

Town of North Topsail Beach

Joann M. McDermon, Mayor
Mike Benson, Mayor Pro Tem

Aldermen:
Richard Grant
Tom Leonard
Susan Meyer
Richard Peters



David J. Gilbride
Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Regular Meeting Minutes Thursday, July 2, 2020

Attendees: Mayor McDermon; Mayor Pro Tem Benson; Aldermen Grant, Leonard, Meyer and Peters; Town Manager Gilbride; Town Clerk Oxley; Town Attorney Edes

I. Call to Order

Mayor McDermon called the meeting to order.

II. Invocation

Alderman Peters delivered an invocation.

III. Pledge of Allegiance

Mayor McDermon led the attendees in the Pledge.

IV. Approval of Agenda

Mayor Pro Tem Benson made a motion to amend the agenda to add a closed session item. The Mayor Pro Tem stated that the purpose of the closed session was twofold: to discuss a personnel matter and to discuss a potential real estate transaction. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

V. Manager's Report

Mr. Gilbride provided his report. It is attached.

Alderman Grant stated that the Board should consider all financial obligations

*There are attachments

*All open forums are subject to a 3-minute limit

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before making any decisions about a singular obligation. He expressed concern that the Town will be locked into one project and unable to pursue any other projects. Alderman Grant also encouraged the Board and staff to explore all avenues of funding.

Alderman Peters asked staff to explore the Golden Leaf Foundation and any other opportunities for the fire department renovations.

Mayor Pro Tem Benson asked the Public Works Director if wooden stakes and ribbons could be placed around the boundary of the town park to prevent motorists from parking in the newly sodded area.

Alderman Leonard asked Town Manager Gilbride if he had any feedback on Surf City's commitment to the "Federal Project."

Manager Gilbride has only received positive, "all-in" feedback from Surf City.

Alderman Leonard stated concern for the extent of the commitment and whether this project could prevent future projects.

Mayor Pro Tem Benson took some time to run the numbers. Based on his projections, the re-nourishment commitment from the "Federal Project" will drastically redistribute taxes to Phase 5.

Alderman Grant recommended the Town's finances go through a thorough solvency test with consultants.

Mayor McDermon announced to attendees that the Board reached out to representatives, specifically Senator Brown and Congressman Rouzer, for financial assistance and will continue to do so.

Mr. Gilbride spoke to the Board about an upcoming TISPC-coordinated video conference with a congressional delegation. Chairman Smith asked that the Town appoint three representatives for the call. By consensus, the Board appointed Mayor McDermon, Alderman Leonard and Town Manager Gilbride.

Planning Director Hill provided guidance to the Board on a recent update to the flood maps. NFIP is updating the maps and is working through several protests and objections, most of which concern changes in Pender County. Instead of delaying all counties while these issues are resolved, Onslow County's maps, except for a few contested lots, have been approved. Ms. Hill emphasized that the maps are not a Town decision. She encouraged property owners to contact their insurance agents with questions.

Alderman Leonard spoke to the recently submitted application for the Defense Community Infrastructure Pilot Program. He congratulated the Town Manager

and staff for their efforts. He also thanked Mr. Joe Ramirez, Director of Government and External Relations for Camp Lejeune for his support.

VI. Open Forum*

Staff will collect questions ahead of the Meeting and present to the Board of Aldermen.

Mrs. Rebecca Dickson of 113 Barton Bay Court provided a comment, and the Town Clerk read it for the Board.

VII. Public Presentations and Hearings

A. Update: Ongoing Beach Projects

Mr. Fran Way of ATM provided the coastal engineer update. It is attached.

Mayor McDermon asked about the terminal groin. It seems that there have been a lot of delays. She asked the engineer how to advance this project quicker.

Mr. Way expressed to the Board that in his experience, the Corps is more responsive to elected officials than consultants. He encouraged the Board of Aldermen to contact Mr. Mickey Sugg directly. Mayor McDermon asked Town Manager Gilbride to set up a meeting with the Corps to discuss the project.

Mayor Pro Tem Benson thanked Mr. Way for his work on a template for the dunes. He then asked if the Florence Category g work will increase the size of the dune.

Mr. Way stated that the Town will have some flexibility. FEMA cares more about the sand being placed than whether it is a berm or dune. The Town could construct a berm, a dune or a combination.

Mayor Pro Tem Benson asked about the proposed sea oats for the Hurricane Matthew project.

Mr. Way replied that if there is existing vegetation on a dune, his recommendation would be to expand the dune seaward. To be more comparable to the dune that the Corps proposes, Mr. Way recommends building a dune that is about the size of the Hurricane Matthew project and add additional material in front of the seaward side.

VIII. Consent Agenda

- A. ~~Approval of Minutes (May 21, 2020; June 2, 2020 & June 9, 2020 (Retreat); June 4, 2020)~~
- 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 & PPI Committee~~
 - 2. ~~Board of Adjustment~~
 - 3. TISPC ([link to minutes](#))
 - 4. ONWASA ([link to minutes](#))
- D. Budget Amendment

Alderman Leonard stated that the minutes, as they appear in the packet, have odd typos in them. There was likely an error when they were converted to pdf for the Board packet. He asked that the minutes be pulled from the Consent Agenda and discussed under new business. Mayor Pro Tem Benson asked that the finance report be removed from Consent and discussed under new business.

Alderman Leonard made a motion to approve the Consent Agenda as amended. Alderman Meyer seconded. The Motion passed unanimously, 5-0.

IX. Continuing Business

A. Capital Improvements Update

Town Manager Gilbride stated that this information was covered in his manager report. The Board did not have any additional questions.

X. New Business

A. Federal Flood Maps Update

Town Manager Gilbride and Planning Director Hill presented this information during the Manager's report. The Board did not have additional questions.

B. TISPC: Appoint Citizen Representative

Mayor Pro Tem Benson asked that staff place an announcement for anyone who would like to apply for the citizen spot on the Topsail Island

Shoreline Protection Commission. He asked that the advertisement direct interested applicants to look at the TISPC webpage (TISPC.org), giving specific attention to the goals, charter and accomplishments to make sure this is a true area of interest. Alderman Leonard suggested that the announcement mention that the time commitment increases when the meetings are held in Topsail Beach. Alderman Grant suggested that the Mayor Pro Tem give staff a deadline.

C. Proposed Dune Ordinance Changes

Alderman Leonard presented his proposed amendment to the Town's Sand Dune Enforcement ordinances to provide clarity and help enforcement. The Town Attorney also made suggested. Those edits were presented to the Board. Alderman Leonard made the Motion to adopt the changes as presented. Alderman Grant seconded. The Motion passed unanimously, 5-0.

D. Minutes

Alderman Leonard made a motion to approve, contingent upon the Town Clerk correcting the typos. Alderman Grant seconded. The Motion passed unanimously, 5-0.

E. Finance Reports

Mayor Pro Tem Benson brought page 37 of packet to the Board's attention. At first glance, it may seem that the Town had a shortfall in revenue, but it also spent less than projected. At the end of the fiscal year, the Town had a surplus. Because this money was not earmarked, he is concerned that this was a missed opportunity to increase the reserve for capital improvements.

Mayor McDermon stated that building the general fund has merits too, especially when regulatory agencies conduct solvency tests.

Alderman Grant agreed that a surplus is encouraging, especially in light of COVID and potential storms. He stated a concern that the Town's revenues may be lower in the coming fiscal year.

Mayor Pro Tem Benson asked staff to clarify how surpluses are distributed. The Mayor Pro Tem would like to use FEMA credits to plant sea oats. He asked that staff keep that idea in mind before closing out FEMA accounts.

Mr. Gilbride reported to the Board that in his discussions with Mr. Chris Gibson, obtaining oats from the nursey is difficult at this time as the demand is higher than the supply.

XI. Attorney's Report

The Town Attorney reported that the Town will need to modify its ordinances. New state law requires that in the event a municipality declares a state of emergency, the declaration and subsequent declarations must be posted on the Town's website and through the State Web EOC.

XII. Mayor's Report

Mayor McDermon expressed her appreciation to staff for driving the budget process. She stated that she is proud of town park and loves the updates she receives. She understands the frustrations from residents who want paid parking. Her intent is to review the paid parking plan to assess unintended consequences.

Additionally, many property owners and residents are asking about the Federal Project. The Mayor reported that there are many financial issues to resolve before moving forward. She would like for the Board and staff to consider releasing the numbers to the public when they are finalized. At this time, the Corps has not reported definitive numbers.

XIII. Aldermen's Report

Mayor Pro Tem Benson echoed the Mayor's thoughts. He asked residents and property owners to exercise patience during the upcoming holiday weekend as traffic increases. He also provided an update that TICPC is partnering with NC Coastal Federation. The two groups are collaborating to work on marine debris pick-up. Mayor Pro Tem Benson volunteered to work on the project and will provide more information as it becomes available.

Alderman Grant stated his appreciation for the discussion about spending. He emphasized the Board's need to first assess the Town's financial flexibility, considering revenue and expenditures, and then, make a determination about the priorities and costs of projects. Alderman Grant would also like for the Town to consider how it can educate the public. There is a misconception that the federal project is completely funded by the Federal Government. It is funded to an extent, but that does not mean the project is free for the Town. There is a substantial cost-sharing commitment. Also, based on the volume of parking citations, he reminded attendees that the Town is not necessarily losing money in the meantime. Lastly, referencing a previous idea from the Board to hold an event in the Fall for citizens, he would like to offer his assistance in helping organize the event.

Alderman Peters asked about the roundabout that he had previously proposed. If the roundabout is not feasible, he asked staff if there is an alternative plan. He encouraged staff to review and create a plan. Also, as previously mentioned, the upcoming fiscal budget accounts for an additional 1% in accommodation tax revenue that may not be approved by the State. He encourages staff to work with the vendor to implement paid parking to help, in part, with potential revenue shortfalls.

Alderman Meyer thanked everyone for watching the live stream and attending the meeting. She is excited to join the Board. She believes that the Town is able to move forward, even with the obstacles of a pandemic.

Alderman Leonard wished everyone a Happy Independence Day. He stated that the meeting with the parking vendor is next week, and he is excited to generate some movement on the proposal. Using the success of BA 3 as a guide, he believes that paid parking throughout the Town could reduce traffic issues. Traffic is likely to increase in the Town as developments in the surrounding communities continue to increase. Lastly, he suggested that the Board engage state representatives to increase the Town's flexibility in financing a terminal groin.

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

XIV. Closed Session to discuss personnel and possible real estate transaction

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

XV. Adjournment

The Mayor announced that the Board did not take action in closed session. Mayor Pro Tem Benson made a motion to adjourn. Alderman Grant seconded. The Motion passed unanimously, 5-0.

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 08/ /2020



Manager's Report – July 2, 2020 Board Meeting

Capital Improvement/Fire Station

Police, Fire, and DPW representatives met with Alderman Benson, Alderman Grant and me to review some of the essential capital projects facing North Topsail Beach. The south end fire station is in poor condition and requires replacement. Police facilities are inadequate at Town Hall, and record and evidence storage is a major issue which will require an off-island location. Several alternative sites were considered, and we will continue to explore possibilities, including the sale of town owned surplus property. I have contacted DEC Associates out of Charlotte and am awaiting an estimate of the cost for them to review our financial position, financing alternatives, and planned capital requirements.

Revetment

Arendell Engineers completed survey work on the revetment, and I expect an outline of the operational plan for the project soon. I believe this should then go to the revetment committee for review.

Town Park Repairs

Repairs to the Town Park are nearly completed, though the July 4th target date will be missed due to the frequent rain events during the past month. All landscaping, irrigation, fencing, and concrete work is complete. There remains the resurfacing of the tennis and basketball courts, and the paving of one parking lot. This should all be completed during the week of July 6th, though the contractor recommends we delay opening for a bit to allow the landscaping and sod to "settle".

USACOE Federal Project

We continue a dialogue with Surf City and the USACOE to get further clarification on a number of issues. This week's conference call revealed:

- 1) Apparently, the terms of the financing are not negotiable. 30 years with the interest adjustable every 5 years.

- 2) The Corps can consider using a different template. According to Ms. Castens the Corps has the leeway to reduce the template by up to 20%, though doing so would cause approximately a nine-month delay.
- 3) Renourishment costs, like the project cost, are not clear, and they expect to be able to furnish a realistic projection at scheduled July 7th meeting.
- 4) If NTB were to withdraw from the project, it would have to go back to Congress for approval to do the Surf City project and approvals, etc ... would take at least a year. (I suspect there's some risk that it wouldn't be approved at all)

A meeting will be convened July 7, 2020 at 10:00 AM at the Surf City Welcome Center where the Corps will make a thorough presentation to an audience to include each mayor and two board members, town managers, State Water Resources Personnel, representatives (at least) of Congressman Rouzer, Senator Tillis, County Officials, and any other elected officials who can be convinced to attend. Remaining Board members will be able to view the session via Zoom or something similar.

Town Hall

Preparation of complete plans continues, with the project estimated to be ready to go out for bid in just under 60 days. Finance continues to pursue FEMA and the Insurance carrier to determine what, if any, additional reimbursement can be obtained.

Florence Project

Fran Way of ATM Engineering has submitted the Truck Haul Permit Modification request to the Division of Coastal Management. This project would extend dune restoration from Public Beach Access 13B to just south of the Topsail Reef Villas. This effort was necessitated when it was discovered that proposed offshore sand sources contained excessive quantities of rock and were unsuitable for placement on the beach. Sand for this project will now be sourced from sand mines recently used in NTB and Surf City projects.

USACE Dredging ICW/New River Inlet Crossing/Channel to Jacksonville

While we have been unable to secure any written confirmation of their intentions, US Army Corps of Engineers contends that this dredging project, which is supposed to result in approximately 250,000 cubic yards of sand on the north end, is still projected for the 2020-2021 environmental window. According to their representative the dredging company remains contractually obligated to complete the work.

Parking

Parking enforcement has continued at a brisk pace, with part time employees writing tickets on weekends. The issue of paid parking remains on the table, with the development of a specific plan expected in collaboration with the vendor.

Annexation

I forwarded the Town Attorney a copy of the 1995 document wherein the General Assembly specifically prohibited North Topsail Beach from extending its corporate limits across the Intracoastal Waterway, and requested his guidance on whether or how to proceed to get this restriction removed. Should we purchase property for police storage the ability to annex could be important.

TISPC

Monthly meeting saw discussion of ongoing projects at each of the three member towns. Lobbyist reports focused on Covid19, since both the state and federal legislatures are heavily focused there. Legislation to address NTB's CBRA designation is still pending, but the NC Association of Realtors and the National Association of Realtors has joined the lobbying effort to get the CBRA maps redrawn.

Solid Waste

A dramatic increase in Tipping Fees at the Onslow County landfill will result in an increase cost to residents for solid waste removal of approximately \$1.09 per month. This increase was implemented on July 1, 2020.

Condemnations

One issue that was highlighted with the receipt of Mr. Keugel's recent email was that of abandoned/condemned homes – homes which should be demolished. Apparently, we have a number of these in town which are both safety hazards and eyesores. The process of condemnation is lengthy and can be time consuming for our small staff. I have inquired of Mr. Edes as to whether or not we can issue a condemnation, and have the ensuing paperwork handled to conclusion by a paralegal in his office. Payment for the service, while made as we go along, would ultimately be recovered through the sale of the property. Just a thought, and we'll see if any proposal makes sense. Mr. Edes agreed to develop a proposal for their work on our behalf.

Federal Flood Maps

The Board of Aldermen approved a flood ordinance at the June meeting, with new flood maps effective June 19, 2020 for most of North Topsail Beach. The appeal process for objections to

flood classifications is long past. One “panel”, at the far south end of town, was carved out of NTB’s flood maps, and has been included with Pender County – and not expected to be finalized until late in 2021. Efforts are underway to segregate the Onslow NTB portion from the Surf City Pender portion for the benefit of our residents.

Legal

I have requested the Town Attorney provide a monthly invoice for the services he provides on our behalf.

Defense Grant

Fire Station #2 – Ms. Mackinson, who did the bulk of the research and writing for the submission, Ms. Oxley, and Ms. Elliott have worked together to produce a very complex grant application, and secure the Camp Lejeune endorsement of the project. I’m sure there are many such projects nationwide, but we’re confident we’ve put together a good project in a short time with limited information. This application was submitted electronically on Friday, 6/26.

Laura Oxley

To: Way, Francis
Subject: RE: Monthly Meeting

From: Way, Francis <FWay@appliedtm.com>
Sent: Monday, June 29, 2020 9:06 AM
To: Laura Oxley <LOxley@ntbnc.org>
Cc: Dave Gilbride <townmanager@ntbnc.org>
Subject: RE: Monthly Meeting

Laura,

I am available. For notes this week:

Some summary notes from ongoing NTB projects

1. The DCM permit modification has been submitted for next winter's truck haul continues to be processed by the Department of Coastal Management (DCM).
2. The USACE provided us with the beach template for their NTB/Surf City project. Per Alderman Benson's request, we are comparing it to the Florence Category G project.
3. Some additional FEMA support related to Dorian continues. Qualified Reach 1 losses=~15,000 cy. Reach 5 losses=~31,000 cy. "Natural Beach" losses for Reaches 2-4: ~7,600 cy. We are working with FEMA to finalize these losses. Estimated costs for this project (~53,000 cy total) ranges from 3 to 3.5 million.
4. Florence Truck Haul bid package is being worked on and is planned to be issued within the next week.
5. New River Inlet Shoreline Management/Protection (aka terminal groin project) is still in USACE control from a permitting/analysis perspective and continues to move slowly. Mickey Sugg (USACE) has emailed recently to talk about starting up this process. Unfortunately a large stake-holder group meeting is one of the next key steps in the USACE process and COVID19 still remains a key factor in setting up a large public meeting.
6. ATM is coordinating with USACE staff regarding use of offshore borrow area "A" which was permitted for the Topsail Beach Corps project (Topsail Beach did not choose to go forward with this option and went for their own using navigable channel beach compatible sand). This borrow area "A" sand would be used for the Florence Category G project.

Thanks
Fran