

Town of North Topsail Beach

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



Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Special Meeting Minutes Wednesday, January 8, 2020

Present: Mayor Tuman; Mayor Pro Tem McDermon; Aldermen Benson, Heid, Leonard and Peters; Town Clerk Oxley; Town Attorney Edes

I. Call to Order

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

II. Invocation

Alderman Benson delivered an invocation.

III. Pledge of Allegiance

Mayor Tuman led the attendees in the Pledge of Allegiance.

IV. Approval of Agenda

Alderman Heid made a motion to add the topic of the 2020 Regular Meeting Schedule to the Agenda with possible action. Alderman Leonard seconded. The Motion failed. The Town Attorney stated that a unanimous decision was needed to add the item. Mayor Pro Tem McDermon and Alderman Benson voted against the Motion.

Alderman Heid made a motion to direct the Town Clerk to introduce new employees. Mayor Pro Tem McDermon seconded. The Motion passed unanimously, 5-0.

The Town Clerk introduced Finance Officer Caitlin Elliott, Fire Chief Chad Soward and Public Works Director Scott Anders.

Mayor Pro Tem McDermon made a motion to approve the Agenda as presented but with the amendment to allow for the introduction of new employees. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

V. Open Forum- 3 minute limit

Mrs. Rebecca Dickson thanked the Mayor for his years of service to the Town. However, she believes it is time to move forward. The election appeal is preventing progress. Also, Mrs. Dickson would like to retain the Town Manager. If there is a vote to accept the Manager's recension, she hopes the Board accepts. In her opinion, Mr. Chadwick is a man of the community, and he is helping the Town move into the right direction. She believes the voters support this direction with the election of a new mayor.

Mr. Taylor Green addressed the Board. He believes the inspection process needs to be up reviewed to increase accountability. It is his opinion that work in his neighborhood is not "up to par." He recommends new policies and procedures moving forward.

Mr. Fred Burns stated that he is appalled with what is going on in Town. He requested that the members of the Board consider donating their December salaries to the Shriners Hospital for Children, because no meetings were held that month. Additionally, Mr. Burns asked that the Town consider adding to the application for volunteers a question about the applicant's felony arrest record.

Alderman Benson stated that he will donate his December salary, but he will donate to a charity of his choice. Mayor Pro Tem likewise made a pledge.

Mr. Barefoot addressed the Board by first stating that it is nice to have meeting within the Town. He thanked St. Regis for the accommodations. He wanted to speak for homeowners who aren't allowed to vote. He expressed his frustration, especially given his service to the Country, that the election has so much unrest. Additionally, Mr. Barefoot asked the Town Attorney about the consequences that Town employees would face if accused of a crime. Lastly, Mr. Barefoot stated he only has a vote of no confidence for the Board.

Mr. Norman Lewis addressed the Board. He stated that he was glad to see the entire Board present. Likewise, he is pleased to see so many people in the audience. He encourages more participation in government.

Alderman Leonard made a motion to go into closed session for the reasons stated on the Agenda. Alderman Benson seconded. The Motion passed unanimously, 5-0.

VI. Closed Session

- to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of employment of an individual public officer or employee or prospective public officer or

employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session.

- consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

Alderman Leonard made a motion to return to open session. Mayor Pro Tem McDermon seconded. The Motion passed unanimously, 5-0.

VII. Status of Town Manager

Alderman Benson made a motion to accept the revocation of resignation of Mr. Bryan Chadwick and to reappoint him retroactively to January 1, 2020. Mayor Pro Tem McDermon seconded. The Motion passed unanimously, 5-0.

The Town Attorney announced to the Board that the Town Manager was present. The Board invited him to the Board's table to assist with the remainder of the meeting.

VIII. Consent Agenda

- A. Approval of Minutes (October 17, 2019; November 7, 2019)
- B. Department Head Reports
 - 1. Finance Department
 - 2. Fire Department
 - 3. Inspections Department
 - 4. Planning Department
 - 5. Police Department
- C. Committee Reports
 - 1. Planning Board
 - 2. Board of Adjustment
 - 3. TISPC ([link to minutes](#))
 - 4. ONWASA ([link to minutes](#))
- D. MOTV Tax Refund Request
- E. Updates on Town Hall and Park

Mayor Pro Tem McDermon made a motion to approve the Consent Agenda. Alderman Peters second. The Motion passed unanimously, 5-0.

IX. Continuing Business

A. HMGP Consultant Contract

This item was advertised as a topic of discussion. However, no discussion or action was needed.

B. Inlet Hazard Area Review

Alderman Benson provided a brief report on the proposed changes to the Inlet Hazard Area. With the help of staff, an official comment from the Town has been drafted. The comment was presented at the December 18th meeting hosted by NC DEQ in Sneads Ferry. Members of the public also provided their comments.

Alderman Benson brought the draft comment to the Board for their consideration. Are there items to be added or edited? If so, please send those suggestions to Ms. India Mackinson so that the final comment will be filed with the Division of Coastal Management by the deadline. The comments are needed by January 15th.

C. Revetment Committee Update

Alderman Benson stated that there was no public update at this time. Any outstanding matters are being handled by Town's counsel.

X. New Business

A. TISPC Federal Lobbyist Contract and Options

Alderman Benson spoke to the Agenda item. He presented an email from Chairman Smith that suggested adjustments to the lobbyist contract.

Mayor Pro Tem made a motion to support the recommendations from Chairman Smith of the Topsail Island Shoreline Protection Commission, citing that the items removed were not goals submitted by the Town anyway. Alderman Peters seconded. The Motion passed unanimously, 5-0.

1. TISPC's Meetings, possible action

Town Attorney Edes understands that given the nature of the Commission's discussion, many North Topsail Beach elected officials may want to participate or at least attend TISPC meetings. Even if a quorum is not present, three elected officials who are present and discussing Town business could constitute an official meeting, subject to proper advertising. He requested that the Board

authorize him to work with staff to come up with a solution to avoid open meetings violations.

There was consensus to direct the Town Attorney in this matter.

B. Schedule Retreat for February

Mayor Tuman stated that the Retreat is usually in March. He would like for the Clerk to poll possible dates in February for this year's retreat.

Mayor Pro Tem made a motion to direct the Clerk to poll the Board on availability. Alderman Heid seconded. The Motion passed unanimously, 5-0.

XI. Open Forum

Mr. Phil Fowler stated that perception is reality. He is concerned with how Town representatives conduct themselves, specifically on social media. When people research North Topsail Beach, Mr. Fowler questions what they will see. He believes the reputation of "our paradise" is tarnished. Mr. Fowler encourages the Board to chart a course to lead us to a destination with good teamwork.

Ms. Laura Olgzewski addressed the Board. She is not pleased with the Town's website. She recommends that the Town contract with a company that provide a professional service. Additionally, she would like the Mayor and Board to consider adding strategic plans and goals to the website. In her opinion, taxpayers are not told how their money is being spent. Lastly, Ms. Olgzewski stated that character counts. If someone on the Board has made a mistake, she asks that person to resign. Likewise, if the citizens have spoken, please respect the vote.

Ms. Susan Meyer thanked the Board of Aldermen and staff for having the Town's best interest in mind. She asked that everyone work together as a team to move forward. She also asked for clarification about the Board's meeting schedule.

Mr. Jeff Meyer began by stating there is a lot of discussion on social media. He suggested that those on social media attend all of meetings. A few months ago, only a few people were in the audience. He acknowledged that everyone won't always agree. Mr. Meyer suggests that those who have a problem should take that issue directly to the person who can help you. Don't throw stones if you live in a glass house.

XII. Attorney's Report

Town Attorney Edes stated that his report was discussed in closed session.

XIII. Mayor's Report

Mayor Tuman reported that the Town has a new member in the House of Representatives. Dr. Greg Murphy now represents the Third District. Mayor Tuman believes he has the best interest of the Town in mind. He supports removing CBRA properties. Additionally, Representative Murphy called the Mayor to check on the Town after December storms.

XIV. Aldermen's Report

Alderman Heid thanked everyone for showing up and showing interest. He believes the citizens and property owners can expect a better job in future.

Alderman Leonard thanked everyone for attending and welcomed back the Town Manager.

Mayor Pro Tem McDermon reiterated a suggestion from Alderman Leonard that staff provide a template letter for homeowners to use to contact their delegation on the matter of the CBRA bill currently being considered. She welcomed back Mr. Chadwick. She requested a special meeting for the first Thursday in February.

Alderman Peters thanked everyone for attending. He expressed that this is democracy at work. The public was not satisfied, and it spoke. He welcomed Mr. Chadwick back to his position.

Alderman Benson apologized for everyone's wait during the closed session. He believes the time was very productive. He stated that the issues raised in the public comment segment will be addressed.

Town Manager Chadwick thanked the Board for the vote of confidence. He is excited about the work to come for the citizens and property owners. He is also excited about the new members to staff. But of course, with new people that means that other ones left. For example, Mr. Thomas Best has been with the Town for 30 years. We call on him daily. He will be missed.

Mr. Best received a standing ovation.

XV. Closed Session to:

- consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

This closed session was not needed.

XVI. Adjournment

Alderman Heid made a motion to adjourn. Mayor Pro Tem Mcdermon seconded.
The Motion passed unanimously, 5-0.

Daniel Tuman
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 02/ /2020