less than \$200.00. We should save about \$7000.00 in long distance service over the next year. We will also have access to the internet.

Mack Sligh with Onslow County Parks and Recreation will look into providing signs for the beach accesses one and four. The State makes these signs and they make them to include "with facilities" on them. Ours have no facilities, therefore, it will take a little longer to make them, but they will provide them for us.

TRAVEL- effective 8 July, each employee that drives a town vehicle was given a BP credit card. Mr. Hammond did not like the idea of the of the BP station having control of the credit card. He felt it would be easier to keep track of what was spent in each department.

Also, Mr. Hammond wanted to update the travel policy by raising the per diem amount for meals to \$35.00 a day and would like employees to use a company car when traveling if at all possible. Also, he wanted to increase the mileage reimbursement for the use of a personal vehicle by .03 cents a mile. This would bring us up to the standards of what Onslow County and other surrounding towns use. Alderman Barbara Haynes made a motion to raise the reimbursement rates for the employees that are taking training or have town business from \$25.00 to \$35.00 and to increase travel mileage for personal vehicles to .31 cents a mile. Motion was seconded by Alderman Otis Sizemore. Motion passed.

**N.C. WILDLIFE COMMISSION** - wrote the town a letter thanking the town for its efforts in trying to conserving a particular species, (turtles) by placing sand fence at the top of the sea dunes instead of placing it at the bottom which prevents the turtles from coming in and nesting.

**UPDATE THE SOUTH END OF GALLEON BAY PROJECT** - Town Manager Charles Hammond will speak with General Smith of the Marine Corps Base at Camp Lejeune to see if they would be able to take on the project as a training exercise. The base has heavy equipment such as the type needed for this project and this would certainly be a great help to the town, Town Manager has two proposals for this project:

1. One excavate the whole thing from the beginning to all the way out to the Intercoastal waterway, or ...
2. Just do the amount of the beach sand on the front section.

The Town received confirmation from Janet Russell of Coastal Management that all North Topsail Beach homes using sand bags for protection must move them. Terri will notify these home owners

**TOWN HALL INSURANCE** - the Board asked Mr. Hammond to check into insurance on the town hall. He approached Stallings & Thomas and they will be able to save us about \$6000.00 a year in flood insurance by dealing directly with Lloyds of London instead of dealing with an intermediary company. This will be a September issue for the Board. There is a prepaid clause on this policy that we have to expend 25% of the current policy price by September, and we will have done this.

**JOHN TEW** - The town manager request the Board to allow John Tew the use of the Dodge Ram to travel back and forth to work since he is more or less on call twenty-four hours a day. The Board had no objections to this.

The town manager also asked for volunteers to help prepare the Disaster Plan. Any one wishing to do so, please contact Bill Poe.

**DECLARATION FOR EXCESS PROPERTY** - Town Manager Charles Hammond asked the Board to authorize a list of excess property of the town to be considered as surplus so that it can be sold at auction. The list is as follows:

1. One Okidata 320 printer
2. One Toshiba T2000 system lap top computer
3. One Quem Crystal printer
4. One Sharp electric 26156 calculator
5. One 1988 Ford Ranger truck - 149,300 + miles
6. Diesel generators 5kw - (2 each)
7. One Fabricated shop fan - 34" blade
8. Chrome rims and tires - fit Chevrolet truck
9. One 1993 Crown Victoria

Alderman Peter Hillyer made a motion to declare the list excess property. Motion was seconded by Alderman Otis Sizemore. Motion passed.

**DEPARTMENT  
HEAD REPORTS:**

Following the Managers Report each department head gave a public awareness brief on their respective departments to the Board and to the citizens. Each gave accounts on the progress of their departments and their specific job duties. These reports were very informative in that some of the Board and the citizens were not aware of what each department does or the extent of their duties. Members of the Board and the citizens gave their approval and appreciation of the information they received from each department head.

**ALDERMEN'S  
REPORT:**

Alderman Otis Sizemore reported on taking part in a program the Police Department held on recognizing some one under the influence. Alderman Sizemore said it was very enlightening to take part in this program and find out what the criteria was for being able to operate a vehicle.

Alderman Sizemore also commended the staff for their reports and for trying to be responsive to the citizens and letting the citizens know what they're getting for their money.

Alderman Steve Smith received a letter from Tony Padgett, Chairman of Onslow County Commissioners in regard to our county wide sewer system. The county has two engineering companies looking at the county wide sewer system. They are supposed to come back to them with numbers and figures on this.

Alderman Smith also gave Bill Poe some figures on a defibrillator for the town. He believes this is something our town needs. You do not have to be certified to operate a defibrillator. He believes it will be invaluable in helping to saving lives, and feels that we should have one or two here on the Island. It analyzes the condition of the patient and won't let you shock a patient unless its needed. He has someone that is willing to come down for the training part to help us with a complete CPR course that will be available for any one who wants to take it.

Alderman Peter Lillyer said he liked the idea of a short meeting. He also liked the idea of department heads report. He learned a lot of things that he didn't know. He also felt it was good for the citizens to feel comfortable and to get to know better the people who help to run our town. He thought it was a fine idea

OPEN FORUM:

Mr. Charles Perch: inquired as to why the beach access was closed on Port Drive? He was told it was not a beach access and never was. It is private property and the owner didn't want it used as an access. The owner asked John Tew, the Public Works director if the Town would close it off and put sand fence there. We will research this and come back to the Board with the results.

Dick Farley wanted to know if it was private property why was there a Town sign in the middle of that access that says \$500.00 fine at the end of Port Dr. Signs are available through Terri Potts. Your name is put on a list and given to the Public Works Department for them to put the sign up for you. Is there we can check on whether or not this property is private or public? The Mayor said that the Town Manager would look into it and get back with the Board.

Ann Penta

1. She thought it would be nice if everyone would tell the girls that do the clerical work upstairs what a good job they do, they run the whole town. They do an awful lot of work up there and they should be given a pat on the back and told often what a good job they do.

2. There was a big discussion on the sewer system and many of the citizens wanted a report so that they could see the test. She has heard nothing from any one saying that a test has been done. The Town Inspector, John Starzynski told Ms. Penta that the Town Attorney has the documents on the report and he would try to get her that information.

3. When money comes in from tickets that are written on sand dunes, where does it go? Mayor Bostic told Ms. Penta that it goes back in the General Fund. If it is written on a State ticket it goes back into the court system. Ms. Penta asked that the matter be checked into. Mayor Bostic asked the town manager address this with the attorney.

Mr. Bill Rogers had a complaint regarding the violation of the leash law for dogs. There were a number of people who let their dogs run on the beach and on other peoples property and use the bathroom and fail to clean it up. He had these suggestions:

1. Ban the dogs from the beach.
2. Require the dogs to be registered on the beach and charge a fee of \$50.00 to register the animal.
3. Confiscate the dog.

Jane Harrell: supports Mr. Bill Rogers on his complaint of dogs. It affects children playing on the beach and while in swimming. Can we enforce the pooper scooper law? She feels that you have to be a responsible dog owner.

Alderman Otis Sizemore related to the citizens that it was a health hazard in that you could pick up a type of worms from dogs.

Marge Lombardo related to the citizens and the Board that before the hurricanes we had received some ordinances from some other towns. It was requested that Manager Hammond look into this.

Linda Knowles imparted that it might be a case of the property owners having to make the complaint.

Mayor Bostic said the town would have Town Manager Hammond to research these issues and get back with them on this issue.

**RECESS:** At 10:00 p.m. Mayor Bostic recessed the meeting, after which the Board would go into closed session to discuss personnel issues.

**OPEN SESSION** A motion was made by Alderman Steve Smith to go back into open session. Motion was seconded by Alderman Peter Hillyer. Motion passed.

**ADJOURNMENT:** Alderman Barbara Haynes made a motion to adjourn the meeting. Motion was seconded by Alderman Steve Smith. Meeting adjourned at 10:22 p.m.

TOWN OF NORTH TOPSAIL BEACH  
SPECIAL BOARD MEETING  
AUGUST 25, 1998  
6:30 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Barbara Haynes and Joe Vecchione, Town Manager Charles Hammond, Town Clerk Loraine M. Carbone and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 6:40 p.m. in the North Topsail Beach meeting room and declared a quorum present.

HURRICANE BONNIE: Mr. Hammond reported that Hurricane Bonnie has turned east again and it looks like it will hit New River or Pamlico Sound. We expect surges up to 16 feet and winds 75 mph with gusts over 100 mph. Onslow County has opened all their shelters at 4:00 pm today.

The water on North Topsail Beach was turned off at 4:00 p.m. by Onslow County with no warning to residents. There will be a curfew from 9:00 pm to 7:00 am in Onslow County.

An Emergency Resolution was signed today in Onslow County along with Proclamations.

ABC stores all closed at 2:00 pm today.

The Onslow County Emergency Operation Center opened at 2:00 p.m. today behind the Navy Federal. For any information, they can be reached at 455-1202.

Any requests for requisitions must be placed by either Tony Hammond or Loraine Carbone. John Starzynski will be our contact in Onslow County.

The shelter for the public will be at the Dixon Middle School. The North Topsail Beach EOC is located at the Dixon Elementary school. We will have telephone lines set up there.

We will have four stations set up at the EOC for re-entry passes. They will be divided into the South End and North End.

An Assessment Team has been formed into four teams and is headed by John Starzynski.



We are responsible for debris pick-up. Grubbs Construction has a contract with NTB which expires September 10, 1998. We have a \$12,000.00 retainer with Grubbs.

RESOLUTIONS: Alderman Barbara Haynes moved, seconded by Alderman Joe Vecchione to adopt the Onslow County Proclamation of State of Emergency. The motion passed unanimously.

ADJOURNMENT: Alderman Peter Hillyer moved, seconded by Alderman Barbara Haynes to adjourn the Emergency Hurricane Meeting at 7:40 p.m. The motion passed unanimously.

Alderman Peter Hillyer moved, seconded by Alderman Steve Smith to recess to a later date the Special Board Meeting due to the impending hurricane and evacuation. The motion passed unanimously.

Respectfully submitted,

*Lorraine M. Carbone*  
 Lorraine M. Carbone  
 Town Clerk

SPECIAL BOARD MEETING  
HURRICANE BONNIE  
AUGUST 31, 1998  
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Barbara Haynes and Joe Vecchione, Town Manager Charles Hammond, Town Clerk Loraine Carbone and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:10 p.m. in the North Topsail Beach meeting room and declared a quorum present.

HURRICANE BONNIE: Mayor Bostic first recognized a young lady from Pennsylvania who informed 70 to 80 people on the Internet regarding storm issues during Hurricane Bonnie. She has grandparents who live in Surf City and she did an outstanding job in keeping people informed.

RESOLUTION:

WHEREAS, The Town of North Topsail Beach sustained damages due to Hurricane Bonnie on August 26, 1998; and

WHEREAS, Onslow County and the municipalities therein have been declared a major disaster area; and

WHEREAS, The Town of North Topsail Beach will be eligible for disaster assistance from State and Federal sources; and

WHEREAS, The Town of North Topsail Beach has, is and will be required to perform additional disaster specific tasks and activities; and

WHEREAS, additional temporary support employees must be hired to perform services needed solely for the purpose of disaster recovery from the effects of Hurricane Bonnie; and

WHEREAS, the reimbursement for disaster related additional local hires, services, tasks and activities will require detailed documentation; and

WHEREAS, additional clerical assistance is required to process documentation as it pertains to disaster recovery assistance from State and Federal agencies; therefore

BE IT RESOLVED, by the Town of North Topsail Beach Board of Aldermen that the Town Manager is authorized to hire such

temporary employees as may be necessary to expedite the recovery process and reimbursement for activities related to Hurricane Bonnie.

Alderman Steve Smith moved, seconded by Alderman Joe Vecchione approval of the Resolution granting the Town Manager authority to hire temporary employees for the recovery process related to Hurricane Bonnie. The motion passed unanimously.

#### CONTRACT WITH GRUBBS CONSTRUCTION COMPANY:

Grubbs Construction Company will provide their expertise in preparing disaster reports, documentation, etc. in order to get the Town back in shape. We have a \$12,000.00 retainer with them that is in effect until September 10, 1998. They will set up an office in the Town Hall conference room and will work directly with Town employees.

#### BULLDOZER:

Tony Hammond, Town Manager, bought a bulldozer today from Government Surplus for \$5,000.00. We will need an additional \$5,000.00 for repair of parts, labor and mileage. The Town will be able to put the sand dunes back as quickly as possible with the purchase of this bulldozer. The dunes will be pushed back according to State law at this time. We will have to wait for the turtle season to end in some areas to move the sand. An emergency berm will be constructed. FEMA does not pay for sand dunes, but they will pay for emergency berms.

Mayor Bostic urged residents to contact their State Representatives in regard to obtaining new vegetation for the dunes. It was suggested that we get on line addresses to make it easier to contact the representatives. Town Hall will be on line when they get their new computer system.

Residents were concerned that sand cleared from the roads was being left in their driveways. DOT will be contacted regarding this issue.

Alderman Otiz Sizemore encouraged citizens to clean up any trash on the beach and pile it up for public works to pick up.

Alderman Steve Smith moved, seconded by Alderman Barbara Haynes approved paying over time to employees who worked during Hurricane Bonnie. The motion passed unanimously.

MASTER LEASE  
AGREEMENT:

Two proposals for the Master Lease Agreement were given to the Board at the August 25, 1998 meeting. Since some of the Board members did not have time to read the proposals due to evacuating the Island, this issue was tabled until September 3, 1998 at the next Board meeting.

PURCHASE/LEASE  
OF COMPUTERS:

Alderman Joe Vecchione moved, seconded by Alderman Otis Sizemore approval of the purchase of the computer system package. The motion passed unanimously.

MAYOR'S  
REPORT:

Mayor Marty Bostic commended the employees for all their hard work and thanked the citizens for their patience.

OPEN FORUM:

Residents felt that everything was well organized, but were disappointed in the lack of news from the media. Citizens also were upset at the water being turned off at 4:00 p.m. on Tuesday, August 25, 1998. The Town did not turn off the water, rather Onslow County was responsible for this. Citizens noted that we should protest the shutting off of the water since it has never been done before so early before a storm.

A better system for re-entry passes will be looked at. Decals were suggested by some.

ADJOURNMENT:

Alderman Steve Smith moved, seconded by Alderman Barbara Haynes to adjourn the meeting at 8:20 p.m. The motion passed unanimously.

Respectfully submitted,

*Lorraine M. Carbone*  
Lorraine M. Carbone  
Town Clerk

TOWN OF NORTH TOPSAIL BEACH  
REGULAR BOARD MEETING  
SEPTEMBER 3, 1998  
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Barbara Haynes and Joe Vecchione, Town Manager Charles Hammond, Town Clerk Loraine Carbone and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:00 p.m. in the North Topsail Beach meeting room and declared a quorum present.

APPROVAL OF  
AGENDA:

After reviewing the agenda, Alderman Peter Hillyer requested that discussion take place regarding the negative publicity we received after Hurricane Bonnie. This matter will be added under New Business. Alderman Otis Sizemore requested that the department reports be eliminated and suggested that they be done on a quarterly basis. Alderman Steve Smith moved, seconded by Alderman Otis Sizemore to approve the agenda with the recommended changes. The motion passed unanimously.

Mayor Marty Bostic congratulated Assistant Fire Marshall Bill Poe on his 5 year anniversary with North Topsail Beach and awarded him a 5 year pin.

APPROVAL OF  
MINUTES:

Alderman Steve Smith moved, seconded by Alderman Barbara Haynes approval of the August 6, 1998 minutes. The motion passed unanimously.

Alderman Otis Sizemore moved, seconded by Alderman Joe Vecchione approval of the August 25, 1998 minutes. The motion passed unanimously.

BEAUTIFICATION  
COMMITTEE:

Mrs. Rupert reported that the Beautification Committee is presently reprioritizing their plan and will have more to report after their next meeting which is scheduled for September 8, 1998.

PLANNING  
BOARD:

Bill O'Donnell reported that the committee approved a request from Darla Flickinger for home occupation to provide physical therapy. A preliminary plan for Dolphin Shores, an upscale development, was also approved. A presentation of a sketch plan for Barton Bay Subdivision was discussed at their last meeting and Mr. Riggs will return with another preliminary plan to address the concerns committee members had. A presentation of a re-zoning request for the lot adjacent to Salty's Pier was presented to the committee and they decided to table this issue until the next meeting to address concerns they had.

VILLAGE OF  
STUMP SOUND:

Residents of the Village of Stump Sound were concerned that the paving of Newsome Road would infringe on their rights since they live in a private development and the paving of this road would increase traffic. A petition was signed by residents and presented to the Board of Aldermen. Alderman Otis Sizemore noted that nothing will be done at this time. A public hearing will have to be held in the future to discuss this issue.

NEW BUSINESS:

MASTER LEASE AGREEMENT: Town Manager Charles Hammond reported that it would be to our advantage to use a Master Lease. Ontario Investments had the lowest bid of .02732 for a 36 month lease with an opportunity to purchase the computers after four (4) years. Alderman Otis Sizemore moved, seconded by Alderman Steve Smith approval of the Master Lease Agreement with Ontario Investments.

TOWN MANAGER'S EMPLOYMENT AGREEMENT: Attorney William H. Fuss reviewed the contract agreement and noted that it was comprehensive. The only change he had was under Section 14, paragraph 2, the following sentence would be added: "All provisions of the Town Charter, Town Code and Regulation & Rules of the Employer shall be incorporated herein as of set forth at length and shall be binding upon employee."

Alderman Peter Hillyer moved, seconded by Alderman Steve Smith to approve, with changes as recommended, the contract between Charles A. Hammond and the Town of North Topsail Beach and to set the Town Manager's salary at \$46,000.00. The motion passed unanimously.

CAMA CONTRACT: The Board reviewed the CAMA Administration Contract and Town Manager, Charles A. Hammond noted that this is a yearly contract that needs to be signed. The

State may change fee costs in the future, but it won't affect this contract now. Alderman Joe Vecchione moved, seconded by Alderman Otis Sizemore approval of the CAMA Administration Contract. The motion passed unanimously.

ONSLow COUNTY MUTUAL AID AGREEMENT: This agreement was drafted by Onslow County and establishes mutual aid between municipalities. Alderman Otis Sizemore moved, seconded by Alderman Joe Vecchione approval of the Onslow County Emergency Management Mutual Aid Agreement. The motion passed unanimously.

AUTHORIZATION FOR PURCHASE OF NEW POLICE CARS: Proposals for financing were received by Nations Bank and First Citizens. After reviewing both proposals, it was agreed that First Citizens would be our best option. Alderman Steve Smith moved, seconded by Alderman Joe Vecchione approval of the contract with First Citizens Bank for the purchase of 2 new police vehicles .

ADOPTION FOR PERSONNEL POLICY AS RELATING TO EMPLOYEE TRAVEL AND REIMBURSEMENT: The Board decided to address this matter at the next board meeting.

CABLE FRANCHISE AGREEMENT: A representative from Falcon Cable was available at this time to address any issues or concerns. Town Manager, Charles Hammond, reported that Dave Harris was hired to put a new contract together. Alderman Otis Sizemore mooted that Surf City and Onslow County went with a five (5) year contract vs. a ten (10) year contract. We will have another meeting regarding this agreement. Copies of the agreement will be available at Town Hall for any citizens to review. Alderman Barbara Haynes expressed her concern with poor customer service and thought Falcon Cable should have a number to call beyond the normal business hours. The Falcon representative noted that a new phone system will be in place shortly and they will have additional lines.

Alderman Joe Vecchione moved, seconded by Alderman Steve Smith acceptance of the first reading of the agreement with Falcon Cable with the change of five (5) years. The motion passed unanimously.

NEGATIVE PUBLICITY AFTER HURRICANE BONNIE: Alderman Peter Hillyer voiced his concern over the negative publicity in the press and especially on NBC's "Fleecing of America" segment. Alderman Hillyer proposed working with Alderman

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Sizemore in setting the facts straight and will compose a press release to address our concerns.

Alderman Joe Vecchione noted that Aileen Strang of the Daily News did print valid and correct information in her stories.

**MANAGER'S  
REPORT:**

Town Manager, Charles Hammond, reported that the Department of Transportation is conducting a Fall Litter Sweep. Volunteers are needed and they can call 1-800-331-5864.

Two ordinances are being drafted in regard to jet skis and a scooper law for animals.

The proposal from Grubbs Construction for debris cleanup was reviewed. The source for sand is critical - some sifting will take place. The closest source for sand is Fayetteville if we need to truck it in. Alderman Steve Smith moved, seconded by Alderman Barbara Haynes acceptance of the Grubbs Contract and the utilization of local contractors. The motion passed unanimously.

**ATTORNEY'S  
REPORT:**

Attorney William Fuss reported that Building Inspector John Starzynski did a sketch of the prior lift station. In September of 1996, we received the initial permit. The conditions that were imposed were not agreeable and they were amended. A \$100,000.00 policy is in place and a binder came through yesterday for any spills. There is no requirement under the contract for any other testing unless there are spills. The lift stations are inspected twice a day.

**MAYOR'S  
REPORT:**

Mayor Marty Bostic reported that he is "glad to be here"!

**ALDERMEN'S  
REPORT:**

Alderman Steve Smith asked the Town to look into purchasing two defibrillators to be used for heart attack victims. The State can provide the training. It will cost \$6,500.00 to purchase two defibrillators. Assistant Fire Marshall Bill Poe noted that using this device will give a person a better survival rate. Onslow County is also looking into the purchase of defibrillators, but they are taking their time. Bill O'Donnell was concerned that items are bought that are not in the budget and that we should look into the



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Fire Department budget or ask Onslow County to pay if we'll be used as models.

Alderman Otis Sizemore noted that there will be an 11:00 am ground breaking for the new fire station in Surf City on Saturday, September 12, 1998.

OPEN FORUM:

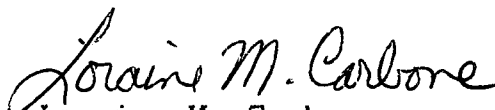
Dune rebuilding: Emergency berms will be constructed. If there is a breach in a berm we can push either from the road or beach side. Homeowners can push sand to berm, but can't go beyond where the berm was before the storm.

Mr. Ficcorelli asked if he could get a permit from CAMA to push sand. You can apply to CAMA but no pushing can be done until after the Turtle season, which ends November 15, 1998. The Town will be pushing with our own bulldozer once it has been repaired.

ADJOURNMENT:

Alderman Joe Vecchione moved, seconded by Alderman Barbara Haynes to adjourn the meeting at 8:40 p.m. The motion passed unanimously.

Respectfully submitted,

  
Loraine M. Carbone  
Town Clerk

TOWN OF NORTH TOPSAIL BEACH  
SPECIAL BOARD MEETING  
SEPTEMBER 10, 1998  
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Town Manager Charles Hammond, Town Clerk Loraine M. Carbone and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:00 p.m. in the North Topsail Beach meeting room and declared a quorum present.

DESIGNATION OF APPLICANT'S

AGENT: This is a resolution authorizing the Town Manager to act on the behalf of the Town of North Topsail Beach in obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93<sup>rd</sup> Congress).

Alderman Peter Hillyer moved, seconded by Alderman Steve Smith to designate Charles A. Hammond as the applicant's agent for the Town of North Topsail Beach. The motion passed unanimously.

Alderman Otis Sizemore moved, seconded by Alderman Steve Smith adoption of a resolution which authorizes Tom Rankin, Tom Credle and Brian Thomason of Disaster Response Technologies, to act as agents of North Topsail Beach to deal with officials relating to recovery issues and any other hurricane related issues. The motion passed unanimously.

HURRICANE ISSUES:

Town Manager Charles Hammond and Tom Rankin, Vice President of Disaster Response Technologies, went to Raleigh on September 8, 1998 to talk with State and FEMA officials regarding our berm issue. FEMA hired Duberry & Davis, surveyors, who came up with 27 designated sites with berm damage. We will need approximately 127 thousand square cubic yards of sand to reconstruct the berms to their former state. There is approximately 60-70 thousand square cubic yards of sand on the right of way and another 60-70 thousand square cubic yards on private property and South Galleon Bay. Therefore, there should be enough sand to provide reconstruction of the berm.

The Town needs to resolve whether we will reconstruct the berm irregardless of FEMA's decision to fund or not to fund.

FEMA (if approval is granted) will authorize reimbursement reconstruction to pre storm configuration. Do we want to reconstruct to this level or reconstruct to the 5 year storm level. If we reconstruct to the 5 year level, FEMA will only fund part of the reconstruction.

The Town must decide if (as suggested by FEMA) we will construct the berm on a straight continuous line with no deviation around obstructions in front of the designated berm line. These deviations seem to support continuous blow out and failure during storm events.

If we concur with the straight continuous line for the berm, what as a town do we want to do for property seaward of the berm? FEMA will buy your house, but will not move the house.

If the Town decides to proceed with berm reconstruction prior to FEMA's approval/disapproval, we must look at alternatives to finance this issue (if FEMA's decision is against reconstruction).

Tom Rankin, who also worked for the State during Fran, explained that Duberry & Davis is an engineering firm that works all over the world and are experts in their field. They sent two coastal engineers on Saturday and Sunday who surveyed every inch of North Topsail Beach. There are two federal regulations that we have to deal with as far as reconstruction is concerned. First of all, the federal government will only reimburse for reconstruction of a permanent fixture to its pre-storm condition. This is in conflict with the emergency protective measures for creating a berm because the federal regulations which authorizes the construction of the emergency protective berm, authorizes that berm to be constructed to a 5 year level. Actually, the law states a 20% chance of a storm in a one year time period.

In Hurricane Fran it was determined that North Topsail Beach be required 6.5 cubic yards of sand above that storm level. The storm level was estimated between 6 and 8 feet above mean high water level. Because of lunar high tides, Nor' Easters, and Hurricane Bonnie, the berms we had in place had eroded to a lesser amount.

The Federal and State governments are attempting to get out of the beach reconstruction business. The Senate has told FEMA to reduce costs. There is a possibility that FEMA will authorize the construction of the emergency berm, and if they

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do the State will have no alternative but to fund their 25%. Federal pays 75%. The State is not going to advocate the reconstruction of berms anywhere on the coast, but they will not be an adversary to that decision. The Robert T. Stafford Act authorizes this type of assistance.

We have a 10% to 20% chance that FEMA will authorize the berm. If they do not, are we going to build it anyway? One of the primary criteria that FEMA uses to determine eligibility on whether they will fund a project or not, is, would you do this anyway. In most cases, if the answer to that is no, then the eligibility questions is answered no. The question before the federal government and Congress is whether the berms did their job. If they were not a good expenditure of federal tax dollars, the government will cease to fund them.

In creating a berm, a continuous line is the most effective. Sand bags can be used for 24 months as long as they are covered with sand with vegetation over them and they are maintained. They will not have to be removed if they are not maintained correctly. The Town can provide access to structures that are affected by the berms.

A plus on our side is that the Town has done a good job on fencing and vegetation to stabilize the dunes. This shows fiscal responsibility of the Town and will benefit us in negotiations with the State and FEMA.

Discussion took place on trucking sand in from another source. It was decided that it would be too costly to truck sand in.

Mayor Bostic noted that we could get suitable sand from some vacant lots with the permission of the property owner.

Town Manager Charles Hammond did inform the State that the majority of the roads on North Topsail are state roads that will be unprotected along with water and sewer lines and bridges.

Alderman Sizemore noted that if we did get the Accommodations Tax approved we could direct that money to dune replenishment.

Tom Larkin mentioned that the Army Corps of Engineers has a 99 Project in which they can help us replenish the beach and they are 100% funded. All we need to do is ask them.

Alderman Sizemore read a letter he composed to the Senate and House, in which he addressed the negative publicity we have recently received. He urged everyone to write similar letters. Lists were given out with addresses of key persons

ADJOURNMENT: Mayor Bostic stated that we will recess this meeting to Tuesday, September 15, 1998 to continue discussion since two board members were unable to attend this meeting. The meeting adjourned at 8:30 p.m.

Respectfully submitted,

*Lorraine M. Carbone*

Lorraine M. Carbone  
Town Clerk

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TOWN OF NORTH TOPSAIL BEACH  
SPECIAL BOARD MEETING  
SEPTEMBER 15, 1998  
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Barbara Haynes and Joe Vecchione, Town Manager Charles Hammond, Town Clerk Loraine Carbone and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:10 p.m. in the North Topsail Beach meeting room and declared a quorum present.

HURRICANE

BONNIE ISSUES: Charles Hammond, Town Manager, reported that the meeting scheduled with Steve Glenn, who works with the Governor, was postponed until Thursday, September 17, 1998. We have received a verbal o.k. to work in non Cobra areas. The issue is still pending if we can go on private property. If we go ahead, with property owner's consent, we will document everything in hopes of being reimbursed. It is more feasible to get the sand off of private property since the cost to truck sand in is exorbitant.

We need to strengthen the berm and the only way to do that is to use a straight continuous line. Alderman Sizemore urged the hiring of an engineer to make that decision. Attorney Fuss also felt that a professional opinion will go a long way.

Linda Knowles mentioned that she has been in mitigation for the past two years and the State won't spend funds in any coastal zones. Also, she was offered only half the value of her home. Ann Penta questioned the waiting period and felt that officials should come and speak to the citizens on what they are planning to do. She also suggested that residents sign a petition. Mayor Bostic stated that the general consensus is that letters have more impact than petitions.

Alderman Sizemore noted that the bad publicity has not helped our cause and that public opinion is swayed by the media. He has mailed 22 letters to senators and legislators and requested that more people write to key people. Linda Knowles noted that a good contact is Annette Hargett in the Governor's office in New Bern. A list of senators and representatives were handed out to residents.

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Tom Rankin, Vice President of Disaster Response Technologies, again reiterated that our matter for appeal is based on the fact that we have to reconstruct the berm in a 5 year manner and FEMA is saying that they will reimburse only to pre-storm conditions. Since we don't have a DSR at this time there is no funding obligated to build a berm. Mr. Rankin also noted that sand in the right of way is considered a hazard and sand on private property is considered a nuisance. He also feels that the cost will be astronomical if we can't use private sand. It is our fiscal responsibility to do this as inexpensively as possible.

Mr. Flickinger felt that local authorities could help us in determining a berm line and action should be taken as soon as possible. Mr. Hammond, Town Manager, noted that CAMA cannot prevent a property owner from pushing sand if their property is threatened.

Bill O'Donnell was concerned that money is being spent that we haven't budgeted for and asked for belt tightening on current funds.

Mr. Rankin felt that if FEMA approves reconstruction of the berms, then the cost of hiring an engineering firm to determine the line would be covered by FEMA. To ensure the integrity of the berm, he felt that it was important to hire a nationally recognized engineering firm.

Permission forms will be sent out to all residents to access their property.

Mr. Hammond noted that we have received two letters giving us permission to use their boat ramps to do recovery work at South Galleon Bay.

FLOOD  
INSURANCE:

Mr. Hammond reported that if we change insurance carriers for our flood insurance for Town Hall we can save \$6,000.00 next year and over \$2,000.00 savings this year. Alderman Sizemore moved, seconded by Alderman Smith approval of changing flood insurance carriers. The motion passed unanimously.

DEFIBRILLATORS:

Assistant Fire Marshall, Bill Poe, displayed one of the new defibrillators that have been purchased out of the Fire Department's budget. There will be one located at the north end station and one at the south end station. It has been proven that the use of this device will lessen the chance for a heart attack.

CLOSED

SESSION:

Alderman Hillyer moved, seconded by Alderman Smith to enter into a closed session at 9:05 p.m. to discuss personnel matters. The motion passed unanimously.

ADJOURNMENT:

Alderman Sizemore moved, seconded by Alderman Smith adjournment of the meeting at 9:30 p.m. The motion passed unanimously.

Respectfully submitted,

*Loraine M. Carbone*

Loraine M. Carbone  
Town Clerk



JAS  
TOWN OF NORTH TOPSAIL BEACH  
SPECIAL BOARD MEETING  
SEPTEMBER 21, 1998  
7:00 PM

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Barbara Haynes and Joe Vecchione, Town Manager Charles Hammond, Town Clerk Loraine Carbone and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:15 p.m. in the North Topsail Beach meeting room and declared a quorum present.

HURRICANE  
ISSUES:

Charles A. Hammond, Town Manager, discussed the Grubbs Construction contract for debris removal. The common sense approach to sand removal is to go on private property. Staff are working on documents for residents to sign giving us permission to go on their property. We could also lease two medium sized Bobcats at \$3,000.00 for 30 days. FEMA will pay for removal from the right of way. CAMA will send a letter stating that all sand must be sifted and also that it is a State law that no sand can be taken off the Island. Another option is to have residents push their sand to the right of way themselves. Surf City requires residents to push to the right of way. Attorney Fuss agreed that homeowner's could move the sand themselves. This could be done under municipal improvements and we can assess the property owners to remove sand from their lot.

Alderman Sizemore suggested that we contact owners with unbuildable lots and encourage them to give their land to the Town and the Town can accept the donated land at tax value.

The consensus was to ask property owners to push their sand to the right of way and we will then assume responsibility to move it. Labels are being printed at the Onslow County Tax office to send out letters to property owners.

Alderman Steve Smith moved, seconded by Alderman Barbara Haynes to send letters to property owners requesting that they push their sand to the right of way and the Town will remove the sand and put it back on the berms. The motion passed unanimously.

PERSONNEL  
ISSUES:

Discussion took place regarding the hours John Tew has worked, especially since Hurricane Bonnie. A pay raise was discussed in the past, but it wasn't followed through. Mr. Tew could not be a salaried employee because his position doesn't fit the Federal guidelines. He is currently receiving over time for all of the extra hours he is working. Alderman Sizemore suggested the hiring of another full time employee to help John Tew. Everyone agreed that John is a hardworking, conscientious employee. Alderman Steve Smith moved, seconded by Alderman Joe Vecchione recommending to Charles A. Hammond, Town Manager, to increase John Tew's pay, as had been previously promised, to \$13.00 per hour, based on a 40 hour week. The motion passed unanimously.

Alderman Sizemore had concerns with voting on a pay raise before doing an evaluation. Also, he felt that we should wait for the MAPS study to see what their study reveals regarding pay increases or decreases. Town Manager, Charles Hammond will evaluate John Tew and will contact Beckey Veazey as to the status of the survey.

CLOSED  
SESSION:

Alderman Steve Smith moved, seconded by Alderman Barbara Haynes to close the meeting at 8:30 p.m. to a closed session to discuss personnel issues.

ADJOURNMENT:

Alderman Steve Smith moved, seconded by Alderman Joe Vecchione to adjourn the meeting at 9:25 p.m. The motion passed unanimously.

Respectfully submitted,

*Lorraine M. Carbone*  
Lorraine M. Carbone  
Town Clerk

TOWN OF NORTH TOPSAIL BEACH  
REGULAR BOARD MEETING  
OCTOBER 1, 1998  
7:00 P.M.

6:00 PM – PRESENTATION ON SALARY SURVEY BY BECKY VEAZEY

Becky Veazey gave an overview of her background to the Board. Classifying the job, retaining good people that are here, confidence and level of responsibility are all important. There has to be internal equity while ranking jobs within the structure, and employees should be awarded based on performance. The classification plan guides the thought process. MAPS gives an organization their professional recommendations only.

A periodic study should take place because jobs change, along with skills, new regulations, and new services. The study looks at actual market conditions and cost of living changes.

All employees completed questionnaires and interviews were conducted. These questionnaires were analyzed.

Class specification is not a classic job description. The focus of the study is the job, not the person in the job.

In regard to the volume of work, if the duties are the same, the classification will be the same. Performance and merit pay can change. In regard to length of service, if the duties are the same, the classification is the same. Qualification – what does job require, not what employee does. In the private vs. public sector, the salary is open to the public. With regard to compensation, we look at the same things, but we get there differently.

Market adjustment looks at the National rate of inflation and moves up the salary schedule. If changes are not made over the years, it will be more expensive to adjust salaries. Merit performance pay is based on the employee getting more done, better accuracy, better quality and therefore, should make more money.

In regard to longevity pay and performance, we have to make clear between distinctions. A two year employee could warrant more money than someone who has been working for five years. The trend in the past for the state has been based on a percentage basis. Now it is a more specific dollar amount, which is less expensive over time.

MAPS is recommending to you different grades, and the grade changes if the position changes. The steps are intended to represent the person. The longer someone is here, the faster they can move across.

Board members reviewed the material that Ms. Veazey provided.

On the allocation list, Option I just gets everyone to at least step 1, or the closest step with no reduction in pay. Option II takes everyone to at least step 3, the probation completion step or to the closes step with no reduction in pay. Option 3 is based on length of service.

This study is based on current market conditions. Salary amounts are based on annual costs, if they are implemented in January, the cost would be cut in half.

Under job responsibility, two fire positions come under special exemption. The Police Chief is clearly exempt based on the position itself.

The Board decided to meet again to have time to review the personnel part of the package.

**PRESENT:** Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Barbara Haynes and Joe Vecchione, Town Manager Charles Hammond, Town Clerk Loraine Carbone and Attorney William H. Fuss

**QUORUM:** Mayor Bostic called the meeting to order at 7:10 p.m. in the North Topsail Beach meeting room and declared a quorum present.

Police Chief Danny Salese introduced new police officers.

**APPROVAL OF AGENDA:** On agenda under new business – delete 7.d. Under closed session - possible litigation with town attorney. In place of 7.d we will have a banking resolution. Alderman Peter Hillyer moved, seconded by Alderman Barbara Haynes acceptance of the agenda with appropriate changes.

**APPROVAL OF MINUTES:** Alderman Joe Vecchione moved, seconded by Alderman Barbara Haynes approval of the minutes of the Special Meeting held August 31, 1998. The motion passed unanimously. Alderman Peter Hillyer moved, seconded by Alderman Joe Vecchione approval of the minutes of the regular meeting held on September 3, 1998. The motion passed unanimously. Alderman Joe Vecchione moved, seconded by Alderman Barbara Haynes approval of the minutes of the Special meeting held September 10, 1998. The motion passed unanimously. Alderman Peter Hillyer moved, seconded by Alderman Joe Vecchione approval of the minutes of the special meeting held September 15, 1998.

The motion passed unanimously. Alderman Barbara Haynes moved, seconded by Alderman Joe Vecchione approval of the minutes of the special meeting held September 21, 1998 with the following change - under hurricane issues, second paragraph, Alderman Otis Sizemore said that the town should accept donated land at tax value. The motion passed unanimously.

**BEAUTIFICATION  
COMMITTEE:**

Tony reported that in October pansies will be planted. The committee will review and re-prioritize their original plans because of Hurricane Bonnie. Christmas decorations will be used as in past years at Town Hall. Decorating the Island will be done by the Chamber for Christmas.

**PLANNING  
BOARD:**

Bill O'Donnell reported that the Planning Board met September 24, 1998. John Starzynski and Terri Potts will be inspecting camp grounds for R.V. mobility and make sure everyone is in compliance. Vehicles need to be moved every 6 months, if not, it can jeopardize FEMA funding. The committee approved the preliminary plat for Dolphin Shores. The preliminary plat for Barton Bay Yacht Club was also approved with the condition they improve the amenities in the open spaces. In regard to the zoning request by Ed Walters and J.C. Johnson for land south of Salty's Pier, they have decided to rezone to R5, which is now compatible to land surrounding them. The committee approved this request and a Public hearing will be set. Alderman Otis Sizemore has been the liaison for the Planning Board and has been very helpful to them. Mr. O'Donnell asked that the Board consider making him an ex-officio member, but not a voting member. Patsy Jordan is involved in a Task Force addressing insurance issues. If anyone has had any problems with insurance companies, contact Patsy Jordan at 328-0719. Alderman Otis Sizemore noted that he has served as advisor for the past 3 months and that Alderman Joe Vecchione will begin in October to serve as advisor.

**PORTABLE  
ALUMINUM  
AWNINGS:**

Ed Cramer presented to the Board his proposal for aluminum awnings for Rogers Bay. The portable awnings are not a permanent structure. They can be either attached or detached. Mr. Harold West has assembled many of these awnings in other campgrounds. They have been inspected, meet NC State codes and can sustain winds up to 120 mph. Mr. Cramer noted that we

have approved screen rooms and requested that we approve aluminum awnings. Specifications were given to all board members. There was no damage to these awnings during the hurricane. Mr. Cramer asked the board to consider changing the town code to accept these awnings.

John Starzynski asked how fast an elderly person could disassemble this unit. Mr. West reported it would take 2 to 3 hours. Alderman Peter Hillyer noted that sustained winds of 120 mph is irrelevant since they should not be there at that point. Linda Knowles noted that they are not zoned to have this type of structure. No decision was made at this time.

**FALCON CABLE:** Dave Harris, V.P of Piedmont Triad Council of Governments, reported that Falcon Cable has made a renewed effort to correct their problems. Discussion has taken place in the past regarding the merit of approving a franchise agreement. Falcon has a new management team and they are in the process of replacing their phone systems. There will be 24 lines coming into Falcon. A considerable amount of work will take place in customer service. They have a 24-hour standby power. Mr. Harris notes that we have to take a practical approach since they employ people in our community. Stiff standards will be set and will be enforceable with penalties if Falcon doesn't stand up to our expectations. The question before us is, what kind of term do we want to give Falcon. The Franchise process starts 3 years before the expiration of agreement. If we decide on a 5-year franchise, Falcon would not rebuild the cable system. Mr. Harris cautioned the board on trying to have something in the franchise agreement that would not allow Falcon to recover their costs. If we agree on a 5-year agreement, rates will go out of sight. If we agree on 10 years, Falcon has agreed to rebuild the system and offer more channels and will be able to recover their costs over the 10-year period. The two options are 10 years with rebuild of system within 3 years or 5 years with no rebuild. The best interest of subscribers is to adopt the 10 year plan.

Alderman Sizemore stated that if they accepted the 10 year agreement that rates would probably go even higher and also that Falcon has lost credibility with the community. Mr. Harris noted that rates would be adjusted every year by Falcon according to FCC rates. Rates have gone up because Congress has allowed that. The new phone system will be digital, and you will be able to ask Falcon for

customer service standards. They are working on a report that will show you how they are performing. You would be able to revoke the franchise agreement or fine them and have more clout in the new agreement.

Mayor Bostic asked why other cable companies offer more channels for less money. Mr. Harris noted that they have a high maintenance cost with a small number of subscribers and it is difficult to justify different costs. Mr. Harris coordinates with Falcon, he does not work for them, but works for local governments. Falcon has received money from TCI, which will enable them to upgrade their systems that have a 10-year franchise agreement within 3 years. Alderman Smith felt that the company should upgrade equipment no matter what the term is.

This issue was tabled until the next regular meeting.

**DISPOSING OF  
PERSONAL  
PROPERTY:**

Charles Hammond, Town Manager reported that the League of Municipalities drafted an amendment and the attorney is in concurrence with the contents. The ordinance is in Chapter 2, Article 1, Procedures for disposal of property owned by the town, Article 1, Section 2.2.

Attorney Fuss noted that we still have to have a public hearing approving the change in the amendment. This will empower the board to authorize a town person to declare something to be surplus and sold. The Amendment gives the town manager continuing authority to sell equipment below \$5,000.00 without approval of the board. The scheme is that the town manager has this authority and must keep perpetual records of what is disposed. The law is, once there is declaration of surplus, the town manager is excluded of purchase. Anyone who declares a surplus is ineligible for bidding. This can be disposed of by private sale and does not have to be advertised. Alderman Steve Smith noted that advertisement should be used since it is public property. Alderman Otis Sizemore suggested that under b – change last sentence (with or without notice) to (provided that items are duly advertised)

Attorney Fuss said that additions can be made to the language, prior notification and advertisement can be added.

A public hearing to consider proposed amendment will be held on November 5, 1998 at 6:30 p.m.

**UNBUILDABLE  
LOT:**

Mr. Hammond read a letter from Mr. Ammon requesting the donation of his property (Parcel No. 812: 18 and 19) to North Topsail Beach, with the stipulation that the property revert back to Mr. Ammon if it becomes rebuildable. Attorney Fuss noted that we don't know if he will donate the land if he doesn't get the reversionary clause. Specific forms need to be filled out. There is a value to the donor because they get a tax deduction. Under this circumstance, they won't get a tax deduction. The question is, if we are interested in the lot, the prospective donor has to be notified that the town will take donation at assessed value and there are no contingents. The consensus was to address the concerns Attorney Fuss stated and to send a letter to Mr. Ammon. Attorney Fuss also noted, that at the last meeting we talked about contacting other owners about donating their property, and if we do that, notify them that they are eligible for tax breaks and explain ramifications.

Mr. Hammond mentioned that he received a memo from Zoe Bruner, of NCDENR that tells us what they are eligible for. The Town can purchase the property, they can donate lot or state can purchase it. A letter will go out within the next couple of weeks.

**OCEAN CLUB  
VILLAGE**

Mr. Hammond reported that we have received a request from the developer of Ocean Club Village to accept their streets and piers within this subdivision for maintenance. Alderman Steve Smith asked that we table this request until next month to review it more fully.

**BANKING  
RESOLUTION:**

Mr. Hammond noted that the General Statutes states that the Finance Officer must sign all checks. Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer authorizing signatures representing the Town of North Topsail Beach to be Marty Bostic, Peter Hillyer, Joe Vecchione and Lydia King. The motion passed unanimously.



**SALE OF 93**

**POLICE VEHICLE:** Attorney Fuss read the resolution authorizing the Police Chief to dispose of surplus personal property. We are looking at disposing the 93 Crown Victoria, mileage 120515 and the 94 Crown Victoria, mileage 125800, which will be used as the town vehicle.

Alderman Otis Sizemore moved, seconded by Alderman Joe Vecchione, approval of authorizing the police chief to dispose of surplus property. The motion passed unanimously.

Alderman Otis Sizemore moved, seconded by Alderman Steve Smith approval of the town hall to retain the 94 Crown Victoria as a town vehicle. The motion passed unanimously.

**LAND USE PLAN  
UPDATE:**

Mr. Hammond reported that Zoe Bruner of NCDENR gave to us suggested changes to the Land Use Plan. Mr. Hammond wanted board members to comment on this before we present it to the Land Use Plan Board. Mr. Holland has received a copy of this. Alderman Peter Hillyer felt that the Land Use Plan committee should read this first. This item was tabled until the committee meets. Copies of the report will be available for residents at the front desk in town hall.

**MANAGER'S  
REPORT:**

Charles A. Hammond, Town Manager, reported that FEMA and state representatives will be here tomorrow to write DSR's. Grubb's has presented its bill for \$213,931.21. We should have partial payment from FEMA within 4 weeks for this. We received by fax FEMA's denial of our 3<sup>rd</sup> appeal. Once the DSR's are in, we can expect payment within 30 days. FEMA still has made no determination on berm construction. They will reimburse for a breach in the berm, but won't pay for shaping it into a berm fashion. Unless they approve berm construction, they won't pay for moving. We are mailing out permission letters to town residents to remove sand from their property and are requesting that they return the signed forms within 10 days.

We have spent over \$900.00 on the police Bronco and it is back in the shop this week. We have been offered \$13,500.00 as a trade-in on a 98 Cherokee, which will leave a balance of \$2,000.00. The police department has enough funds in the drug account for this action and I would like Board approval for this transaction. The consensus of the

Board was to approve trading in the Bronco for the 98 Cherokee.

State phone system: we've had some glitches, but are working them out. We will need to convert to security on long distance calls. Classes were given to employees and we should see benefits of lower bills.

Computers: last Friday three computers came in and we had to track down the rest of them. Installation occurred all weekend and Monday. We still have three systems that are not up yet. Dare County will come in Saturday to finish. A Homepage should be on line within 60 days.

I have two conferences in Oct, the first is the Annual League of Municipalities scheduled October 17 - 20<sup>th</sup> in Charlotte. The second is the International City and County Manager's Association scheduled for October 24 - 29<sup>th</sup> in Orlando, Florida. I am also requesting to take some time off to deer hunt. I will most likely take half days on October 5,6,7,12,13 and 14<sup>th</sup>. I will have my beeper with me at all times.

**ATTORNEY'S REPORT:**

Attorney Fuss reported that the Board will discuss our options in closed session regarding our third appeal of DSR 01058 for berm construction following Hurricane Fran.

**ALDERMAN'S REPORT:**

Alderman Hillyer noted that we spoke on countering the bad publicity on Topsail Island. The plan is to send out to newspapers and televisions stations an editorial page stating that it is not fair to kick somebody when they are down. When we receive feedback, we can send this to our legislators and to FEMA. The document should be finished by the end of the week and the Board will review it before anything goes out.

Alderman Sizemore reported that he has received responses to the letters he has sent out and a positive phone call from Senator Marc Basnight's office. Bill O'Donnell has also mailed to all the legislators in the area and received even more responses. What is important is that we are getting information into the hands of people that should have the correct information.

OPEN FORUM: Bill O'Donnell reported that he has had positive feedback from the letters he has sent out. He also received a nice letter from Cindy Watson. He tried to personalize each letter. Mr. O'Donnell was concerned on the issue of taking over town streets and piers and felt that the town shouldn't have to maintain them. Mr. O'Donnell was also concerned about over spending and asked that a moratorium be made on expenditures.

Charlotte Wilmer questioned the construction of an emergency berm and 5 year berm and asked if the board will commit to a 5 year or smaller berm. Mayor Bostic said that it depends on FEMA reimbursement. Mr. Hammond noted that we are taking sand off of right of ways, screening it and dumping it at berm line. The dozer was moved to Jenkins Way and we are waiting for a spring to fix the belt. We will push in spots with breaches in berms

Mr. Hammond noted that C21 is sponsoring a "BOO Grass Festival on October 31<sup>st</sup>". All proceeds will be donated to Topsail Island to help purchase beach grass for our dunes.

Dr. Guinn had concerns regarding CAMA and where the berm is going. He didn't feel that the bull dozer person should be determining the berm line. Mayor Bostic said that the determination is made by FEMA and CAMA only. Mr. Hammond noted that emergency pushes can be made at this time and they must push as close to the house as they can. Dr. Guinn asked that we use common sense here and that we should represent the residents for better placement of the berm. Mr. Hammond noted - that's why we are getting engineers. Mayor Bostic said that it was a catch 22 and that we have to do what they say. CAMA wants the berm line as far landward as possible. Alderman Sizemore reported that after Fran we spent a lot of money pushing it too far seaward and lost it all. The Town has the responsibility to protect public property - not private property. The resources are limited to put the berm seaward. The government is saying don't do it and the public feels the same.

Linda Knowles wanted it clarified as to when and if you start pushing, the owner has the right to say they don't want sand pushed on their lot.

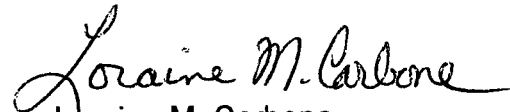
Scott Daughtery felt that FEMA, State, and inspectors have treated him badly. He has spent money to be within the codes and is doing the best he can.

**CLOSED  
SESSION:**

Alderman Barbara Haynes moved, seconded by Alderman Joe Vecchione approval to move into closed session at 9:45 PM. The motion passed unanimously.

**ADJOURNMENT:** Alderman Peter Hillyer moved, seconded by Alderman Steve Smith adjournment of the meeting at 10:05 p.m. The motion passed unanimously.

Respectfully submitted,

  
Loraine M. Carbone  
Town Clerk

TOWN OF NORTH TOPSAIL BEACH  
SPECIAL BOARD MEETING  
OCTOBER 20, 1998  
7:00 P.M.

**PRESENT:** Mayor Marty Bostic, Jr, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Vecchione, Barbara Haynes, Town Manager, Charles Hammond, Loraine Carbone, Town Clerk

**QUORUM:** The meeting was called to order at 7:04 p.m. in the North Topsail Beach meeting room and declared a quorum present.

**HURRICANE  
ISSUES:**

Discussion took place regarding the Grubb's contract. The work is completed for beach clean-up and the cost of removing the debris is \$9,900.00. Curbside pickup has also been completed and the cost of removing debris is \$18,120.00. We expect reimbursement in 4 to 6 weeks. Sand screening – work has been verified by Sue McLaughlin. She validates each of the invoices. Work is validated at check points at 4 different spots. Cost to date is \$169,450.34 and is 50% completed. Unscreened sand (5,215 cubic yards) has been done at a cost of \$41,720.00. Discussion also took place regarding the DSR's that have been authorized and completed. (see attached form) As of this morning three had been denied, but they changed their mind on beach grass replacement this afternoon and will authorize the replacement. Emergency berms and sand scraping have been denied at this time.

The only cost to the town is the .25/yard for sand removal. We've had a good response from citizens on sand removal. Forms are still coming in daily. There is one DSR that may be included that is not on here, which is the DSR for the crossovers and they have approved this at an approximate cost of \$125,000.00. The cost for emergency berms and sand scraping will be less because there are less breaches. We are pushing only where there are breaches. FEMA won't authorize us to take sand off of private property because they don't consider it debris.

The first check should come in a week or two. Grubb's is waiting for FEMA to pay us before we pay them. Alderman Steve Smith questioned how much help did the consultants give. Charles Hammond, Town Manager noted that they worked on the documentation for DSR's and instructed Sue McLaughlin on what to do. They are always available if we need them via the phone.

Alderman Otis Sizemore questioned if the expenses were handled in a reasonable amount of time. Mr. Hammond stated that once they create the system it should only take 2 weeks to process the requests for payment. Alderman Sizemore also asked if we would receive reimbursement from the County. Mr. Hammond said that there is no need for reimbursement from the county since FEMA will pay for it. Onslow County won't do anything until FEMA authorizes them to do so.

Issue of Grubb's working overtime: Mr. Hammond reported that we are only paying by the cubic yard according to how much debris they move. Overtime is only paid to our employees who will be reimbursed by FEMA.

We are bulldozing at Shipwatch but only where there are breaches. Alderman Sizemore felt that it is the responsibility of the private owner to push sand since it was not fair to other citizens or to contractors. No one has established berm lines. We have received responses from three engineering companies. We looked for a rough cost estimate on what they would charge to survey a berm line from mean high water line to establish a berm that would withstand a 5 year level storm. One firm was \$85,000.00 for an estimate. CAMA wants it as close to the road and to other structures. If FEMA supports berm reconstruction, FEMA will pay for the engineering costs.

Alderman Sizemore suggested going back and enlisting the help of some legislators since we need to protect the infrastructure. Alderman Smith suggested that we contact a college and see if they want to do a study free. Mr. Hammond will check with NC State and other institutions.

Alderman Sizemore noted that Mike McIntyre will be here on November 9, 1998 at the St. Regis, building #3 – Andy Hedrick has called McIntyre's office to begin discussion on beach renourishment.

The cost of repair for the bulldozer did exceed by \$5,000.00. CAMA should cover the cost of the dozer under the dune replenishment fund. Alderman Smith asked if we need to look at a bulldozer operator. Mayor Bostic noted that we need to get someone professional who knows how to do it and can run for two low tides. Alderman Sizemore was against hiring an extra person.

Berm reconstruction: Alderman Sizemore suggested having it as an agenda item at another time.

Repair on Topsail Road: DOT has not made a decision – they will not hand it over to us. Mayor Bostic noted that they have tried to give it to us, but we have refused because of maintenance.

Private property owners donating their unbuildable lots: we have to research tax lists – Terri Potts is researching this issue at this time.

50 parcels acquired by Onslow County in a tax foreclosure sale – Mr. Hammond has talked with the County Manager, Ron Lewis and has received no answer yet. There are two pieces of property that Onslow County took back and an individual wants to purchase the property. He could combine them to make a buildable lot. The tax value is \$27,000.00 and he has offered to pay \$2,000.00 per lot. Alderman Sizemore noted that we are losing tax dollars when the county accepts such offers. We will have our attorney draft a resolution to address this problem.

Possible actions per Alderman Sizemore:

Reduce overtime: we are not giving overtime, just comp time.

Minimize salary: we still have the MAPS survey to review and act on.

Reduction of Training: There are five brand new people who need training.

Mayor Bostic suggested that we don't send everyone the same week.

Alderman Hillyer felt that training is important. Alderman Sizemore said that he was not against it, but that he wanted us to look at expenses and defer some training if at all possible.

Travel expenses: We use the one town vehicle and will use the second when it is available.

Collect Taxes (\$66,000.00) from prior years: Alderman Sizemore suggested that we look at all taxes due – put liens on property – if county forecloses – we will lose it. Mr. Hammond will look into this issue.

Town billing for taxes instead of county: Everyone agreed that this is not feasible.

Bills for trash: should be done in a couple of weeks.

Increase fees on permits: we are looking at that now - should be done by January.

Control expenditures: this is being done.

Reduce number of street lights: Mr. Hammond has asked for list – we will investigate what needs to be done.

Charter Code Service – town ordinances – hold off for a year.

Reduce expense for phone and fax: we went with State system.

Anticipated savings is \$7,000.00 for the year over last year.

No non-budget items to be approved in FY 98-99.

Email addresses will be available at the next board meeting of all town hall staff. Staff will be reminded to check their mail.

We can share on the network between departments. A website will be in place. We are trying to get reimbursement from DELL because we didn't have all of the equipment in when Dare County came in to install. They had to come down on another weekend.

Mayor Bostic asked if anything has been done in regards to Galleon Bay. Mr. Hammond noted that we are still looking at that issue. The Board will have to decide if they want to do that or not. The issue is, FEMA will not pay to take that sand out because it is Fran and Bertha sand. If we take sand from southern Galleon Bay and place it on property next to it – FEMA will move it and put it where it needs to go. Do we want to hire someone to go in with a backhoe to get it out? The issue with the Marine Corps is still not dead. We haven't been in contact with them, but will call them tomorrow. Five test holes have to be dug according to CAMA to determine how much sand is there.

Bill O'Donnell noted that if the town cost for the berm is \$15,000 to \$20,000, that we will need to adjust our budget for the \$20,000.00. Mr. O'Donnell suggested that we delay some of the capital purchase items to offset the

balance. Mr. O'Donnell also suggested that we use separate accounts on AOL. Mr. Hammond noted that we have 3 accounts.

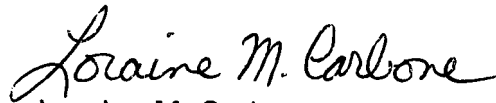
Public walkways will be fixed. CAMA came up with 21 that had to be replaced or fixed. We are getting estimates and are looking at \$125,000.00, which FEMA has authorized. A question of earthen crossovers was discussed – FEMA won't cover that. Alderman Smith suggested that we check posts on county crossovers because they are not sufficient.

Ocean City pier: the owners have agreed to fence off around the building and cut off the portion of the pier that is hanging down until he decides what to do.

Discussion took place on the bad publicity North Topsail Beach has received.

ADJOURNMENT: Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer adjournment of the board meeting at 8:45 p.m. The motion passed unanimously.

Respectfully submitted,



Loraine M. Carbone  
Town Clerk



# TOWN OF NORTH TOPSAIL BEACH

DATED 19 OCTOBER 1998

DSR	DESCRIPTION	EXPENDED	REMAINING	TOTAL AUTH	STATUS
03247	ROADS (Construction/Repair)	\$0.00	\$12,381.00	\$12,381.00	
04174	Galleon Bay	\$0.00	\$100,000.00	\$100,000.00	
04175	Cart Replacement (Waste Indus)	\$39,000.00	\$39,000.00	\$39,000.00	Completed
04176	Labor (Permanent Personnel)	\$15,229.00	\$4,568.00	\$19,797.00	
04176	Labor (Temporary Personnel)	\$8,310.00	\$4,155.00	\$12,465.00	
04176	Equipment (Use of Town Owned)	\$4,140.00	\$2,070.00	\$6,210.00	
04176	Materials (Purchased After Storm)	\$4,591.00	\$1,377.00	\$5,968.00	
04177	72 Hour (Permanent Personnel)	\$16,241.00	\$16,241.00	\$16,241.00	Completed
04177	72 Hour (Equipment/Use of Town Owned)	\$3,294.00	\$3,294.00	\$3,294.00	Completed
04177	72 Hour (Materials Puchased)	\$2,554.00	\$2,554.00	\$2,554.00	Completed
04177	72 Hour (Rental Equipment)	\$2,144.00	\$2,144.00	\$2,144.00	Completed
04179	Roads(Debri/Sand)	209,630.00	52,400.00	262,030.00	
04243	Sand Fence	0.00	28,601.00	28,601.00	
04242	Beach Grass Replacement	0.00	16,717.00	16,717.00	
04245	Emergency Berm	0.00	52,792.00	0.00	Denied
04244	Sand scraped	0.00	90,320.00	0.00	Denied

TOWN OF NORTH TOPSAIL BEACH  
PUBLIC HEARING AND BOARD MEETING  
NOVEMBER 5, 1998  
6:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore and Joe Vecchione, Loraine Carbone, Town Clerk and Attorney William H. Fuss

QUORUM: Mayor Bostic called the hearing to order at 6:10 p.m. in the North Topsail Beach meeting room and declared a quorum present.

REZONING OF LAND SOUTH OF SALTY'S PIER: This issue was tabled until December 3, 1998 at 6:00 pm since the presenter of this project, Charles Riggs, was not able to attend this hearing.

ORDINANCE AUTHORIZING DISPOSAL OF SURPLUS PROPERTY: Attorney William Fuss reported that it was in the best interest of the town to have the Town Manager to dispose of surplus property at the highest sale price. The changes are suggested by the League of Municipalities. The existing ordinance states a fair market value of less than \$3,000.00. We are looking to increasing that amount to \$5,000.00. All items for sale will be advertised. The board can review any sales made by the Town Manager.

Discussion took place regarding this issue.

Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer to close the Public Hearing. The motion passed unanimously.

RECESS: Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer to recess the regularly scheduled board meeting until Tuesday, November 10, 1998 at 7:00 p.m. The motion passed unanimously.

Respectfully submitted,

*Loraine M. Carbone*  
Loraine M. Carbone  
Town Clerk

TOWN OF NORTH TOPSAIL BEACH  
REGULAR BOARD MEETING  
NOVEMBER 10, 1998  
7:00 P.M.

- PRESENT:** Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Barbara Haynes and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss
- QUORUM:** Mayor Bostic called the meeting to order at 7:05 p.m. in the North Topsail Beach meeting room and declared a quorum present.
- APPROVAL OF AGENDA:** The swearing in of Daniel J. Salese, III as police chief will take place after the approval of the minutes. Alderman Otis Sizemore moved, seconded by Alderman Peter Hillyer acceptance of the agenda with appropriate changes.
- APPROVAL OF MINUTES:** Alderman Barbara Haynes moved, seconded by Alderman Joe Vecchione approval of the October 1, 1998 minutes of the regular board meeting. The motion passed unanimously. Alderman Peter Hillyer moved, seconded by Alderman Steve Smith approval of the October 20, 1998 minutes of the special board meeting. The motion passed unanimously.
- APPOINTMENT OF DANIEL R. SALESE, III AS POLICE CHIEF:** Mr. Hammond reported that Mr. Salese was appointed as acting police chief and has since been evaluated. Mr. Salese has received accolades from the citizens. Mr. Hammond requested the approval of Daniel R. Salese, III as Police Chief. Alderman Joe Vecchione moved, seconded by Alderman Otis Sizemore approval of the appointment of Daniel R. Salese, III as the Police Chief of the Town of North Topsail Beach. The motion passed unanimously.
- BEAUTIFICATION COMMITTEE:** Lois Rupert reported that the landscaping at town hall is complete and they plan to add geraniums in the future. Pansies have been donated and are planted at the welcome sign, fire station and intersections. Mrs. Rupert thanked the Beautification Committee members and volunteers. There is a problem with deer eating the flowers. A plant bank has been established along the sides of town hall. Lilies have been planted and we received a donation of red cannas today. The committee is always looking for donations. The Gift Certificate program has been launched. They have been distributed at the northern end of the island so far to businesses. Flyers have been handed out to all present. This is a good way to

contribute to green the island. Flyers were also handed out regarding decorating your homes with lights for the holidays. Homes will be put on a map for the trail of lights. They need to know by November 20, 1998.

Alderman Steve Smith asked that we look for some money for this committee. He appreciates all the work the committee and volunteers have done to beautify the town hall and North Topsail Beach in general.

**PLANNING  
BOARD:**

Bill O'Donnell reported that the committee met at an informal meeting. Terri Potts went over some information from Chapel Hill which was very helpful to the committee. No action was taken at that time.

**DOLPHIN  
SHORES:**

John Parker presented the proposal of Dolphin Shores. 42 single family lots will be developed. They went before the planning board twice, once showing 41 lots. The developer informed him that they wanted to add another lot, therefore their proposal was resubmitted to the planning board for reconsideration. Attention is being made to CAMA set back lines. They will locate structures at a greater distance. Wetlands precautions are being adhered to and there are restrictions to prohibit damage of vegetation. Driveway access will be restricted by sharing driveways. Two community areas are being proposed, a small cabana style clubhouse with access to the ocean and behind the fire station, there will be a combination public/private pier. There will also be an observatory style gazebo. Also proposed is a private area with 10 boat slips. Construction of the pier, as well as the public access will meet town's requirements.

There are proposed walkways to the ocean and the sound. They will attempt to get pier permits for 10 slips. The water is shallow, so the size of the boats will be restricted. Bill O'Donnell reported that the Planning Board approved the preliminary plan and that they are comfortable with the amenities. Mr. Parker did note that CAMA will have to approve this. This project is in a COBRA area and they will forewarn prospective buyers. Mr. Parker asked for approval of the preliminary plan for Dolphin Shores. Alderman Peter Hillyer moved, seconded by Alderman Barbara Haynes approval of the preliminary plat of Dolphin Shores as presented by John Parker. Alderman Otis Sizemore asked to be excused from voting on this issue. The motion passed.

**BARTON BAY  
YACHT CLUB:**

Charles Riggs made a presentation on the Barton Bay Yacht Club Subdivision. It is zoned R10 with at least 8 single family lots. There is an existing bulk head and boat ramp. They have received preliminary approval by the Planning Board. The wetlands have

been approved. Janet Russell has approved this development and they have a CAMA permit. The sewer system is serviced by North Topsail Sewer, Inc. and water is serviced by Onslow County. There are easements to the ocean and the sound. Dredging in Galleon Bay will be completed before the lots are recorded. The boat ramp is private. There will be a 10 ft. access easement. There will be 3 accesses to property. Bill O'Donnell reported that they did approve the plat, but did have concerns with open spaces, which they are planning to provide. Alderman Otis Sizemore moved, seconded by Alderman Steve Smith approval of the preliminary plat for Barton Bay Yacht Club. The motion passed unanimously.

**OLD BUSINESS:**

**LAND USE PLAN:**

Charles Hammond reported that there was no additional update on the Land Use Plan draft update. He did receive a letter today though from Zoe Bruner and they have submitted the changes. We will need to look at setting up a public hearing for this issue. They have a meeting the end of January and we will publish a public notice when Mr. Holland contacts us.

**DONATION OF DR. AMMON'S PROPERTY:**

We are unable to contact him at this time since he is traveling.

**FALCON CABLE CONTRACT:**

Rich Fallon spoke on behalf of Falcon Cable and answered questions from board members. Falcon Cable is offering a 5 year contract with upgrades within 3 years and then a commitment for another 5 years. Attorney Fuss noted that they originally proposed a 10 year contract, but we wanted to go with 5, but Falcon could not guarantee any technical upgrades with just a 5 year contract. Alderman Vecchione wanted the public to be informed before we made a decision. Alderman Otis Sizemore moved, seconded by Alderman Vecchione acceptance of the amended contract with Falcon Cable for five (5) years with system upgrades within three (3) years of the agreement and the Town will grant an additional five (5) year agreement if all upgrades are made. The motion passed unanimously.

**OCEAN CLUB VILLAGE:**

Mr. Parker asked that we accept the streets, walkways and pier of Ocean Club Village. The streets meet the state's specifications. Mr. Parker noted that the town requested a sitting area. Alderman Steve Smith thought that it was an unusual request for the town to take over the pier. Mr. Parker felt that the town needs to accept the public improvements. Bill O'Donnell was opposed to accepting a pier as town property since it would be expensive to maintain and insurance would be costly. He also felt that the town would have limited usage at this pier since there is no parking. Mr. Parker

noted that when the subdivision was designed, that it was part of the town's decision to have a landing area at the end. These piers are for people in the general area and not for the public to drive up to and park. Mayor Bostic asked the building inspector to look at the pier. Mr. Parker said that Jeff Holland has inspected the pier. Bill O'Donnell noted that Dolphin Shores is spending a lot of money to provide amenities, but he didn't think we were being unfair to request them to maintain this pier. Attorney Fuss asked if this pier was built in lieu of something else, i.e. dedication of land and Mr. Parker noted that it was built in place of cash. Attorney Fuss stated that the board was within their rights to take the streets and walkways and hold the pier issue. It was decided that the pier would be inspected by John Starzynski and then a decision would be made. Alderman Otis Sizemore moved, seconded by Alderman Steve Smith acceptance of the streets and walkways of Dolphin Shores and hold acceptance of the pier until December and until it is inspected. The motion was passed unanimously.

#### MAPS SURVEY:

Becky Veazey completed the survey and we are waiting on the board to finalize the study. The board decided to hold a special meeting in January to address this issue.

#### NEW BUSINESS: PROCLAMATIONS:

Charles Hammond read Proclamations from Ron Lewis, Onslow County Manager, commending the employees of North Topsail Beach for exceeding community expectations through their actions during Hurricane Bonnie. One proclamation was to the Town of North Topsail Beach and one was to the Police Department.

#### NOTIFICATION OF SPECIAL MEETINGS:

Pursuant to G.S. 43-318-12(b)(2), the public body is authorized to require citizen's who want to be notified of Special Meetings to submit written request to the Town Clerk quarterly. The same G.S. number also states that the Town shall charge such person requiring notification of special meetings a fee of \$10.00 per year.

#### NORTH CAROLINA SHORE & BEACH PRESERVATION ASSOCIATION:

This organization has asked us to become a member of their association. Most coastal municipalities are becoming members. They lobby and work for passing laws to help coastal communities and they also try to acquire extra funds for beach nourishment. The membership fee is \$500.00 /year. Alderman Steve Smith felt that it was very important that we join since they lobby for coastal towns. Alderman Peter Hillyer moved, seconded by Alderman Steve Smith approval of joining the North Carolina Shore & Beach Preservation Association. The motion passed unanimously.

**DOLPHIN SHORES CAMA PERMIT:**

Parker and Associates has asked the town manager to sign the CAMA permit for Dolphin Shores so that they can proceed with the development project. Alderman Joe Vecchione moved, seconded by Alderman Barbara Haynes approval of Dolphin Shores to receive a CAMA permit. The motion passed unanimously.

**OTIS ELEVATOR CONTRACT:**

Otis Elevator has a current contract with us. The labor cost to service the elevator is \$107.00 plus travel. The proposal of a 5 year contract is for \$170.80 per month, which includes parts and labor and they will service on an annual basis. Based on expenses we looked at, this amount is feasible. If it's not inspected each year OSHA will shut it down. Inspection cost us \$500.00. The consensus of the board was to get competitive bids and look at this issue in December.

**DISPOSAL OF SURPLUS PROPERTY:**

The only changes to this existing ordinance was to change the dollar amount to \$5,000.00 and to add that "such sale may be public or private, provided that items are duly advertised and there is a minimum waiting period".

98-14

**AN ORDINANCE AMENDING CHAPTER 2, ARTICLE I,  
SECTION 2.2**

**SECTION 2.2:**

Chapter 2 – Procedures for disposal of property owned by the town, Article I, Section 2.2 by adding the following changes:

Change: Add under Article I, Section 2.2 in its entirety the following:

**BE IT ORDAINED** by the Board of Aldermen of the Town of North Topsail Beach:

(a) The Town Manager is hereby authorized to dispose of any surplus personal property owned by the Town of North Topsail Beach, whenever he or she determines, in his or her discretion, that:

- (1) the item or group of items has a fair market value of less than five thousand dollars (\$5,000.00);
- (2) the property is no longer necessary for the conduct of public business; and,

management principles and financial considerations  
interests of the Town would best be served by disposing

(b) The manager may dispose of any such surplus personal property by any means which he or she judges reasonably calculated to yield the highest attainable sale price in money or other consideration, including but not limited to the methods of sale provided in Article 12 of N.C. Gen. Stat. Chapter 160A. Such sale may be public or private, provided that items are duly advertised and there is a minimum waiting period.

(c) The surplus property shall be sold to the party who tenders the highest offer, or exchanged for any property or services useful to the Town if greater value may be obtained in that manner, and the Town Manager is hereby authorized to execute and deliver any applicable title documents. If no offers are received within a reasonable time, the Town Manager may retain the property, obtain any reasonably available salvage value, or cause it to be disposed of as waste material. No surplus property may be donated to any individual or organization except by resolution of the Board of Aldermen.

(d) The Town Manager shall keep a record of all property sold under authority of this Ordinance and that record shall generally describe the property sold or exchanged, to whom it was sold, or with whom exchanged, and the amount of money or other consideration received for each sale or exchange.

(e) This Ordinance is enacted pursuant to the provisions of N.C. Gen. Stat. Sec. 160A-266©

(f) This Ordinance shall become effective upon adoption.

Adopted this 10 day of November, 19 98.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk



Alderman Peter Hillyer moved, seconded by Alderman Joe Vecchione acceptance of the proposed changes to "Procedures for disposal of property owned by the town, Article I, Section 2.2", as suggested by the League of Municipalities. The motion passed unanimously.

#### CONTRACT APPROVAL FOR CROSSWALKS AND STREET REPAIRS:

Alderman Otis Sizemore questioned the use of wooden crossovers and suggested using earthen crossovers along with sand fencing. They will all be handicapped accessible. Mr. Hammond noted that we will need to get FEMA back to reconsider the change in crossovers. Linda Knowles suggested angling the crossover - Mr. Rogers felt that walkways don't last because pilings aren't deep enough. He also felt that we wouldn't be able to fill in earthen crossovers two (2) days before a hurricane. Mayor Bostic asked the town manager to look at all the crossovers and determine where earthen ones can go. Dan Tuman had concerns regarding citizens building their own crossovers. This issue will be addressed in December.

We have received four (4) bids for the street repairs, but they were not consistent. FEMA has authorized \$12,000.00 for road repairs. The estimates range from \$52,000 to \$148,000. Some roads were missed, so therefore we are rejecting the estimates and John Tew and the town manager will measure the roads. Most of the damage is gravel that has to be replaced.

Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer approval to reject the current bids and readvertize and have the town manager measure the streets for more accuracy. The motion passed unanimously.

#### NEUSE RIVER COUNCIL OF GOVERNMENTS:

This organization is requesting that we become a member. The cost of joining is \$294.00. Alderman Otis Sizemore proposed that we thank them for the letter and that we will let them know at a later date.

#### MANAGER'S REPORT:

1. I asked Terri Potts to provide a report on nonbuildable property and she is getting records from Onslow County. There may be about 1,000 pieces of property that are not buildable. Attorney Fuss reported that we can hire an independent searcher who can search for approximately \$75.00. Alderman Otis Sizemore was concerned about tax foreclosures and the county picking up property cheap. Alderman Sizemore spoke with Ron Lewis and Larry Fitzpatrick at an outing and they said

to send them a letter regarding our concerns. Attorney Fuss asked for information to help him with the search.

2. A flyer on the National Hurricane Conference was handed out to board members. Mr. Hammond asked for comments on sending someone to this and to let him know by the next board meeting. The conference takes place in Orlando, Florida from March 29 to April 2, 1999. We do have a round trip flight banked since Mr. Hammond did not attend the ICMA conference.
3. Concurrence of Danny Salese to attend an Administrative Officer's Management Program from January 28 to April 17, 1999. This course is paid in full by a grant. Discretion of town manager will apply.
4. Mr. Hammond asked for approval from the board for our off duty police officers who work for independent North Topsail Beach employers to wear the NTB Police uniform and utilize the NTB police car to travel to and from work. This provides high police visibility on North Topsail Beach. Mayor Bostic wanted to make sure that they would handle themselves in a professional manner. Discretion of police chief and town manager will apply.
5. Reserved parking spaces for town manager and police chief: Discussion took place on whether or not it was necessary to have reserved parking spaces. Board members and citizens felt that it was not necessary to designate any parking spaces.
6. Update on Bonnie reimbursement issues: \$12,381.00 has been approved for road repairs at this time. FEMA has cut the Galleon Bay project in half and capped it at \$50,000.00. They will only clean out half of the canal and they do not want to touch what is "Fran" sand. Mayor Bostic asked if they will allow property owners to do it and would it be reimbursable. Mr. Hammond thought that we could probably get most of the southern end done. Carts have been replaced. Until we finish with Grubbs Construction and the temps, we cannot finalize the DSR's. We have spent over \$500,000 for debris removal at this time. FEMA will be down for final inspection. In regard to sand beach replacement and sand fencing, If we do quantity purchasing, we can get a cheaper price by combining all three (3) towns. The Marines have backed out of cleaning up Galleon Bay.
7. Mr. Hammond thanked the beautification committee and their volunteers on all of the hard work they did in planting and beautifying the town hall and other areas on North Topsail Beach.

8. Mr. Hammond noted that he has had some personnel complaints from some board members. He will not take action against an employee on second hand information. If you or your neighbor has a complaint about me, the police chief or any other employee, please feel free to discuss it with me and bring it to my attention.
  
9. Mr. Hammond has investigated a possible revenue issue – allowing sport fisherman on the beach. Other beaches have collected a great amount of money by selling permits. We have an ordinance that allows fisherman to go on the beach. The fee is \$20.00 per permit for residents, \$50.00 for non-residents. I have researched minutes of July 94 and a motion was brought to the board to stop driving on the beach. This motion was passed unanimously and nothing was done beyond that point. It was never brought back as a resolution or ordinance. In September of 95, the issue was brought back up again and it was passed 3 to 1. Attorney Fuss noted that legally you turn to the statutes and code book. He has called the League and they stated that you have a code provision based on an ordinance. There was a vote taken in 94 which sought to change that ordinance, but no written codes reflect that vote. Another minute entry from 95 said something different and that was not entered either. The Statute advises that if it is not in the code book, it is not enforceable by law. Mr. Fuss called Kim Smith at the League and she said that If the board decides that they want to change the ordinance, that we can schedule a public hearing, discuss it and then consider and direct a resolution and codify it into an ordinance.

Sue Tuman noted that she called Fleming Bell at the Institute and his opinion doesn't coincide with Mr. Fuss'. There was no advanced notice and no opportunity for the public to make any comments. Mr. Fuss noted that technically there is no requirement for a public hearing for amendment. We can't stop people from riding on the beach. Sue Tuman suggested setting the fee high. Mr. Fuss said that there is a definite conflict as to what should be done. The most reasonable avenue is to have a hearing and the board can then take issue of what they want to do. Mr. Fuss noted that the police can enforce no driving on the beach, but it will override what the ordinance allows. Linda Knowles felt that this issue should not be in the Manager's Report and that it should have been on the agenda. A Public Hearing is scheduled for November 30, 1998 at 7:00 pm.

**Mayor's Report:** Mayor Bostic reported that CAMA is changing their regulations. There is a meeting regarding these changes on November 18th at 10:00 am at Wrightsville Beach at the Blockade Runner. There is also a CRC meeting on November 19<sup>th</sup>. Mayor Bostic asked citizens to attend these meetings if they could.

**ALDERMAN'S  
REPORT:**

Alderman Steve Smith was honored to meet with Congressman Mike McIntyre at the general discussion with all three towns on November 9<sup>th</sup> at the North Topsail Beach meeting room. Congressman McIntyre recommended that we work as a group. Mr. McIntyre later was a speaker at the Chamber of Commerce's annual meeting. Alderman Otis Sizemore attended this meeting and found it to be informative. Alderman Joe Vecchione also attended the meeting with Congressman McIntyre and he noted that it was nice to see citizens there also. Mr. Vecchione thanked everyone for coming out tonight and asked that they all make sure that they are here for the public hearings.

**CITIZEN'S  
INPUT:**

Dan Tuman questioned when the codes come into effect. He would like to see an action directing the town manager to avoid this situation from happening again. Mr. Hammond assured Mr. Tuman that he has cross-referenced minutes suggesting ordinances or resolutions. Sue Tuman had a concern regarding the lowering of building heights that was never changed in the ordinance book. She felt that a public hearing should be scheduled as soon as possible. Mayor Bostic noted that we would get all the information on building heights and he asked Mr. Fuss for his input. Sue Tuman also felt that the Land Use Plan needs to be addressed and that this plan would eliminate beach driving. John Flynn noted that it is stated in the Land Use Plan, "because of sensitive nature of dunes and beaches, North Topsail Beach believes that driving should not be allowed on beach.... " He asked if this statement gives the town authority to enforce no driving on the beach. Attorney Fuss said that the Land Use Plan is not controlling over ordinances.

**ADJOURNMENT:** The meeting was adjourned at 10:45 p.m.

Respectfully submitted,

  
Loraine M. Carbone  
Town Clerk

TOWN OF NORTH TOPSAIL BEACH  
PUBLIC HEARING  
NOVEMBER 30, 1998  
7:00 P.M.

**PRESENT:** Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Barbara Haynes and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

**QUORUM:** Mayor Bostic called the hearing to order at 7:10 p.m. in the North Topsail Beach meeting room and declared a quorum present.

**BEACH DRIVING:** Mayor Bostic set the ground rules for the hearing by stating that comments, pro or con were welcome, but must be addressed one time by raising your hand and being recognized.

Dan Tuman first addressed the board. Following is his report:

Regarding this hearing today at beach driving, it is my position that the town ordinance be:

"Because of the sensitive nature of the dunes and ocean beaches, as well as pedestrian safety, North Topsail Beach believes that driving should not be allowed on the beach except for emergency vehicles."

My position is identical to that proposed in the town's updated Land Use Plan. This document was prepared by our town citizens with professional assistance and reflects our most up-to-date collective thoughts on this matter.

To further clarify my position I make the following comments:

1. "No Beach Driving" does not prohibit using the beach for fishing and other recreation.
2. Beach driving must continue to be allowed in the area of the New River Inlet. Today a purchased permit is not required for this privilege. This policy should continue. In addition, a town installed "STOP SIGN" "NO VEHICLES ALLOWED NTB PD." Needs to be erected at the Town's north and south entrances to the beach strand. Topsail Beach has installed such a sign. Its appearance is an attention grabber and leaves little doubt as to its intent. I have a picture of this sign that I will make available.
3. Contrary to the expectations of our new Town Manager, selling beach driving permits is an inconsequential source of revenue. Town records for the last three years for which

beach driving permits were sold, (fiscal years ending 6/30/1996, 1994 & 1993) revealed revenues of only \$1264, \$2490 and \$2995 respectively. Because of this poor revenue history, it is unreasonable to expect that money from this source would have any dollar impact on our dune restoration activities or could come anywhere near to covering the police surveillance expenses for additional manpower or vehicles should you now make our 13 mile shoreline a vehicle thoroughfare.

4. There is a valid concern regarding beachfront property security. A "NO VEHICLES ALLOWED" ordinance provides the public with reasonable and ample cause to alert the police. (should vehicles be seen there) This makes the restriction enforceable. Allowing beach driving with restrictions is not enforceable. Prior testimony from our police and our town history makes that point!
5. Regarding Sports Fishermen, it is my observation that not all fishermen want to or can drive on the beach even if they were to have that privilege. Many just do not own vehicles that are adequate for a soft sandy surface. A safe place to park their vehicle, which is close to the fishing, is most important to these. I would think that the County Beach Accesses located throughout our town, north to south, when restored, go a long way in meeting their needs. Now, we have all read why these accesses continue to be closed. To me it seems quite easy to take some reasonable interim steps to allow public access there. All that is required is some pushing of sand, removal of unsafe crossover debris and the placement of some portable toilets. Activities that take little more than a couple of days to complete.
6. Admittedly, there are fishermen who want to and do drive their vehicles onto the beach where allowed. For example, at the north end of our town. I presume that they go there, as opposed to other places, because of convenience, quality of fishing and it is free. Also, I often see vehicles across the New River Inlet at Onslow beach. Some of the vehicles there are parked while others appear to be cruising. For those who wax nostalgic for the way the NTB area once was, before residential construction and the formation of the town, then the undeveloped area of Onslow Beach would appear to be an ideal location for the ardent beach driver who is not content with the expense or the restrictions on Topsail Island.
7. In conclusion, the issue of beach driving to me should not be a divisive win-lose proposition. Rather a "no vehicles allowed on the ocean strand" seems a sensible solution to the protection of NTB while still accommodating the recreational needs of its residents and visitors.

Bill O'Donnell addressed the board and stated that he has been a resident since before there was a town. Beach driving has been prohibited by the Land Use Plan in 1991 and 1996. Revenues are insignificant to potential dune damage along with the cost of additional monitoring and patrols. This is a foolhardy approach. The beach is for walking and not for driving. Ruts make it difficult to walk. Police monitoring is easier if no vehicles are on the beach. Break-ins happen on the beach side. There will also be a significant increase of debris, beer bottles, and fish carcasses. There have also been sports fishermen trying to drive over the dune. The wishes of taxpayers must take priority. On one hand we have residents and taxpayers and on the other a few fishermen. I ask that the current ban be upheld. I also ask that current permits be refunded. I also ask that when police see permits on the beach that they tell them they are invalid and get a refund at the town hall.

Gordon Bradley, who is a fisherman, has driven on Onslow Beach daily for the past couple of months. Driving packs the sand down. I feel if I'm going to live here I should fish here. I ask the board to permit driving, even night driving.

Alberto Weidlin expressed his total opposition to beach driving, and stated that vehicles leave tracks on the beach - 3 to 4 in. deep, which makes it impossible to walk on the beach. Mr. Weidlin showed pictures of ruts on the beach. When I go fishing I walk across dunes, nobody wants to deprive anyone from fishing.

Charlotte Wilmer stated that if we want a private beach then let's say we want one. If we want a public beach and ask for funds to rebuild after hurricanes, then something is going to have to make it a public beach. Walkers and swimmers leave debris. To say that fishermen leave debris reinforces the fact that we need to maintain cleanliness. I have some concerns that if we decide to allow beach driving we should consider safety with speed limits of 20 mph. Alcohol should be prohibited. We should protect the beach and coastal environment. Vehicles should drive only on portion that is from foot of dune to ocean. The bottom line is, can we enforce the permits. What will the cost be for additional enforcement and public work staff? Have bird experts analyzed driving on the beach? Can an educational handout or video be viewed by applicants who want a permit? In many ways fishermen are the most concerned in adhering to the rules.

Bill Rogers showed the bag that he uses to carry tackle and noted that was all he needed to go fishing. In the old days there were only half a dozen or so houses on the island and very little in the way of roads. There were also few if any piers to fish from. Transportation was needed and driving was the only, repeat only way to get there, unless you were willing to walk a mile or more.

Today there are paved roads on the entire length of the Island, today there are many houses on the beach, today there are fishing piers on the Island. There are about 12 miles of beach on North Topsail and about 35 or so of crossover sites. This works out to a maximum access distance of 900 feet to just about every fishing hole in the town.

Sam McGinn stated that he built his house 37 years ago and that it is a sad commentary that a few people in this town can stop sport fishing. I understand that the beach has been torn up, but driving on the beach will not destroy the beach. Mr. McGinn came here 50 years ago to fish. Don't stop handicapped people from driving on the beach. Mr. McGinn complimented everyone on the good work they are doing.

Jean Nociti of the Topsail Chamber of Commerce, noted that she was not expressing an opinion, but giving a few points based on tourism and the Chamber's role on the Island. Please consider all the points you hear tonight, and not base everything on personal opinions. The history of Topsail Island is fishing, we're known for this, and we receive many phone calls at the Chamber. This is an important issue for a lot of people. Onslow County also advertises fishing on this island. We have the Nation's Bank President who fishes here and also high level representatives who fish here. North Topsail Beach has received a lot of negative publicity. Whatever decision you make has to be broader than just a few residents. We're looking at the accommodation's tax. If you have word up in Raleigh that you are anti-tourism you will have a problem. The island benefits from accommodations and from tackle shops. Tourism is the industry of Topsail Island. The downside is the trash. You have to put together a positive approach and not a negative one towards fishermen.

Sue Tuman stated that handicapped people are welcome on the beach all year round with a limit of a 1000 lb. vehicle. The beach belongs to everybody. Security is a problem and there have been break-ins. Years ago there were no 4 wheel vehicles. A lot of them today are just out there on the beach and not fishing. The Land Use Plan committee worked on this issue for quite a while and is out of date now. As a group you will have to review the plan and go forward with it. The Plan states on page IV-11 under (b) "During the five-year planning period, the town will focus on improving the following recreational facilities with funding support from local tax dollars: parking for shoreline access, jogging and walking paths, bikeways, public boat access, and picnic facilities. This will include repairing damage sustained from the 1996 hurricanes." Under (c) it states "North Topsail Beach believes that additional and appropriate soundside and ocean beach access facilities should be developed." I don't think anyone who lives here wants to prevent



people from fishing, but damage from vehicles is a problem. We need to make the right accesses, go to the County to repair accesses and have accessible porta johns. If fishermen could get to accesses it would be easier for them.

Ann Penta asked, "Why are we here." I remember when everyone said, please let's renourish the beaches. Why would anyone decide to let this happen. We don't want to stop any fishermen from going on the beach. We are not vigilantes here; we want to help North Topsail Beach. This is a waste of our time and your time to go through this process. We should contact Onslow County and get them to clear their accesses. Some drivers are not here to fish; they are just riding up and down, ripping up the beach. Police can't patrol the whole area. There is a lot of litter.

Jack Dempsey stated that this issue has come up every couple of years and there are valid arguments on both sides. After 1996 everyone knows what a fragile beach we have. I can't see where driving on the beach would help us.

Mr. Brigman of Rogers Bay stated that his wife has no way to get on the beach because she is handicapped. I do not have a 4-wheel vehicle and my wife has not been on the beach in 2 years. There is no handicapped access on this beach. I have seen people ride on the beach. I have paid good money to plant beach grass on dunes and others have planted nothing. Nature takes care of itself whether you drive or not. You should limit driving on the beach, but I should be allowed to drive my wife on the beach. There are no ramps available.

Dan Tuman addressed the Board again and stated that he's heard Jean Nociti's comments, but there were some veiled threats in her comments regarding tourism. There are other areas where tourism is the industry, i.e. Wrightsville Beach and they don't allow any driving on the beach and they are not in trouble with tourism.

Joe Vecchione noted that it has been an interesting two weeks. He has received a lot of phone calls and letters. It's a tough issue. A pier should be finished in the spring. There is driving on the North end of the beach and it's marked. Right now our budget is tight, but we could put some accesses down with some gravel. We do encourage fishing and I want to thank everyone for your comments.

Mayor Bostic stated that he was disappointed by some who sent letters, but who didn't show up tonight. The first public access, near St. Moritz, has no parking signs there. Second Avenue is 3 miles from the high rise bridge. We don't have ample accesses. The Jeffrey's property can be used for fishing. In the past though, some have been ticketed. Letters to the editors in the spring complained

that we are a no parking town. I have criticized Onslow County on repairing the beach accesses. We need to turn this into a positive thing. Within reason and limits this could be good for the town. There have been quite a few people who have a bitter taste about North Topsail Beach; they feel they are not welcomed. No one is encouraging anyone to drive during tourism season. I feel we have the best police department on the island and they can handle any problems associated with this.

Otis Sizemore noted that he has received a couple of positive letters. One said that her husband is handicapped and he is not out to do harm to the beach and they always have their trash bag with them. Another one said please consider beach driving for fishermen. I received 3 or 4 letters like that and more against it. I suggested that more signs be put up to let them know they can't drive. I have proposed a moderate position - limited driving from Jeffrey's curve to Salty's Pier, which is about 3 miles, and have a sign at each extreme saying no vehicles beyond this point. Also signs should be posted stating, don't drive past 10 mph, daylight hours only, no joy riding allowed. We should propose to those who register for permits that these rules apply for permit, duplicate set should be handed to the applicant, and they need to sign an affidavit after they have read the rules. We need to give fishermen some mobility.

Steve Smith also has received numerous letters and has heard comments that the beach belongs to everybody. I'm for beach renourishment, which is costly. Fishermen will not damage the beach. We will need everyone's help to renourish the beach. It's a tough decision for all of us.

Peter Hillyer noted that there were plusses and minus – plus for fisherman, they get to go out on the beach – minus is damage to beach and safety. The minuses out weigh the pluses. The beach has changed, the island has changed, and the town has changed. Dunes are up against houses. I've seen fishermen who don't follow the rules.

Alderman Hillyer moved, seconded by Alderman Joe Vecchione to close the public hearing at 8:10 p.m. The motion passed unanimously.

Respectfully submitted,

*Lorraine M. Carbone*  
Lorraine M. Carbone  
Town Clerk

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**TOWN OF NORTH TOPSAIL BEACH  
PUBLIC HEARING AND BOARD MEETING  
DECEMBER 3, 1998  
6:00 P.M.**

**PRESENT:** Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, and Joe Vecchione, Dartha Campbell, Deputy Town Clerk, Town Manager, Charles Hammond and Town Attorney Bill Fuss. Alderman Barbara Haynes was not in attendance.

**REZONING OF  
LAND SOUTH OF  
SALTY'S PIER:**

Mr. Ed Walters and Sonny Johnson, Jr. request from the Board, a rezoning of land adjacent to Salty's Pier that is zoned R-20 to an R-5.

The property in question is located on 1568, next to Salty's Pier and Topsail Dunes. The Planning Board went over the proposal and has approved the rezoning.

Terri Potts, CAMA/Zoning Director said the changing of the property from an R-20 to an R-5 is the best possible rezone for the area. It fits the requirements and will work with what the contractor wants to do.

Alderman Steve Smith made a motion to close the public hearing. Alderman Peter Hillyer seconded motion. Motion passed.

**REGULAR  
MEETING:**

The regular meeting of the Town Board was called to order at 7:00 p.m.

**APPROVAL OF  
AGENDA:**

Alderman Steve Smith made a motion to approve the agenda, with minor changes. Alderman Joe Vecchione seconded motion. Motion passed.

**APPROVAL OF  
MINUTES:**

**Minutes for the November 5<sup>th</sup>** meeting were read and reviewed. Alderman Otis Sizemore made a motion to accept the minutes. Alderman Joe Vecchione seconded the motion. Motion passed.

**Minutes for the November 10<sup>th</sup>** were read and reviewed. The Alderman's report was accepted with the addition of Alderman Otis Sizemore's name to the attendance of the Three towns meeting on November 9<sup>th</sup>. Alderman Peter Hillyer made a motion to accept the minutes with the changes. Alderman Joe Vecchione seconded the motion. Motion passed.

**Minutes for the November 23<sup>rd</sup>** meeting were read and reviewed. No changes were necessary. Alderman Joe Vecchione made a motion to accept the minutes. Alderman Steve Smith seconded the motion. Motion passed.

**BEAUTIFICATION  
COMMITTEE  
REPORT:**

**Sue Tuman** gave the report for Mike Rupert in his absence. The committee has started a gift certificate program. Certificates to honorees and thank you letters were sent to individuals who made donations. Flyers were distributed for the Certificate and the Trail of Lights Programs. Plans are underway to landscape the south end NTB Welcome Sign.

**PLANNING  
BOARD:**

**Bill O' Donnell** gave a report on the Planning Board. The main issue presented to the Planning Board is the issue of rezoning for the area next to Salty's Pier. There will be a meeting of the Planning Board one-week from tonight. (December the 10<sup>th</sup>). It will be a workshop meeting.

Mr. O'Donnell also expressed a concern for the Town's image with some of the state and county officials. He felt a lot of people were given misinformation on some of our regulations on the Island. Particularly the fact that beach driving is allowed in our town under certain conditions. People are allowed to drive on the beach at the north end and commercial fishermen are allowed to drive on the beach. The town allows this; they are not required to do this, and he feels that some people get the impression that we are too restrictive as a town. He spoke with several people that were not aware that handicapped people were allowed on the beach. He thinks this information should be put out to the public to keep the misinformation down.

Mr. O'Donnell also was not aware of the amount of mutual aid that the Police and Fire Department performed not only in our town, but in the surrounding area as well. With the addition of our new fire truck, the area of mutual aid has grown. Also, he would like to see the parking places in front of the Town Hall be labeled for "Visitors."

#### **OLD BUSINESS:**

Mr. Hammond related to the Board that Mr. Ammon has not been able to be reached because of his traveling. He told the Board they would keep on trying to locate him in regards to the land donation.

#### **OCEAN CLUB PIER:**

The pier was built in violation of CAMA, also there was never a building permit issued. The pier is also in violation of our safety/building codes in that there are no handrails.

Town attorney Bill Fuss advises not to accept the pier as a donation to the town unless it was brought up to code. Also there are dead trees around it that need to be cleared up. The Town would also like the property to have a gravel parking area in front of it before considering taking over the pier.

Mayor Bostic commented that we should relay our intentions to the developer and have the Building Inspector inform him that it does not fit the building requirements. The item was tabled until these concerns could be addressed and bring it up again at the January meeting.

#### **OTIS ELEVATOR CONTRACT:**

The Town received 3 bids on elevator service contracts, to include a revised one from Otis. The least expensive bid was from Otis. They quoted a price of \$110.00 to include basic maintenance, parts and labor. Mr. Hammond wanted the Board to permit him to try to get Otis to lower their price to \$100.00 per/mth. The Board had no objection to Mr. Hammond trying to get the lower price from Otis Elevator. He will get back with them on a final offer.

#### **CROSSWALKS:**

After a review of the crosswalks by Terri Potts, John Starzynski and Tony Hammond, it is suggested that we rebuild 2 hard structures on each end of town at Oyster Lane and Sea Dunes Village on the North end of town and 2 at 23<sup>rd</sup> Street and 21<sup>st</sup> Street on the South end.

The remaining structures could be replaced with earthen berms. The other crossovers range anywhere from \$2500.00 to \$10,000 to repair or replace. We can do an earthen berm for about \$1500.00. FEMA would authorize us to do this since the scope of the work is changing, but it would be saving them money. The only thing we had to do is submit a letter to them informing them of our plans, which we did. But it wouldn't lock us in if we decided to go with the hard structures.

Upon discussion of the different types of crossovers, some were concerned about the functionality and usability of the crossovers with retractable steps. It was suggested to maybe build a model for everyone to see how well it would hold up.

A motion was made by Alderman Peter Hillyer to authorize the Town Manager to contract for the repair of Oyster Lane, and Sea Dunes Village on the North end, and 23<sup>rd</sup> Street and 21<sup>st</sup> Street on the South end without the retractable steps. Alderman Joe Vecchione seconded motion. Motion passed.

The Board also instructed that our Public Works Department go ahead and start looking for sites to put earthen berms on.

**1996 LAND  
USE PLAN:**

The 1996 Land Use Plan draft contains submissions from Zoe Bruener and Dale Holland. He has already incorporated changes that the State had requested before going to a public hearing. The Board decided to go ahead with a public hearing at 6:30 p.m. before the next regular board meeting January 7<sup>th</sup>.

**NATIONAL  
HURRICANE  
CONFERENCE:**

Mr. Hammond asked the board for a determination as to who they want to attend the National Hurricane Conference in March in Orlando, Florida? There is also a state conference in Atlantic Beach. Mr. Hammond said the state conference would probably be better for us. The Board wanted us to attend the state conference and left the choice of who is to attend to Mr. Hammond.

**REZONING FOR  
THE YOPP  
PROPERTY:**

Alderman Otis Sizemore made a motion to approve the rezone request. Alderman Steve Smith seconded motion. Motion passed.

**REQUEST FOR  
SATURDAY  
BOARD  
MEETING:**

It has been requested by absentee property owners that the Town hold a board meeting to allow them the opportunity to attend meetings and participate in any action taken. After some discussion on the matter, the Board decided to advertise a Saturday meeting for absentee property owners. Also discussed was a web page to be put on the Internet. A newsletter was also discussed. The meeting was scheduled for March 6<sup>th</sup> at 2:00 p.m. It was decided to do a flyer to absentee property owners to inform them of the special Saturday meeting.

**AT&T/TCI  
MERGER:**

The Town received three copies of the AT&T/TCI merger proposal. The Attorney was given a copy of the merger to view. It will be presented to the Board at the January 7<sup>th</sup> meeting. The merger package is a long, detailed volume and AT&T has offered to pay up to \$300.00 for a professional to go over the proposal and review it for us.

Mr. Harris has offered to review the merger for the Town at a cost of \$300.00. Bill Fuss, the Town Attorney recommended that the Board allow Mr. Harris to do the review for us. Alderman Otis Sizemore made a motion to authorize the Town Manager to engage Mr. Harris to review the report for the Town. Alderman Joe Vecchione seconded the motion. Motion passed.

**BILLING FOR  
GARBAGE  
COLLECTION:**

Citizen controversy over the billing of the trash service has prompted the Town Manager to ask the Board to consider the following recommendations:

1. Turn the collection process over to Waste Industries for collection and administration.
2. Have Onslow County Tax Office collect the fee as part of the tax bill and pay the 1.5% administration cost.

The Town Attorney had been asked to look at the ramifications of terminating the lease agreement with Waste Industries. Mr. Hammond and Attorney Bill Fuss will review the contract we have with Waste Industries and get back to the Board with their findings hopefully, before Christmas.

**CHRISTMAS  
TREE  
RECYCLING:**

There was some controversy as to whether it would be worth having volunteers help with the tree recycling due to the fact that volunteers would not know the correct method of placing the trees on the dunes to keep them from washing back out in the tide.

Sue Tuman said another reason not to use volunteers was that:

- 1. Many had a conflict of time.
- 2. It was hard to get enough volunteers who were able to do the job correctly.
- 3. It was suggested that flyers be put out to instruct them in the correct way to anchor the trees on the dunes.
- 4. No one helped with the clean up and there were trees everywhere because people had just dumped them without knowing how to do the job correctly.

Mayor Bostic asked if it might be possible to have the Military help with the clean up?

**TRAVEL  
ORDINANCE:**

Mr. Hammond presented the Board with a Travel Ordinance that was adopted and modified from the Jacksonville policy. The Board already adopted the per diem and meal rate, but this was a more detailed version. Mr. Hammond wants authorization to adopt this policy. Town Attorney Bill Fuss went over the ordinance and said it looked great to him. Alderman Peter Hillyer made a motion to adopt the policy. Alderman Joe Vecchione seconded the motion. Motion passed.

**MANAGERS  
REPORT:**

The Town Manager received a letter of praise on November 17<sup>th</sup> from Paul Rozzio thanking the Town and Thomas Best for the course on fire safety that he taught over there. The North Topsail Fire and Rescue Department received a check for \$100.00 for the EMS rescue by way of thanks for the job they did teaching.



The Town received a grant from the State for safety equipment for the Fire, Police, and Public Works Departments in the amount of \$750.00.

**Mac Sligh**, head of the Onslow County Parks and Recreation Committee, contacted Mr. Hammond. He wanted to know if the Town had an ordinance on where food vendors could or couldn't sell their products? He wanted the Town Manager to approach the Board and see if they would consider doing an ordinance that would restrict the location of where vendors could go or how close they could go to his facilities.

**MAPS  
STUDY:**

Mr. Hammond scheduled a meeting with Becky Veasy for January 14<sup>th</sup> at 7:30 p.m. to go over any changes or make any corrections or comments in the study she did for the Town. If not, it will go to her "as approved."

**D.O.T.:**

**E. Norris Tolson** sent us a list of sites for public meetings that are going to be held over the next few months to discuss the Transportation Improvement Program (TIP). The one for Onslow County is scheduled for March 11<sup>th</sup>. There is a copy of a complete draft in Mr. Hammond's office, if anyone wishes to see it. Since it is a large volume, it will stay in the office.

**800 #**

We receive a lot of calls from out of town residents and property owners. The Town Manager called Carol Nebel to check on a state 1-800 number for the town. The state does provide this service and it costs .13 cents a minute. We now pay about .09 cents for our calls. It won't cost anything for installation because we can take one of the existing lines and change it to a 1-800 number. It gives any out of town property owners the ability to use the 1-800 number without incurring a long distance telephone call. It's a service that he feels would be nice to offer people who live out of town. It is also something that we can advertise over the Internet once the web page is set up.

Since we converted our regular telephone service to state service, we have cut our phone bills almost in half. The Board wanted to know how would you keep local people from using the 1-800 number? They questioned putting an in-state block or a county block on it to keep it from being abused by local callers. It would also be beneficial to town

staff and officials when out of town in meetings or conferences. The Board was of the opinion that we should try this system out. They also wanted an easy number to remember.

Having America on Line may change. It's expensive to use for a web site, and Mr. Hammond would like to try to get the Town its own web site page if we can. AOL wanted to charge us \$99.00/month for a web site. He has spoken with Mr. Harvey Bird who has a place in Sneads Ferry. He will speak with him on Monday. He may let us use his site for a host site for the web page, which would cut down the on-line service almost in half.

The Town Manager provided a sheet to everyone that has an E-Mail address for each of the Town employees. We are in the process of designing our own web page. It was an option of paying a web designer \$375.00 to \$500.00 to design our web page or purchase a program called "Microsoft Front Page 98" and develop our own web page. This will cost \$128.00. Web page developers use this same program to design their own pages. Sue, our temporary, is helping us with this. We are at the point where we can't go any further until we get a temporary host site. Hopefully, this will change next week when he talks to Mr. Bird.

Computers are running well, but we still can't talk to each other in the offices without going online to do so.

Mr. Hammond passed out copies of the Town's Budget Statement of expenditures and revenues. It also provides an update on DSR's.

Street repairs – we are still waiting on data from bids.

#### **ATTORNEY'S REPORT:**

Attorney Bill Fuss has received offers of three lots that citizens want to give as a donation to the Town, pending a title search. These properties are:

1. One located at Ocean Bay Village.
2. Beach front between Marina Way and Bay Court.
3. Brad Minshew's property on 18<sup>th</sup> Street and 23<sup>rd</sup> Street - he would like to donate these before the end of the year so he can show it as a tax write off.

The Board had questions on whether the homeowner's dues came with the property? Mr. Fuss explained that it would take a vote of the Home Owner's Association. Did the Board want to accept donation of the property? Alderman Peter Hillyer made a motion to accept the property dependent upon what the attorney found out about it. Alderman Otis Sizemore seconded motion. Motion passed.

**MAYOR'S  
REPORT:**

Mayor Bostic gave a report on the Onslow County Mayor's Association meeting. The guest speaker was Walter Timms and he highlighted several things that were going on in Onslow County as far as new industry coming in. One thing he emphasized in his speech was tourism. He was impressed with how knowledgeable he was on the different things going on in the county to promote tourism. He suggested that the Board have him give a presentation before one of the meetings.

Alderman Sizemore discussed where several sites had been accessed on the beach by vehicles. He wanted to know how the town could reduce the unauthorized access and other people driving on the beach. Could the Town possibly put up a gate at Galleon Bay? Town Manager Charles Hammond reported that we have some signs that say "No Vehicles on the Beach". They plan to put one of the signs at Ocean City Pier and one at the north end to block the traffic from accessing the beach.

Alderman Smith talked about when Congressman Mike McIntyre was here and he asked that we look at a resolution and go in together with all three municipalities on the Island for the beach renourishment. He thought it would be a better approach for beach renourishment purposes if we worked together for the entire Island. He asked that the Town Manager speak with Surf City to see if they have adopted any resolutions for beach renourishment. Alderman Sizemore said that they have a committee for that purpose. Alderman Smith said that we need a committee as well. He suggested that it would be a way of saving money for the Town.

Mayor Bostic suggested the Town have the Town Attorney check the other municipalities to compare resolutions for adoption. Alderman Smith said that we really need a committee to be started. Another thought he had was

concerning preservation. Membership to join the preservation is \$500.00. He would like the committee that is elected to attend the preservation meetings and relay information back to the Board on their progress. Could we attend the meetings?

Mayor Bostic suggested scheduling a 4 Town meeting in January. A meeting was scheduled for the last week in January. After contacting the other area towns, a definite date for January will be set up.

Seth Flickenger wanted an update on the bulldozer purchase. In his area, there are 50 citizens who want their sand pushed. At this time, our dozer is down. We are waiting on parts for it. Terri Potts, CAMA Director, advised him that he would need to contact the Army Corps of Engineers for this. He may obtain a one-time permit and push on the Town's permit, but he must contact the Army Corps of Engineers for a minor permit before pushing.

Beach grass: Terri Potts has reserved 1 and ½ million plants for planting. She has ordered 4 types of vegetation, but the beach will have to be pushed first. The plants are coming in February.

Mr. Flickenger wanted to know if they could start planting this winter? John Tew, Public Works Director, said that beach grass and pushing were dependent on the weather. Terri Potts told us she ordered a new fertilizer called absorbit that gives the plants a better survival rate. There is a 90% survival rate with the use of this fertilizer. Even if the plants are planted later than usual, most of them should still survive with the help of the new fertilizer.

Alderman Steve Smith said that Congressman McIntyre spoke with them about beach renourishment. He said that we were trying to get the COBRA zone included in the funding process. He is working very hard towards that goal.

Alderman Sizemore said that Walter Jones wrote him a letter saying that he was behind us and would try to help push it through.

**CLOSED  
SESSION:**

At this time Alderman Smith made a motion to adjourn from the regular meeting to go into closed session to discuss personnel issues. Alderman Vecchione seconded the motion. Motion passed. The meeting went into closed session at 9:40 p.m.

**ADJOURNMENT:** Alderman Smith made a motion to go back into regular session at 9:45 p.m. Alderman Hillyer seconded the motion. Motion passed. Alderman Vecchione made a motion to adjourn the meeting. Alderman Smith seconded the motion. Motion passed. The meeting adjourned at 9:46 p.m.

Respectfully submitted,



Dartha Campbell  
Deputy Town Clerk