

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

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Tom Leonard
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Bryan Chadwick, MPA
Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Special Meeting Minutes Thursday, February 6, 2020 6:30 P.M.

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

I. Call to Order

Mayor Tuman called the Meeting to order.

II. Invocation

Mayor Tuman delivered an invocation.

III. Pledge of Allegiance

Mayor Tuman led the attendees in the Pledge of Allegiance.

IV. Approval of Agenda

Town Manager Chadwick, based on the Attorney's advice, requested that the Board move two items until after closed session:

- 2020 Meeting Type and Schedule
- Location of Future Monthly Special or BOA Meetings

Alderman Benson proposed moving the Planning Board and Board of Adjustment appointment items from the Consent Agenda to New Business.

Alderman Benson made the Motion to approve the Agenda with the proposed changes. Alderman Peters seconded. The Motion passed unanimously, 5-0.

V. Manager's Report

Town Manager Chadwick delivered his report. It is attached.

VI. Open Forum- 3 minute limit

Mr. Nick Rulli, who lives on Topsail Road, addressed the Board. He reports an issue between 4th Ave and 2nd Avenue. After Hurricane Florence, the dunes and vegetation took a notable hit. Due to one home's closer proximity to the surf, his property has even less protection. He has had to replace his driveway twice. Mr. Rulli requests action from the Board. He recommends sandbags be placed around a neighboring house and property. The Town Manager will meet with the citizen to discuss concerns.

Mr. Jeff Meyer expressed a concern for the Board's meeting schedule. He did not know about the meeting in a timely manner, less than 48 hours. He expressed frustration that a regular meeting schedule is not established.

VII. Public Presentations and Hearings

A. Town Park & Town Hall Projects

Mr. Jim Stumbo of Stewart-Cooper-Newell Architects presented to the Board first on the matter of the Town Park. He reminded the Board and the attendees of the struggles with prior bids. The Board of Aldermen authorized Mr. Stumbo to work with the sole bidder from the second round of RFP's. The contractor was not responsive, and the bid was denied.

The next request for bids is scheduled for the following week. There were a few minor revisions incorporated in order to generate more interest in the project, such as alternate bid for landscaping and insurance.

Next, Mr. Stumbo presented information concerning Town Hall. He conducted a site visit on Monday. He provided the following time estimates:

- Release Bid: 3-4 months
- Time frame for gathering responses: approximately 30 days. During this time period, Mr. Stumbo's firm will obtain a better estimate for the project's cost.

Alderman Benson asked Mr. Stumbo if the design could include modifications that would make it easier for the Town to make adjustments to the building in the future.

Mr. Stumbo cautioned that modifications could increase price and may not be covered by insurance. He will include modifications to help fortify town hall against high winds.

Alderman Heid inquired about the time frame for actual construction.

Mr. Stumbo estimates approximately 6 months.

B. Mr. Fran Way, Coastal Engineer with Applied Technology

Mr. Way presented to the Board and began by providing a broad overview of the Town's eight projects. For this meeting, Mr. Way wanted to focus on Hurricane Florence recovery projects. For this project, the engineered section of the Town's beach will require over 600,000 cubic yards and the non-engineered beach will require approximately 137,000 cubic yards. Due to this volume, a truck haul is not practical. As a rule of thumb, a truck haul is not a preferred method when the volume of sand exceeds 200,000 cubic yards.

Mr. Way hopes to use an offshore borrow area, but he acknowledges the strong opposition from state and federal partners. There is plenty of material at the site, but there is a concern for rocks polluting the material. Mr. Way believes the issues can be resolved, but it will also cause delays. He reminded the Board of the issues the Town experienced in 2015. During that project, the Town used pickers and screeners to mitigate the effects of rocks. However, due to that project's issues, stakeholders do not want the rocks to come to the beach in the first place. There are some hurdles to overcome.

Mayor Pro Tem McDermon asked about Phases 2-4 and acknowledged that they need help. She specifically asked about a truck haul in these areas, because the volume needed is more manageable for a truck haul.

If the Town splits the project, Mr. Way believes the Army Corps of Engineers would be open to that proposal.

Alderman Leonard stated that it is his opinion, and he believes the Board agrees, that the inlet should not be dredged until a hardened structure is in place that can protect properties.

Alderman Heid asked if FEMA will adjust their cost sharing if a truck haul is the approved option.

Town Manager Chadwick responded that FEMA representatives expressed a priority in meeting environmental needs and seemed agreeable to adjusting their financial contribution.

Mayor Tuman asked for clarification. Could the federal project be placed on hold due to rocks? Mr. Way responded that it is possible.

Mayor Tuman suggested that when the "Florence Project" begins, the Town's engineer consider using the federal borrow site if there are rock issues with the other site.

Mr. Way responded that the Mayor's suggestion is a possible option. However, when a project goes "online," it receives priority and other projects may not get permission due to plans already in place.

Alderman Heid asked Mr. Way's opinion. Is it better to split the project?

Mr. Fran Way stated that in terms of timing, yes, it would be more expedient to split the project.

Alderman Heid acknowledged the current work in Phase 5. In an effort to help each phase achieve progress, it seems Phases 2-4 would benefit from the separation of projects.

Mr. Way agreed and stated that he would like to get bid packets out by summer.

Alderman Benson asked if Mr. Way could obtain more data about the borrow area to alleviate the Corps' concerns for rock. Mr. Way understood the thought process. There are ways to obtain more data, but the issue is whether the Corps will agree with the findings. A Corps project in South Carolina recently used material from a site that may have been comingled with rocks. Mr. Way is making inquiries to learn more about the Corps determination in that case.

Mayor Pro Tem McDermon stated that the project seems to have a lot of moving parts. She requested that Mr. Way provide monthly updates at Board meetings, even if by phone.

The Board, by consensus, asked for Mr. Way to explore the possibility of completing a truck haul for Phases 2-4 as an option. The Mayor also asked Mr. Way to provide dune designs.

VIII. Consent Agenda

- A. Approval of Minutes ([January 8, 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
 2. Board of Adjustment
 3. TISPC ([link to minutes](#))
 4. ONWASA ([link to minutes](#))
- D. MOTV Tax Refund Request**
- E. ~~Planning Board Appointments (take off Benson)~~**
- F. ~~Board of Adjustment Appointments (take off Benson)~~**

Alderman Peters made a motion to approve the Consent agenda as amended. Alderman Benson seconded. The Motion passed unanimously, 5-0.

IX. Continuing Business

~~A. 2020 Meeting Type and Schedule Discussion
and Possible Action (Alderman Heid)~~

B. Revetment Committee Update and Possible Action

Alderman Benson reported that there were no updates. The Town Attorney is still negotiating. The Town hopes to have a revised agreement from the engineer by next week

X. New Business

A. Review Bids for Berm Push (possible action)

Town Manager Chadwick obtained a CAMA permit for a berm push. Town administration received information from two bidders, W. R. Willis and CM Mitchell. Staff recommendation is to award the bid to W.R. Willis.

Mayor Pro Tem McDermon made a motion to accept the W.R. Willis bid. Alderman Leonard seconded.

Alderman Benson asked if the coastal engineer could provide feedback on the beach profile so that certain areas can be excluded from the push to avoid unintended impacts.

The Board discussed how the Corps sand dredge and placement will impact the push.

The Town Manager agreed to manage the project directionally from the south to the north end of Town.

Mayor Tuman called for the vote on the Motion. The Motion passed unanimously, 5-0.

B. ASBPA- Conference Attendance (possible action)

Town Manager Chadwick reminded the Board that the conference operates in conjunction with the lobbyist efforts in DC.

Mayor Tuman asked that board members input to their objectives to the Town Manager. Regarding the work the Town has already completed in Phase 5, the Mayor would like to see \$16 million from federal project to go straight to the Town's loan that increased the beach's profile in Phase 5. He would also like a meeting with Fish and Wildlife so that construction and beach nourishment can become an exception to CBRA restrictions.

Alderman Benson stated that the trip to DC is sponsored by the Topsail Island Shoreline Protection Commission. The Commission set a list of federal goals for 2020. The collective goals will be the primary focus. Anything outside of the goals and contract may incur additional charges for the Town.

Alderman Leonard reported that last year, the issues discussed were 1) repeal CBRA, 2) funding the federal project and 3) allowing sand in CBRA areas to be utilized for nourishment projects. Two out of three of those were accomplished.

Alderman Leonard suggested sending the Board's suggestions to TISPC, asking Chairman Steve Smith to talk to the lobbyist, and make sure the Town's topics are within the paid-for scope of services.

The Town Attorney reminded the Board that if there is an effective majority going to DC, a proper notice to the public is needed.

C. USACE Nourishment Project Committee

Town Manager Chadwick started by explaining that he does not necessarily need action. Surf City would like to form a committee to consist of the managers, two council members, two members of public and needed staff. Staff does not oppose the recommendation but would like to see the parameters better established. In the meantime, Aldermen Benson and Heid, along with needed staff, have attended the initial meetings.

Mayor Tuman asked when a project plan would be available.

Town Attorney Edes stated that both towns sent surveys to the Corps. The Corps wants an inventory of properties, which the Town is working to compile. The Corps is working towards a PPA (Project Partnership Agreement). When that is finalized, the Town can move forward with easements.

Alderman Leonard questioned what the committee can do that staff can't? He stated that a charter, mission, tasks, responsibilities, etc. have not been established or shared.

Town Manager Chadwick will provide updates back to the Board in lieu of a formal committee report.

~~D. Location of Future Monthly Special or BOA Meetings~~

(Mayor Pro Tem McDermon)

XI. Planning Board and Board of Adjustment Appointments

Alderman Benson did not understand staff's "coding" of the recommendation.

Planning Director Hill explained that due to vacancies, the former alternates will move up in the rotation to become members. Now, the alternative positions are vacant. The recommendations from staff is to appoint alternates to the Boards.

Alderman Benson asked if the alternates have terms or limits.

The Planning Director stated that they do not. The alternates are available if a member is missing. As members leave, alternates rotate to a seat. In this procedure, the alternates sit-in and learn procedures.

Alderman Benson asked that staff revise the application.

Alderman Benson made a motion to approve the applicants as recommended by staff. Alderman Heid seconded. The Motion passed unanimously, 5-0.

XII. Open Forum

Mr. Phil Fowler expressed an opinion that the Town's communication is not good. He believes that Town officials should be pushing out information to the community. He is also concerned about beach nourishment project; he believes there is a lot of focus on north end inlet issue. Additionally, he has concerns with the proposed berm push. He requests that the Board expand their focus and communicate better.

Mr. Walt Dickson is also concerned about the berm push. He is seeing a tar-like substance that worries him. While some areas of the beach can withstand a push, others cannot.

Mayor Tuman addressed the Town Manager. He requested staff publish a document that explains immediate project plans, dune reconstruction for Phases 2-4 and berm push. He also requests that staff listen to those who would like to opt out of the berm push.

Mayor Pro Tem McDermon stated it may be difficult to allow individual owners to opt in or out of the push.

The Town Manager stated that staff will do what they can to allow an opt out option. Last year, St. Regis opted out of the push.

XIII. Attorney's Report

Mr. Edes reports that he has an item to discuss in closed session.

XIV. Mayor's Report

Mayor Tuman played a voicemail he received from Senator Tom Tillis, in which he reported the approval of the federal project.

XV. Aldermen's Report

Alderman Heid thanked everyone for showing up. He appreciated everyone's input and comments. He encouraged the participation to continue.

Alderman Leonard thanked everyone for their attendance and comments. He would like for the Town to be ahead of schedule on the federal project in the event that Surf City isn't prepared. The Town could then go first, whereas the current plans complete Surf City's portion first. He particularly wants a focus on easements and does not want delays.

Mayor Pro Tem McDermon stated she plans to represent the Town at the chamber of commerce. Alderman Heid stated that he regularly attends and represents the Town. She also asked Mr. Fowler if he would be willing to meet with her. She stated that there is always room for growth and would appreciate his feedback.

Alderman Peters thanked everyone for their input. He stated that Town officials will work on improving communications. He noticed that a lot of the meeting's discussions centered on beach nourishment efforts. There are a lot of projects in the works. He hopes that at the Board's retreat, they will review each project more intently.

Alderman Benson stated that the meeting had a lot of discussion about sand on the beach, which is understandable. But as evidenced by the Meeting's discussions, it is not a simple matter. He emphasized that everyone would receive help, whether it be the federal, Hurricane Florence, or berm project. He asked that anyone with issues or concerns to feel free to call or email him.

Mayor Pro Tem made a motion to go into closed session. Alderman Peters seconded. The Motion passed unanimously, 5-0.

XVI. 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.

Alderman Leonard made a motion to come out of closed session. Mayor Pro Tem McDermon seconded. The Motion was unanimous, 5-0.

Town Attorney Edes stated that although no action was taken, by consensus, the Board has decided to hold special meetings on the first Thursday of the month. Alderman Heid made the Motion. Mayor Pro Tem seconded. The Motion passed unanimously, 5-0.

Since this is a special meeting, the Town Attorney requested unanimous approval to add a civil fines matter to the Agenda. Mayor Pro Tem McDermon made the motion to add to the agenda as recommended by the Town Attorney. Alderman Benson seconded. The Motion passed unanimously, 5-0.

XVII. Civil Penalties

Alderman Benson made a motion to direct the Town Attorney to bring civil action against a violator in Roger's Bay whose fines are now in excess of \$10,000. Mayor Pro Tem McDermon seconded. The Motion passed unanimously, 5-0.

XVIII. Adjournment

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

Daniel Tuman
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 03/06/2020



Manager's Report – February Special Meeting

Beach Renourishment

Phase 5 Matthew Project

This project was previously approved by FEMA for damages sustained by Hurricane Matthew. If you recall, it is placing 168,000 cy of sand for dune restoration.

The Project started on Monday December 2nd. They have completed almost 12,000 linear feet. We are posting periodic updates for property owners and other interested parties on Facebook.

TI Coastal is completing the modification we need to continue the project north for approximately another 4,000 linear feet adding approximately another 52,000 cy of sand.

Florence Project

Fran, Caitlin, Laura, Scott and I met with State and Federal stakeholders to discuss concerns they have with the offshore borrow site for our proposed FEMA Florence project. FEMA requested the meeting during their environmental review based on concerns with the offshore borrow area. The concerns all stem from the rocks on the beach from our last 2015 Phase 5 project. The primary agencies with the concerns are the U.S. Fish & Wildlife and NC Wildlife Resources Commission, but the USACE and DCM also stated concerns with compatibility and potential mitigation.

This is on tonight's agenda.

US Army Corps of Engineers

NTB/SC Federal Project

Congress passed a supplemental disaster relief bill that included over \$700 million to the USACE. The Corps has determined the significance of this law to mean that 100% federal

disaster financing will be used for the top projects. We recently received word our project was funded \$237 million.

We are obviously very excited about this project. We recently had our first meeting with the Corps and Surf City. The project's time is being accelerated, so we are ready to dedicate whatever resources are needed to accomplish the Project's goals. Initially, the Corps has only requested an updated beach survey. We provided our post-Dorian data and are awaiting further direction. Surf City has proposed a Committee to oversee and manage the project. It is on tonight's agenda for the Board of Aldermen to discuss.

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

As of Monday, Brennan Dooley with the USACE reported the project is still scheduled to begin in approximately 2-3 weeks.

I previously reported that the USACE may want to move the dredge pipeline. They want to allow for a pipeline route down River Drive, crossing New River Inlet Road and running to the beach between two house parcels. This will give the contractor an option to avoid running the pipeline against the sandbags coming around the inlet. The contractor has not fully decided which route they will take.

We do want to remind everyone from St. Regis to the north to be aware of this project. There will be pipes, equipment and people moving throughout the area. It is important for their safety and the safety of others to not get in their way during this process.

We will post periodic updates on Facebook as they complete the Project.

Possible Day for Federal and State Officials to Visit Topsail Island

The TISPC has been advised that federal and state officials will visit Topsail Island on March 19, 2020. They will view the dredging projects at Topsail Beach, as well as, other projects happening in Surf City and North Topsail Beach.

Once we have a schedule from Mike McIntyre and Stephanie Missert, we will let you know. We have offered having a meet and greet in NTB.

Town Park Repairs

Jim Stumbo will be here to discuss the Town Park Project.

Town Hall

Jim Stumbo of Stewart, Cooper and Newell is currently working on the specifications to repair town hall as is.

I do have some news on the FEMA front concerning Town Hall. We originally didn't believe we qualified for funds for the building. We have since found out the project may result in approximately \$125,000 to cover what may not be covered.

Terminal Groin

Dial Cordy sent a proposed Plan of Study to Mickey Sugg and the Army Corps of Engineers. The USACE are analyzing the plan. Mickey informed Dial Cordy to make a few additions. Mickey would be in touch to discuss possible dates for our initial interagency/scoping meeting. Just to remind you, the USACE is now in the driver's seat for this process. We are now working on their timetable for this process.

Jeffreys Lease and Parking

SP+ is the contracted company currently issuing driving permits on the North End. They are working on options for the Town to consider for possible paid parking. They will be at our planning retreat to discuss.

Financial

As I reported in an earlier report, I contacted Andrew Carter with DEC Associates to go through our financials to check the financial health of the Town. I want them to take an in-depth look at our financials to help with plans and projects for the future.

Andrew Carter has reported back to me that he wants to wait until any leadership changes are made before they perform this task.

This is separate from our audit. The audit is to make sure we are meeting goals and policies which is still being completed.

Human Resources

MAPS Study

As you will recall, we are working with the MAPS group to update our job descriptions, personnel policies and salary surveys.

Laura, Caitlin and I have had multiple meetings with MAPS to discuss. As you can imagine, this is a time-consuming process. This has taken dozens of hours to review and complete. I am happy to say we should only have one more conference call to wrap this up.

Our plan is to make a presentation to the Board at the Board Retreat. We will come with recommendations on implementation of the study.

Bike NC

We were approached by Bike NC to be the final stop in their annual bike trip across North Carolina. They will have had anywhere from 600 to 1,000 participants in past events. This is exciting news for the North Topsail Beach, and we look forward to working with them and the other partner organizations from Onslow and Pender Counties.

Sledgehammer Run

This past weekend was the Sledgehammer Run in North Topsail Beach. The mission statement of the "Sledgehammer Race Series" is: To Honor the memory of Sledgehammer and All Combat Veterans." Because of our history, we are excited that one race is here. Because part of the run is on the beach and we have the truck haul project on the south end of Town, the course had to be altered this year to the north end.

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Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Special Meeting Minutes February 28, 2020

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

I. Call to Order

Mayor Tuman called the Meeting to order at 3:30 PM.

Alderman Heid made a motion to go into closed session. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

II. Closed Session to:

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

III. Adjournment

Daniel Tuman
Mayor

Town of North Topsail Beach

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



Bryan Chadwick, MPA
Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Special Meeting Minutes March 5, 2020

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

I. Call to Order

Mayor Tuman called the Meeting to order.

II. Invocation

Alderman Leonard led the attendees in an invocation.

III. Pledge of Allegiance

Mayor Tuman led the attendees in the Pledge of Allegiance.

IV. Approval of Agenda

Town Manager Chadwick made a recommendation to move item V. A Transition Plan to closed session and IX. B. South-end Fire Station to the Board's Planning Retreat.

Alderman Benson suggested moving the Revetment Committee item until after the Board's closed session, because the Town Attorney's advice is needed.

Mayor Pro Tem McDermon made a motion to approve the Agenda with the recommended changes incorporated. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

V. Manager's Report

Town Manager Chadwick delivered his report. It is attached.

~~A. Transition Plan (may be moved to closed session if information deemed confidential)~~

Item was moved to closed session.

VI. Open Forum

Mr. Jeff Meyer of New River Inlet Road asked where the meetings will be held. He recently attended a fundraiser for local first responders. He thanked the North Topsail Beach police officers for their attendance, especially Lt. Padgett.

Mr. Keith Wilkerson of Seagull Lane also addressed the Board. He asked if the lids on the waste receptacles can be closed after waste collection. He also mentioned that his son-in-law lives on Oyster, and the street needs speed limit signs. Lastly, he asked the Board to consider expanding the police department's space when townhall is reconstructed.

VII. Public Presentations and Hearings

A. Formal Oath of Office- Fire Chief W.C. "Chad" Soward

The Town Clerk administered the Oath of Office for Fire Chief Soward, who was joined by his family and close friends. The Board welcomed the new chief.

B. Financial Audit Fiscal Year Ending June 2019 Auditor

Mr. Wade Greene presented the Audit to the Board of Aldermen.

He stated that the North Carolina Local Government Commission ("LGC") would like for the Town's general fund to be higher, but the Town's work to achieve a 66% balance in the general fund is progress.

Mr. Greene then went through presentation materials (attached) and left hardcopies of the audit for the Board's review.

C. Update: ongoing townhall and town park projects

1. Bid Tabulation

Mr. Stumbo reminded the Board of the history of the town park bid. He presented a bid tabulation that reflected the third solicitation for bids. The lowest responsive bidder proposed approximately \$625k, which was a reduction from previous bids.

Mr. Stumbo's recommendation was to select Berry Building Group's latest proposal.

Mayor Pro Tem McDermon stated her desire to have the work completed by May. She asked if some tasks could be delayed so that a reopening could occur sooner rather than later. She specifically noted that the playground, tennis courts and parking lots are the priority.

Mr. Stumbo was agreeable, but he did caution the Board that dividing projects can sometimes incur additional charges. He was willing to consult with the Board to help point out divisions that may save money and/or time.

Aldermen Benson and Leonard expressed concerns for the project's cost.

Town Attorney Edes recommended the Board first acknowledge the lowest responsive bidder. Then, direct staff to negotiate.

Alderman Leonard made a motion to acknowledge Berry Building Group as the lowest responsive bidder. Alderman Benson seconded. The Motion passed unanimously, 5-0.

Town Attorney Edes asked if there is a consensus to direct the consultant and staff to engage in negotiations as outlined. The Board indicated a consensus did exist.

Mr. Stumbo emphasized the difficulty in the timing. When the Board does approve, it takes about three weeks before final contract approval.

Alderman Heid asked why FEMA is not contributing more funding considering the proposed costs.

Town Manager Chadwick suggested that he and staff can make more inquiries.

Alderman Leonard asked about additional funding sources.

The Town Manager stated that the Town did not have flood insurance and that was cited by the carrier as a reason for less reimbursement.

D. Update: ongoing beach projects

Mr. Fran Way of Applied Technology and Management provided a report via phone to the Board. Mr. Way reported that the Florence Category B nourishment project will be similarly designed to the current truck haul project.

The current truck haul project is now in phase 4 and is eligible for FEMA Category B funding.

Mr. Way is also looking at offshore borrow areas.

Alderman Benson asked if FEMA would increase its contribution if the project morphed from a dredge to a truck haul approach, which is more expensive.

The Town Manager answered that he posed the same question to FEMA. So long as the project meets environmental requirements, FEMA was willing to contribute more funding.

Mayor Tuman requested that Mr. Way be available for the Town's planning retreat.

E. Resolution Supporting the Second Amendment

Alderman Leonard sponsored the Resolution to support the Second Amendment. He stated that the Onslow County Board of Commissioners passed the same measure, which implores the US Congress and State Congress to support the Constitution.

Alderman Leonard made a motion to approve the Resolution as written. Alderman Heid seconded. The Motion passed unanimously, 5-0.

VIII. Consent Agenda

- A. Approval of Minutes ([February 6, 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](#)
 - 2. [Board of Adjustment](#)
 - 3. TISPC ([link to minutes](#))
 - 4. ONWASA ([link to minutes](#))
- D. [Tax Refund Request](#)

E. Budget Amendment

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

IX. Continuing Business

~~A. Revetment Committee Update and Possible Action (Alderman Benson)~~

Moved to be discussed after the closed session.

~~B. South end Fire Station (Town Manager Chadwick)~~

Postponed until the planning retreat

X. New Business

A. Schedule Planning Retreat

Mayor Tuman asked if the Board was interested in scheduling a planning retreat.

Mayor Pro Tem McDermon reminded the Board that the election hearing is scheduled for the week of March 16th. As such, it is her preference to schedule the retreat later in March.

Mayor Tuman stated to the Board that the Court's ruling can be appealed.

Mayor Pro Tem McDermon's wish is to have a seated, certified board participating in the retreat. It is possible that new members will be on the Board, and she would like them included in these discussions.

Alderman Leonard understands the concern, he and suggests a "fall back" position.

The Mayor Pro Tem suggested a date in early to mid- April. She also reminded the Board to hold the following day in case there are carryover issues.

Alderman Benson stated his opinion that the Board should be certified before holding the retreat.

Mayor Pro Tem McDermon suggested that if the Board is not certified, the current members can focus on time-sensitive topics.

Alderman Benson reminded the Board that they can call special meetings for specific topics that are time-sensitive. For strategic planning matters, he would like a certified board.

Alderman Leonard stated that at some point, the Board needs to move forward with the planning retreat. He understands the situation, but the Board does need to move forward at some point.

The Board discussed whether a moderator was needed and decided one was not needed.

Alderman Leonard proposed two sessions. The first session, or Session A, would discuss topics of a more urgent nature. The second session, or Session B, would focus on more strategic matters.

XI. Open Forum

Mr. Phil Fowler reminded the Board of his comments at the previous meeting's open forum. He stated that perception is reality. Looking at side roads, which do not receive as much attention as the main thoroughfare in his opinion, do not look good for the Town. He appreciates the Mayor Pro Tem for sharing knowledge with constituents. He believes the increased emails from the Town and improvements to the website are improving transparency. He believes the other elected officials are doing a lot of good things, but it isn't being shared with the people.

Mr. Richard Grant commented on the park project. He shares concerns about completing the project in a timely manner. He points to the reduction in the bid proposal. He believes the Board should have been reviewing this information in October. He does not want to spend unnecessarily, but the current state of the park is embarrassing. Postponing the project is not likely to reduce the cost. He asked the Board to reconsider.

Mr. Mark Barefoot appreciated the reduction in the bid's price, but if the Board tries to piecemeal the project, it may increase the cost. He believes the Board may need to apologize to the general contractor. He is concerned that due to the Board's indecision, the contractor may retract his proposal. On a different note, he appreciates the current beach nourishment projects.

Mr. Richard Lentz addressed the Board. He works for a consulting firm. Based off his professional experiences, if the proposal is in the ballpark, he doesn't understand the problem. He appreciates the livestream video, but when the Board returns from closed session, the public does not receive the benefit of knowing if further action is taken. He requests that staff consider how to resolve.

XII. Attorney's Report

Town Attorney Edes reiterated the Town Manager's update that the Army Corps of Engineers cancelled the most recent meeting. In his opinion, the Town is ready to move forward with the "federal project" but is waiting for the Corps. Specifically, the Town needs the final construction template so that the Attorney can move forward with easements.

XIII. Mayor's Report

Mayor Tuman recognized Planning Director Hill, who has many professional connections. Ms. Hill was recently contacted by the North Carolina Association of Realtors, who offered to help lobby for the Town's CBRA legislation. Town officials will be partnering with them in the near future.

XIV. Aldermen's Report

Recently, Alderman Heid represented North Topsail Beach at the Chamber of Commerce meeting, where he delivered a report for the Town. He reminded the audience of an upcoming Casino night that will be held in Town.

Alderman Heid also provided an update on the upcoming shoreline protection event that will take place on March 19th. He will be a tour guide. He is excited that Dr. Murphy is sending representatives. Also, the Alderman will represent the Town in DC later this month.

Alderman Benson emphasized the storm damage reduction tour coming to the Island on March 19th. He believes it is a good opportunity to demonstrate to legislatures the issues our community faces. Speaking of storms and infrastructure, he reminded everyone to be careful in their journey home this evening as nasty storms were creating road hazards.

Alderman Leonard thanked everyone for coming out. He congratulated the new fire chief. He recently attended the stakeholders meeting in New Bern. He asked the Army Corps of Engineers about their delays. He did not receive clear answers. Among the concerns the Town has for the delay is the strict environmental windows.

Alderman Leonard will represent the Town in DC too. He will be meeting with representatives, staff and agencies, including FEMA.

Alderman Leonard also met with Mr. Rulli, who spoke at the last meeting's open forum. The citizen was concerned about water around his house and street. The Public Works Director and Alderman Leonard visited the property. Staff is looking at possible solutions.

Mayor Pro Tem McDermon discussed the Greater Topsail Alliance, which was formed by representatives from each town on the Island. The group has not been active since Hurricane Florence. There is interest in reforming the group.

She also appreciates those who provided feedback on the park. She wants to be a good fiduciary agent. Because of the large bid, she has reservations, but hearing the public's feedback is helpful.

Next, she thanked Mr. Chadwick for his service to the Town. She understands that the move is best for his family.

Lastly, the Mayor Pro Tem expressed appreciation for property owners' feedback on the push. She heard a lot of positive opinions and is happy to share that with staff.

Alderman Peters stated his frustration with how the Board is making decisions. Regarding the Town Manger's departure, he stated that the goal should be an amenable separation. He thanked Mr. Chadwick for his efforts to achieve that.

Alderman Leonard made a motion to go into closed session for the reasons stated in the Agenda. Mayor Pro Tem McDermon seconded. The Motion passed unanimously, 5-0.

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

Alderman Leonard made a motion to return to open session. Alderman Benson seconded. The Motion passed unanimously, 5-0.

Mayor Tuman announced that no decisions were made in closed session.

XVI. Revetment Committee Update and Possible Action

Alderman Leonard made a motion to direct the Town Attorney and Alderman Benson to finalize negotiations of the contract with Arendell Engineers as discussed in closed session. Once it is in a form that is acceptable to the Town Attorney, the

Board does authorize the Town Manager to execute the contract. Mayor Pro Tem McDermon seconded. The Motion passed unanimously, 5-0.

XVII. Adjournment

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

Joann McDermon
Mayor Pro Tem

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 04/ /2020



Manager's Report – March Special Meeting

Beach Renourishment

Phase 5 Matthew Project

They have completed almost 17,700 linear feet. We are posting periodic updates for property owners and other interested parties on Facebook.

S.T. Wooten is now working on the section being funded by the State Funds from S.L. 2019-75 which is the former Resource Institute Funding. You approved utilizing the \$1.66 million for this purpose in October. You have a budget amendment in your packet tonight with a budget amendment to account for those funds.

I contacted Chris Gibson to contemplate continuing this project north to the south end of the Jeffrey's lot. He informed me it would be \$2.3-2.5 million to complete that section. Because of the amount, I am still recommending performing this portion next year.

Florence Project

Fran has been following the direction given by the Board at last month's meeting to plan the option for a truck haul in Phases 2-4. We spoke with him yesterday and he is available by conference call tonight.

We were informed by FEMA yesterday that the Florence sand project is on hold until the sand source is clarified.

US Army Corps of Engineers

NTB/SC Federal Project

We are obviously very excited about this project. We recently had our first meeting with the Corps and Surf City. The project's time is being accelerated, so we are ready to dedicate whatever resources are needed to accomplish the Project's goals. Initially, the Corps has only

requested an updated beach survey. We provided our post-Dorian data and are awaiting further direction.

A meeting will be held in the next couple of weeks to continue discussing the federal project. We are continuing to work on the items we have been given as of now. We have submitted the surveys to the Corps and they are determining any easement or property needs for the project.

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

The project is now slated to happen in March/April 2020. There are now 2 environmental windows in which they are concerned. The first is for clams in the channel. The dredging needs to happen in March because of that window. The second window is for piping plover. They are more concerned with the clam window than the piping plover. They still feel confident they will be able to extend those windows if needed

We do want to remind everyone from St. Regis to the north to be aware of this project. There will be pipes, equipment and people moving throughout the area. It is important for their safety and the safety of others to not get in their way during this process.

We will post periodic updates on Facebook as they complete the Project.

Berm Push Project

At last month's meeting, the Board approved a proposal from W.R. Willis Construction to perform a berm push for approximately 33,000 linear feet of oceanfront properties. We had several properties not accept the offer of the push. They officially completed the project yesterday of approximately 28,000 linear feet.

Possible Day for Federal and State Officials to Visit Topsail Island

A contingent of federal, state and local officials will visit Topsail Island on March 19th. These officials will visit each town to view projects happening and planned projects. The primary location of the meeting will be Topsail Beach where Towns will have tables with information compiled for the visiting officials. They will also visit the dredge operation Topsail Beach has just started. They will then move down the island to visit operations in Surf City and North Topsail Beach.

North Topsail Beach will show them the area of the Matthew Project and the planned Federal Project by the USACE.

Invitations have been sent by Topsail Beach and there are currently around 40 planned to attend.

Town Park Repairs

Jim Stumbo will be here to discuss the Town Park Project.

Town Hall

Jim Stumbo of Stewart, Cooper and Newell is currently working on the plans to repair town hall as is.

We had a meeting with FEMA and NC Emergency Management yesterday concerning town hall. They have told us to request another site inspection on town hall. They were concerned some items may have not been considered in the original inspection. This will not change any timelines we have with the work being completed on town hall.

Terminal Groin

Dial Cordy continues to work on the EIS. Mickey Sugg with the USACE is has not given a date for the interagency/scoping meeting. Just to remind you, the USACE is in the driver's seat for this process. We are now working on their timetable for this process.

Jeffreys Lease and Parking

SP+ is the contracted company currently issuing driving permits on the North End. They are working on options for the Town to consider for possible paid parking. They will be at our planning retreat to discuss.

Financial

FY20/21 Budget

Finance Officer Elliott and I have been working on the budget for this year. We have another round of meetings scheduled next week with department heads to discuss their individual budgets.

Florence Reimbursement

We have just received the final twenty-five percent of reimbursement for the State's portion of two Hurricane Florence projects. We received \$397,727 for debris removal and \$69,154 for our emergency operations center.

Human Resources

MAPS Study

As you will recall, we are working with the MAPS group to update our job descriptions, personnel policies and salary surveys.

Laura, Caitlin and I have one final meeting planned to discuss final updated changes.

Cheryl Brown with the MAPS Group will make a presentation to the Board at the Board Retreat. We will come with recommendations on implementation of the study.

Emergency Operations Plan (EOP)

In the past, our plan has primarily covered hurricanes and was entitled a hurricane plan. I have tasked some department heads with updating our plan to be broader in scope. It will be a true Emergency Operations Plan (EOP) to encompass other emergency situations. This was to be completed a couple of months ago but wanted to make sure new personnel were able to provide feedback.

I plan to present the final version to you at the April meeting.

NORTH TOPSAIL BEACH

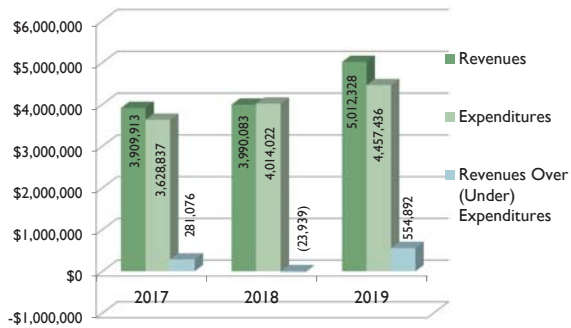
Audit Presentation

Fiscal year ending
June 30, 2019

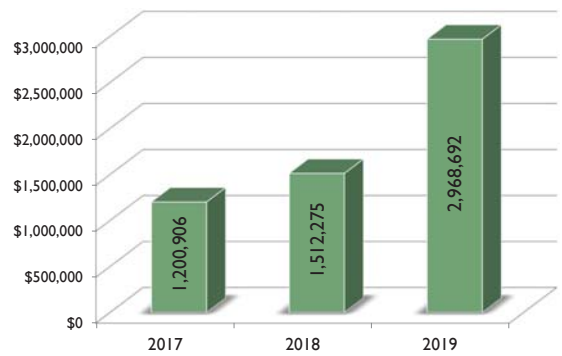
Financial Highlights

- Assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by \$24,325,150 (net position)
- Total net position increased by \$3,397,537.

General Fund Revenues and Expenditures

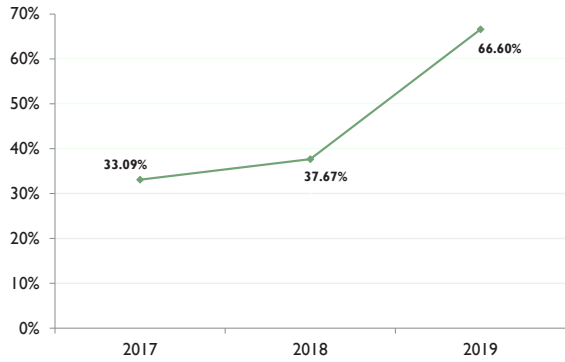


General Fund Fund Balance Available



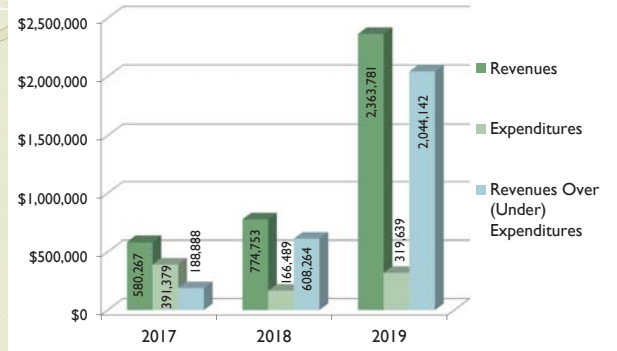
General Fund

Fund Balance Available as a Percentage of Expenditures



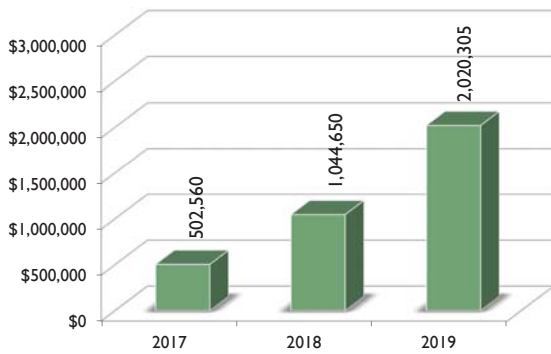
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Beach Nourishment Fund Revenues and Expenditures



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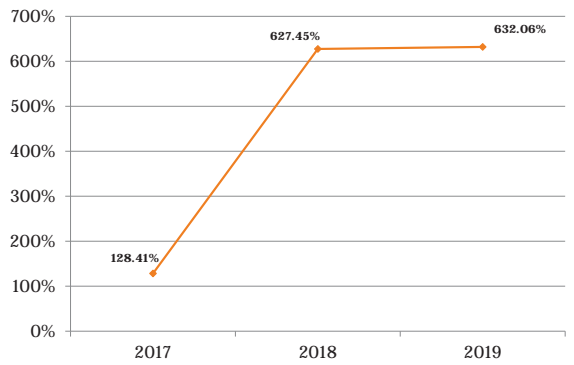
Beach Nourishment Fund Fund Balance Available



7

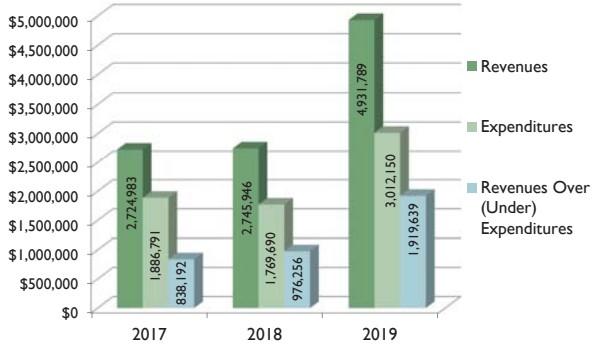
Beach Nourishment Fund

Fund Balance Available as a Percentage of Expenditures



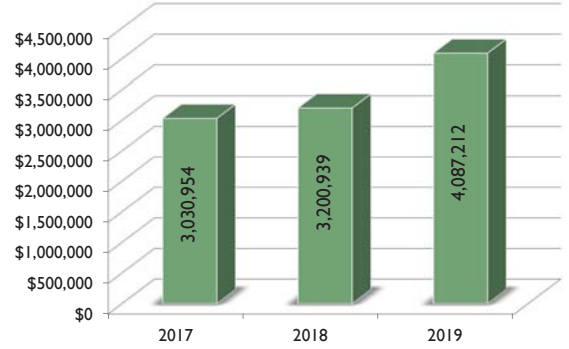
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Shoreline Protection Project Revenues and Expenditures



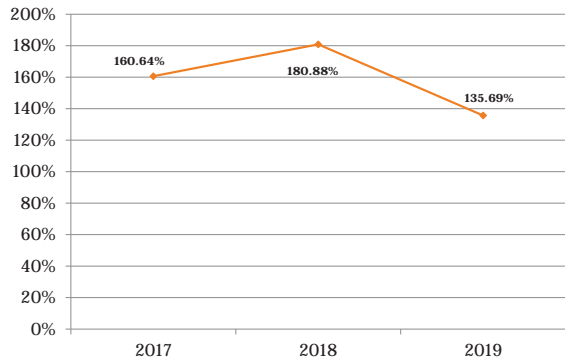
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Shoreline Protection Project Fund Balance Available



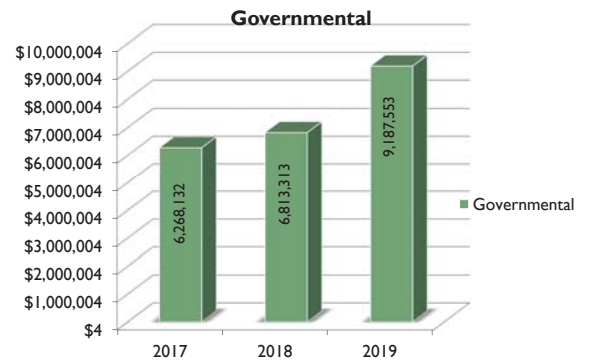
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Shoreline Protection Project Fund Balance Available as a Percentage of Expenditures



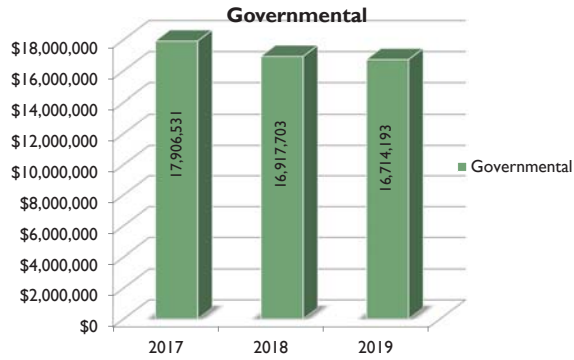
11

Cash



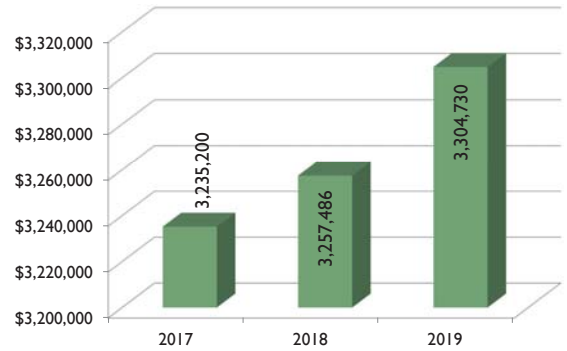
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Long-Term Debt



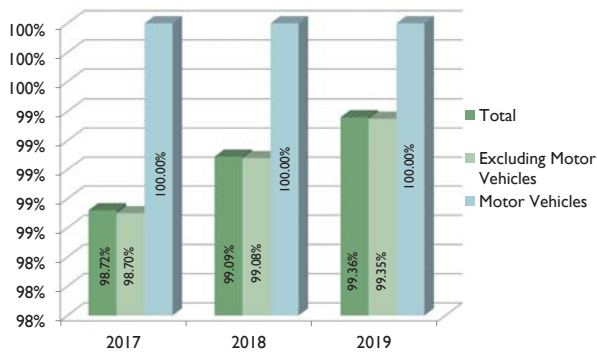
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Net Tax Levy



14

Tax Collection Rate



15

Other Matters

- Appreciation of cooperation and assistance extended by members of the Finance Department to us in successful completion of the audit.
- Any questions or comments, please contact:

W GREENE
— PLLC —

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16

Town of North Topsail Beach

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



Bryan Chadwick, MPA
Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Special Meeting Minutes Friday, March 13, 2020

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

I. Call to Order

Mayor Tuman called the Meeting to order.

II. Approval of Agenda

Alderman Benson asked to add the Eastern Carolina Council (or ECC) proposal after closed session (see attached). Mayor Pro Tem McDermon made a motion to approve the Agenda as amended. Alderman Benson seconded. The Motion passed unanimously, 5-0.

III. Town Park- Review and Possible Action on bid for Town Park

Mayor Pro Tem McDermon, Alderman Benson, town staff, Mr. Jim Stumbo and the lowest responsive bidder met to discuss the Town's park project. Some items have been eliminated in order to reduce costs. The project will also be managed in two distinct phases so that at least part of the Park will be open at the beginning of the season.

Mayor Pro Tem McDermon made a motion to award the contract to the lowest responsive bidder and direct staff to reduce to writing the scope of work and proposed timelines. Alderman Benson seconded.

After discussion, Mayor Tuman called for a vote. The Board unanimously voted in favor of the Motion, 5-0.

IV. Alderman Leonard to brief on matters changing

Alderman Leonard briefed the Board and attendees on the following events that are rescheduled due to growing COVID-19 concerns:

- NCBIWA- moved to June from April
- ASBPA- changed to webinar
- Hill Meetings- moved until June
- 23rd meeting with the Ferguson Group- trying to connect with the National Association of Relators
- March 19th Visit: Cancelled
- 4 Town: Cancelled

Alderman Leonard made a motion to go into Closed Session for the reasons stated. Mayor Pro Tem McDermon seconded. The Motion carried unanimously, 5-0.

V. Closed Session to:

- Preserve Attorney Client Privilege
- Discuss Personnel Matters

The Board returned to open session.

Mayor Tuman announced no action taken in closed session.

VI. ECC Proposal

Alderman Benson made a motion to accept the proposal. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

The Mayor announced his desire to recess the Meeting until Monday the 16th at the North End Fire Station at 11:00 AM

Alderman Leonard made the Motion. Mayor Pro Tem McDermon seconded. The Motion passed unanimously, 5-0.

Meeting Resumed- March 16th at 11:00 AM

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

VII. Call to Order

Mayor Tuman called the Meeting back to order.

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

VIII. Closed Session to:

- Preserve Attorney Client Privilege
- Discuss Personnel Matters

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

Mayor Tuman stated that no action was taken.

Alderman Leonard made a motion to recess. Mayor Pro Tem seconded. The Motion passed unanimously, 5-0.

Meeting Resumed- Monday 17th at 1:00 PM

Present: Mayor Tuman; Mayor Pro Tem McDermon via phone; Aldermen Benson, Heid, Leonard and Peters

IX. Call to Order

Mayor Tuman called the recessed meeting to order at 1 PM.

Alderman Leonard made a motion to go into closed session to discuss personnel matters. Alderman Benson seconded. The Motion passed unanimously, 5-0.

X. Closed Session

XI. Open Session

Mayor Tuman announced that no action was taken during open session.

XII. Interim Town Manager

Alderman Leonard made the motion that the Board offer the position of Interim Town Manager to Mr. David Gilbride and that Town Attorney Edes work with Mr. Gilbride to come to a contract agreement. Alderman Heid seconded.

During discussion, Alderman Peters suggested contacting the Eastern Carolina Council for potential interim managers should Mr. Gilbride decline the offer.

Mayor Tuman then polled the board:

- Alderman Heid – Aye
- Alderman Leonard –Aye
- Alderman Benson – Aye
- Mayor Pro Tem McDermon – Aye (remote participation voting in open session)
- Alderman Peters – Aye

XIII. Adjourn

Alderman Leonard made a motion to adjourn, and Alderman Heid seconded. The motion carried and meeting adjourned at 2:35 pm.

Joann McDermon
Mayor Pro Tem

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 04/ /2020

Town of North Topsail Beach

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



Bryan Chadwick, MPA
Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Special Meeting Minutes March 20, 2020

Present: Mayor Pro Tem McDermon; Aldermen Benson, Heid, Leonard & Peters (via phone); Town Manager Chadwick; Deputy Town Clerk Winzler; Town Attorney Edes

I. Call to Order

Mayor Pro Tem called the meeting to order at 11:40 a.m.

II. Approval of Agenda

Alderman Leonard made a motion to adopt the agenda as presented. Alderman Benson seconded. The motion passed unanimously, 4-0.

III. Acknowledgement and Recognition of Mayor Tuman's Recent Retirement

Alderman Leonard reviewed the many achievements of Mayor Tuman during his various terms of serving the Town of North Topsail Beach. Attached is the statement Alderman Leonard read to the attendees.

Alderman Heid made a motion to acknowledge the service of Mayor and accept his retirement. Alderman Benson seconded. The motion passed unanimously, 4-0.

IV. Conferring of Mayoral Powers

Alderman Leonard made a motion to confer the mayoral powers to Mayor Pro Tem McDermon. Alderman Heid seconded. The motion passed unanimously, 4-0.

V. Interim Town Manager

Alderman Leonard made a motion to appoint Mr. Dave Gilbride as the Interim Town Manager. Alderman Peters seconded. The motion passed unanimously, 4-0.

VI. Remote Participation

At the recommendation of Attorney Edes, Alderman Heid made a motion to suspend the current Policy for Remote Participation by Board Members for Board of Aldermen Meetings, giving more flexibility for the Board to meet under the current pandemic and still abide by the social distancing recommendations. Alderman Benson seconded. The motion passed unanimously, 4-0.

VII. Status of Declaration of Emergency

Attorney Edes recommended that Mayor Pro Tem issue a declaration of state of emergency, including specific language pertinent to the state of emergency. There was much discussion. The board directed Attorney Edes to work with Town Staff to generate this declaration with Mayor Pro Tem McDermon.

VIII. Adjourn

Alderman Benson made a motion to adjourn. Alderman Heid seconded. The motion passed unanimously, 4-0.

The Board of Aldermen Emergency Meeting adjourned at 12:20 p.m.

Joann McDermon
Mayor Pro Tem

ATTEST:

Kate Winzler
Deputy Town Clerk

Town of North Topsail Beach

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



David J. Gilbride
Interim Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Special Meeting Minutes Friday, April 24, 2020

Present: Mayor Pro Tem McDermon; Aldermen Benson, Heid and Leonard; Alderman Peters (by teleconference); Interim Town Manager Gilbride; Town Clerk Oxley; Town Attorney Edes

I. Call to Order

Mayor Pro Tem McDermon called the meeting to order.

II. Approval of Agenda

Alderman Leonard made a motion to remove the Rules of Procedure item from the Agenda and save the item for the Board's Retreat. Alderman Heid seconded.

Alderman Benson requested that the Rules be moved to the next meeting, not necessarily wait until the retreat. Alderman Benson also suggested removing the closed session item; he cited concerns for confidentiality.

Alderman Leonard made a motion to approve the Agenda as suggested by Alderman Benson.

The Motion passed unanimously, 5-0.

III. Organizational Items

A. Review Certification of 2019 Municipal Election for Town of North Topsail Beach

The Town Attorney introduce the item. He reminded the attendees that the Town could not hold an organizational meeting until the results of the municipal election were certified.

The Town Attorney directed the Clerk to read aloud the newly certified results of the November 5, 2019 Municipal Election:

- **Mayor**

NAME ON BALLOT	BALLOT COUNT	PERCENT
Joann McDermon (Write-In)	126	58.60%
Dan Tuman	80	37.21%
Write-In (Miscellaneous)	9	4.19%

- **Board of Aldermen**

NAME ON BALLOT	BALLOT COUNT	PERCENT
Joann McDermon	141	37.20%
Jerry Heid	114	30.08%
Robert Swantek (Write-In)	64	16.89%
Rebecca A. Dickson	55	14.51%
Write-In (Miscellaneous)	5	1.32%

1. Announcement of choice of office

The Town Attorney announced that based on the certified results of the election, Mayor Pro Tem McDermon received a majority of votes in two categories. He asked the Mayor Pro Tem to announce which office she selects to serve.

Mayor Pro Tem McDermon announced that she will serve as Mayor of North Topsail Beach.

The Town Attorney announced that this selection will create a vacancy on the Board of Aldermen.

B. Oath of Office

The Town Clerk administered the oath of offices.

1. Mayor Elect Joann McDermon
2. Alderman Jerry Heid

C. Election of Mayor Pro Tem

Mayor McDermon introduced the item.

Alderman Heid recommended Alderman Leonard for the position of Mayor Pro Tem.

The Board could not hear Alderman Peters. Mayor McDermon recommended calling Alderman Peters. The Town Attorney asked if anyone objected. No one voiced an objection.

Alderman Peters rejoined via phone. Mayor McDermon restated the topic of discussion.

Alderman Peters nominated Alderman Benson for the position.

The Clerk was directed to call the role. The vote was as follows:

- Alderman Leonard voted for Alderman Leonard
- Alderman Benson voted for Alderman Benson
- Alderman Heid voted for Alderman Leonard
- Alderman Peters voted for Alderman Benson

The Mayor voted for Alderman Benson, who received a majority of the vote.

D. Board Vacancy

Mayor McDermon introduced the item. The Town Attorney affirmed that in North Carolina, a vacant seat created by an election does not go to the “runner-up.”

Alderman Leonard made a motion for purposes of discussion to advertise the vacancy. The Board discussed the appropriate deadline. Alderman Heid seconded and suggested that the deadline be set at a time that allows for a decision at the next meeting. Mayor McDermon suggested the last day of the month.

The Motion passed unanimously, 4-0.

E. Board Appointments

Mayor McDermon introduced the item.

1. ONWASA

The Mayor traditionally serves in this role and will continue to do so.

2. Eastern Carolina Council

Staff reached out to the ECC to ask for more details about this appointment. At the time of the meeting, the staff had not received an answer.

3. TISPC

Mayor Pro Tem Benson introduced the topic. Ms. Susan Meyer serves as the citizen representative, and it is his recommendation that she continue to do so. Alderman Peters, who currently serves on the Commission, would like to be moved to an alternate so that he is still involved but to a lesser degree. Moving Alderman Peters to an alternate creates a vacancy.

Mayor Pro Tem Benson nominates Alderman Leonard to serve on TISPC. Alderman Leonard also serves on the Board of NCBIWA, so there is a natural ability to coordinate efforts. Alderman Leonard accepted the nomination.

Mayor Pro Tem Benson stated there is one remaining opening, which is alternate for the citizen representative. Mayor Pro Tem Benson will reach out to prior applicants to see if there is an interest in serving.

Mayor Pro Tem Benson made a motion to:

- reappoint Ms. Susan Meyer as the citizen representative
- reappoint Mayor Pro Tem Benson as a Board representative
- move Alderman Peters to a Board alternate
- promote Alderman Leonard to a Board representative

Alderman Leonard seconded. The vote passed unanimously, 4-0.

~~F. Suggested Rules of Procedure~~

IV. Special Meeting Items

A. State of Emergency

Mayor McDermon introduced the topic, focusing on the current state of emergency. She asked the Town Attorney to provide an oversight of the Governor's current State of Emergency. Town Attorney Edes announced that the Governor's plan will likely follow a path similar to the federal government in that there will be phased re-opening.

Mayor McDermon reassured attendees that the Board of Aldermen is committed to the Town in its entirety. She appreciates citizen and property owner feedback, but she asks for the public to reconsider actions that aim at dividing the Town. Additionally, the Mayor asked that rental owners use this interim period to prepare for the return of short-term renters, specifically

focusing on what safety measures can be in place. Alderman Leonard echoed the Mayor's sentiments. He alluded to the uncharted territories of the COVID-19 virus. He asked that everyone understand that the Board is trying to make decisions that are best for the entire town, not one group over the other.

The Mayor recommended extending the short-term rental ban to match Governor Cooper's "Stay at Home Order" through May 8th. She reminded attendees that the Town cannot be less restrictive than the State's Orders, but it may be more restrictive, which the Town is not electing at this time. The Town Attorney stated that his legal recommendation was to mirror the Governor's order. There was a consensus among the Board.

1. Parking

Mayor Pro Tem Benson stated that he wants paid parking to remain on the Board's radar by adding the topic to the agenda at the next board meeting.

Mayor Pro Tem Benson expressed a concern that Town has been paying for public toilet services when these have not been used much during the pandemic. Staff was directed to review the contract and invoices.

Additionally, Mayor Pro Tem Benson stated a concern for public restrooms remaining open during a pandemic. The Board delegated to staff the task of considering whether public restrooms should be closed or if signage should be posted.

V. Open Forum

Town staff played audio messages from citizens that were specifically left for the Board of Aldermen's Open Forum period. The Board worked with staff to issue public press releases to address the concerns raised.

~~VI. Closed Session to discuss~~

VII. Adjournment

Alderman Leonard made a motion to adjourn. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 4-0.

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 06/ /2020

Town of North Topsail Beach

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

Aldermen:
Jerry Heid
Tom Leonard
Richard Peters



David J. Gilbride
Interim Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Emergency Meeting Minutes Wednesday, May 6, 2020

Attendees: Mayor McDermon; Mayor Pro Tem Benson; Aldermen Benson (via teleconference), Heid and Peters (via teleconference); Interim Manager Gilbride; Town Clerk Oxley; Town Attorney Edes (via teleconference)

The purpose of this meeting is to discuss the Town's State of Emergency.

I. Call to Order

Mayor McDermon called the Meeting to order at 3:30 PM

II. Approval of Agenda

Mayor Pro Tem Benson made a motion to approve the Agenda. Alderman Heid seconded. The Motion passed unanimously, 4-0.

III. State of Emergency

Mayor McDermon introduced the item. The Board discussed their concerns in light of COVID-19 cases and mandates by the state and federal government. The Board predominately discussed the pros and cons of short-term rental bans and closed public parking.

The Mayor thanked everyone for their feedback. Under a state of emergency at the local level, the authority to mandate restrictions for health, safety and property protection shifts to the Mayor.

After much consideration for all of the matters discussed and independent research, Mayor McDermon directed staff to update the current State of Emergency so that short-term rentals may resume on May the 9th and public parking will reopen on May the 8th.

IV. Adjournment

Alderman Leonard made a motion to adjourn. Alderman Heid seconded. The Motion passed unanimously, 4-0.

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 06/ /2020

Town of North Topsail Beach

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

Aldermen:

Jerry Heid
Tom Leonard
Richard Peters



David J. Gilbride
Interim Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Special Meeting Minutes Thursday, May 7, 2020 6:30 P.M.

Present: Mayor McDermon; Aldermen Benson, Heid, Leonard and Peters (by teleconference); Interim Town Manager Gilbride; Town Clerk Oxley; Town Attorney Edes (by teleconference)

I. Call to Order

Mayor McDermon called the meeting to order at 6:38 PM.

II. Invocation

Alderman Heid delivered a invocation.

III. Pledge of Allegiance

Mayor McDermon led the attendees in the Pledge.

IV. Approval of Agenda

Alderman Leonard made a motion to approve the Agenda. Alderman Benson asked to amend the motion to include a roster for the Planning Board Committee Report and a roster for the Board of Adjustment Committee Report (both of which are attached). The item was properly advertised, but the packet needed additional information. Alderman Leonard agreed to the recommendation. Alderman Heid seconded. The Motion passed unanimously, 4-0. Alderman Peters was recorded as present, but he had technology issues. His vote is counted as an affirmative.

*There are attachments to the minutes.

V. Opening Remarks

Mayor McDermon delivered opening remarks. She thanked members of the public, staff and her colleagues for their devotion to flattening the COVID-19 curve.

Mayor Pro Tem Benson asked to clarify something he said in a previous meeting. His remarks were not made with an intent to prohibit guests from entering the Island. He was only exploring options to mitigate the risks of an influx of visitors during a pandemic.

VI. Manager's Report

Mr. Gilbride delivered his report, which is attached. He answered questions from the Board on the topics presented.

VII. Open Forum- 3 minute limit

Town staff played audio messages from citizens that were specifically left for the Board of Aldermen's Open Forum period. The Board worked with staff to issue public press releases to address the concerns raised.

VIII. Public Presentations and Hearings**A. MAPS Group- Pay Study and Personnel Policy Updates**

Ms. Cheryl Brown of MAPS delivered the findings of her extensive study. Ahead of the meeting, she provided a prerecorded video to explain the details of her process. At the meeting, she presented a summary of her findings and recommendations.

Guided by the Board's specific questions, Ms. Brown provided the following information for the proposed personnel policy amendments:

- The MAPS Group reviewed the Town's current policies and revised. The experts did not discard all policies and start from scratch. Many of the policies remain untouched, because the MAPS Group did not find error. The most significant changes are in the summary report.
- Town staff has the cost of incorporating the proposed changes and will include those numbers in the budget workshop.

Instead of paying differential pay to employees for their annual military training, Alderman Leonard recommended paying military personnel their entire salary during the two-week period. He noted

that he did not intend this to be the case for those who are deployed. He limited this recommendation to 10 military training days annually for the Reserves or National Guard.

After discussion, Alderman Leonard made a motion to approve the plan as presented with the differential pay recommendation incorporated. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 4-0.

As for the pay study portion of the study, the Mayor asked for a recommendation from the Board. Alderman Leonard made a motion to implement Option Two of the study as proposed by the MAPS Group and recommended by town administration. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 4-0.

B. Update: ongoing beach projects

Mr. Fran Way of ATM was available through teleconference to present to the Board. On behalf of the Town, Mr. Way submitted a permit modification to the Division of Coastal Management. The project he was describing was the truck haul for the northern 5 miles of beach, essentially where the last truck haul left off. As for the areas near the sandbags, this was not included in the permit modification. Mr. Way hopes to build on the materials the Corps will place this winter; as a reminder to the attendees, Mr. Way stated these materials were supposed to be placed last spring. Once this project happens, he will work with the Corps to extend.

Simultaneous to the modification packet, Mr. Way started preparing a bid packet and talking to sand sources, which need ample time to prepare. He believes these sources are ideal prospects. The goal is for the bid packet to be released in June. This will be competitively bid because state and federal funding is involved.

The Long-term Inlet Stabilization Project (colloquially referred to as the "Terminal Groin Project") has hit some delays. The Corps is more responsive to elected officials than consultants. Mr. Way suggested that it might be helpful to coordinate an effort with the Town officials to speak directly to the appropriate Corps officials to keep the project on their radar.

As for the Hurricane Florence Category G Project, the consultants are looking for offshore borrow area solutions. There has been opposition from regulators on issues such as rocks. The reality is that the "Federal Project" could take many years to fulfill. Mr. Way does recommend pursuing this project, but he wants everyone to be aware of the hurdles.

Mr. Way presented a proposal for the Hurricane Dorian project, which is attached.

Thankfully, the Town did not suffer as much damage with Hurricane Dorian as it had in the past with other storms. Mr. Way believes there will be some assistance available for the engineered portions of the Town's coastline, Phases 1 and 5. Although he will do an analysis for Phases 2-4, he is not as hopeful for their funding options.

Based on the BOA questions, Mr. Way provided the additional information:

- Placing sand on the north end of the Town this winter is more likely than not. Mr. Way believes the Corps is committed to placing sand on the northern end of Town, but in the event that does not occur, he is prepared to modify his permits to extend the existing project.

The Board discussed their desire for the Town Manager to continue conversations with the Corps to keep the Town's project at the north end moving forward. The Mayor asked Mayor Pro Tem Benson to make the needed introductions for Mr. Gilbride.

The Board reviewed the Proposal for Coastal Services. Mayor Pro Tem Benson made a motion to accept ATM's proposal for the Hurricane Dorian project. Alderman Heid seconded. The Motion passed unanimously, 4-0.

Alderman Leonard made a motion to take a brief recess so that staff could reestablish connection with Alderman Peters. Alderman Heid seconded. The Motion passed unanimously, 4-0.

C. Update on Town Hall/Town Park

Mr. Jim Stumbo of Stewart, Cooper and Newell was present via teleconference to present an update on the projects. Mr. Stumbo reported that phase one of the town park project is on schedule. The tennis courts have already been demoed. There could be a few deliveries that are delayed because of COVID-19. But otherwise, phase one is on schedule.

Regarding town park, Mr. Stumbo met with staff and there are now a few revisions to the townhall plans.

Guided by the Board's questions, Mr. Stumbo provided the following information:

- Berry Construction would be the best to answer questions about reopening the public restrooms at the park.

- Assuming quick responses on the consultants' questions about the townhall's floorplans, the anticipated time out for bid is within the next two weeks. There is an anticipated 30 to 60 day turnaround on awarding the bid. Construction is estimated at 4-5 months. All of these factors considered, Mr. Stumbo believes the townhall could be renovated by the end of the calendar year.

IX. Consent Agenda

- A. Approval of Minutes ([March 5, 2020](#); [March 13, 2020](#); [March 20, 2020](#))
- B. March Department Head Reports
 1. [Finance Department](#)
 2. [Fire Department](#)
 3. [Inspections Department](#)
 4. [Planning Department](#)
 5. [Police Department](#)
- C. March Committee Reports
 1. [Planning Board & PPI Committee](#)
 2. [Board of Adjustment](#)
 3. TISPC ([link to minutes](#))
 4. ONWASA ([link to minutes](#))
- D. April Department Head Reports
 1. [Finance Department](#)
 2. [Fire Department](#)
 3. [Inspections Department](#)
 4. [Planning Department](#)
 5. [Police Department](#)
- E. April Committee Reports
 1. [Planning Board & PPI Committee](#) (AMEND)
 2. [Board of Adjustment](#) (AMEND)
- F. Tax Refund

Alderman Heid made a motion to approve the consent items with the previously discussed additions. Alderman Leonard seconded. The Motion passed unanimously, 4-0.

X. Continuing Business

A. Board of Aldermen Vacancy

Mayor McDermon welcomed Alderman Peters, who physically joined the meeting after experiencing technical difficulties at home.

The Mayor thanked everyone who applied for the vacancy.

Alderman Leonard stated that with past vacancy votes, the Clerk would hand out paper for the Board members to use for ballots. The Clerk collected the votes and read them aloud:

- Alderman Leonard voted for Mr. Richard Grant
- Alderman Heid voted for Mr. Grant
- Mayor Pro Tem Benson voted for Mr. Robert Swantek
- Alderman Peters voted for Mr. Robert Swantek

The vote was a tie. Mayor McDermon cast a vote for Mr. Robert Swantek.

The Clerk was directed to arrange Mr. Swantek's oath of office. The Town Attorney recommended that the oath of office take place before or at the next Board meeting.

B. Board Appointments

1. Eastern Carolina Council

Mayor McDermon suggested, and there was a consensus, to table the discussion until ECC could provide more information on what the role entails.

2. TISPC

Mayor Pro Tem Benson recommended appointing Mr. Richard Grant as the citizen alternate.

3. NTB Revetment Committee Membership

Mayor Pro Tem Benson recommended a restructuring of the Revetment Committee. He nominated the Town's Public Works Director and Planning Director. Also, he has a private citizen in mind for representation.

Mayor Pro Tem then respectfully resigned from his role on the Committee after two and a half years of service.

Alderman Leonard asked if the Mayor Pro Tem contacted the people he is recommending to ask if they are interested in serving. Mayor Pro Tem indicated that he had not.

Mayor McDermon asked Mr. Gilbride to speak to Director Hill and Director Anders. She asked the Board if anyone wanted to

volunteer to fill the vacancy created by the Mayor Pro Tem's resignation. No one volunteered. The item is tabled for the time being.

C. Suggested Rules of Procedure

Mayor Pro Tem Benson presented suggested Rules of Procedure. He highlighted the changes he proposed, mainly focusing on incorporating practices the Board already follows but are not included in the Rules of Procedure.

Mayor Pro Tem made a motion to approve the suggested edits. Alderman Heid seconded. The Motion passed unanimously, 4-0. Staff was directed to incorporate the final changes.

XI. New Business

A. Regular Meeting Schedule

1. If not a regular meeting schedule, confirm June Meeting for Planning Department

Mayor McDermon introduced the item. She recommended the Board approve a regular meeting schedule. She recommended that first Thursday of the month at 6:30 PM continue as the designated time slot. She also recommended that the Town's north-end fire station be the designated location, provided emergencies such as COVID do not dictate otherwise. The Board unanimously agreed.

The Town Attorney recommended that staff place a disclaimer on the schedule that the location is subject to change and provide 10 days of notice to the public if a change in location is needed.

B. Attorney Guidance on new roles:

1. Mayor
2. Mayor Pro Tem
3. Alderman
4. Town Manager (interim)

Town Attorney Edes provided some guidance to the Board on the structure of the governing body.

C. Proposed Amendments to the Unified Development Ordinance: Article 7 Flood Damage Prevention and § 11.02 Definitions

Planning Director Deb Hill presented the topic. Ms. Hill states that the UDO maps need to be effective in June. Now that the Board has a meeting

schedule, she can more effectively provide notice to the public. The Board should expect to see this topic on their June Agenda. The Board has had the maps since April to allow for ample review time. Ms. Hill is available for anyone's questions.

D. Property Conveyance

Planning Director Hill presented a property conveyance proposal for Lot 6, Hampton Colony. Ms. Hill has a few concerns:

- The property lacks public access
- Who will maintain the property and sand fencing?
- Conveying the property to the Town would remove it from the tax roll.

The Board asked for the Planning Director's recommendation. Ms. Hill did not recommend the conveyance to the Board. She believes it makes more sense for the HOA to absorb the property.

Alderman Leonard made a motion to decline the offer. Mayor Pro Tem Benson seconded. The Motion passed 3-1, with Alderman Peters voting in the negative.

E. Proposed Beach, Inlet, and Sound Advisory

Mayor Pro Tem Benson introduced the topic and provided an overview. Alderman Leonard reminded the Board that a committee like this has been formed by the Town in times past. Mr. Gilbride suggested that it might be better to first determine if the Board wants a shoreline protection officer and pivot from there.

Alderman Heid made a motion to table the topic. Alderman Leonard seconded. The Motion passed unanimously, 4-0.

F. Discussion of potential costs and financing for federal project

Alderman Heid asked about the project's cost and how these expenses impact other projects.

Mayor Pro Tem Benson stated that the project partnership agreement will reflect costs and other requirements.

Mr. Gilbride provided data as he currently has it, but he stated concerns that the information will change before the Project Partnership Agreement. He explained to the Board that a referendum is not out of the question on this project. A thirty-year loan is an option, but the terms of that agreement are also unknown.

The Board directed staff to obtain information and relay to the Board as timely as possible.

G. Paid public parking

Interim Manager Gilbride presented the item. The Town maintains parking, beaches, emergency services and other amenities for visitors. In one year, the Town's limited permitted parking had a net of \$70,000 in revenue. This helps offset the Town's expenses to maintain the beaches.

Onslow County desires to keep their lots free, so this proposal does not directly apply to the County lots. The proposal is estimated to generate \$550,000 per year but expenses would decrease this estimate.

There is concern that paid parking pushes cars to side streets and neighborhoods.

Mayor McDermon stated that in past years, Director Hill and the Planning Board created a parking plan. She indicated a desire to ask the Planning Board to conduct a review.

Alderman Heid stated that to delay the decision is to delay revenue.

Alderman Leonard suggested that the decision is one for the Board of Aldermen to work through. He also suggested concerns with the vendor's revenue projections.

When asked, Director Hill was happy to offer the Planning Board's services.

Alderman Peters made a motion to designate Mr. Gilbride to research the topic, compile as much information as possible and present a plan to the Board of Aldermen at the retreat. Alderman Benson seconded.

Alderman Leonard amended the Motion to include tasking the Planning Board to study the issue. Alderman Heid seconded. The Motion passed unanimously, 4-0.

XII. State of Emergency

The Mayor announced that the Board does not have any updates at this time.

XIII. Attorney's Report

Mr. Edes was not available for a report.

XIV. Mayor's Report

Mayor McDermon thanked everyone for their attendance and working through technology issues. She specifically thanked Ms. Hill for her efforts.

XV. Aldermen's Report

Alderman Leonard thanked everyone for attending. He provided a special thank you for staff for their efforts in unprecedented times. And he noted that the night's meeting could not have been broadcasted without the efforts of Ms. Hill.

Alderman Heid stated that he has some frustrations. He will take some time and address those items in the future.

Alderman Peters personally apologized for his technology issues. He thanked Mayor Pro Tem Benson and Ms. Hill for their help. He is encouraged by the public's participation and is hopeful for the Town's future.

Mayor Pro Tem Benson echoed comments made earlier by Mayor McDermon. He appreciates citizens' input. He stated that the Board does look at the full picture and everyone's opinion to make the most informed decision. He understands the frustrations of adapting to a new normal, but some changes to daily life will be necessary.

~~XVI. Closed Session~~

XVII. Adjournment

Alderman Leonard made a motion to adjourn. Alderman Heid second. The Motion passed unanimously, 4-0.

The Meeting closed at 10:40 PM.

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 06/ /2020

Town of North Topsail Beach

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



Bryan Chadwick, MPA
Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

North Topsail Beach Planning Board

(+=New Applicant A=Appoint R=Reappoint

Submitted For Consideration To The Board Of Aldermen May 7, 2020)

Regular Members

Becky Dickson		May 1, 2022
R Paul Dorazio Vice Chair		May 1, 2023
Mia Green		May 1, 2022
Scott Morse		May 1, 2022
R Gunnar Matthews		May 1, 2023
Hanna McCloud		May 1, 2021
R Pat Stigall Chair		May 1, 2023

Alternate Members

+Susan Meyer		
+Richard L. Grant		

Temporarily located at 1000 NC HWY 210, Sneads Ferry NC 28460

2008 Loggerhead Court
North Topsail Beach NC 28460

ntbnc.org

phone (910) 328-1349
fax (910) 328-4508

Town of North Topsail Beach

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



David Gilbride
Interim Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

North Topsail Beach Board of Adjustment

(+=New Applicant A=Appoint R=Reappoint

Submitted For Consideration To The Board Of Aldermen Feb 6, 2020)

Regular Members

R Pat Stigall		May 1, 2023
Scott Morse		May 1, 2022
Debra Swantek		May 1, 2021
Hanna McCloud Chair		May 1, 2022
Paul Dorazio Vice Chair		May 1, 2021

Alternate Members

Perry Green		
Cameron Kuegel		
+Susan Meyer		
+Richard L. Grant		

Temporarily located at 1000 NC HWY 210, Sneads Ferry NC 28460

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Manager's Report – May Special Meeting

Beach Renourishment

NTB/SC Federal Project

The US Army Corps of Engineers has continued to hold bi-weekly meetings on the proposed Federal Project for North Topsail Beach and Surf City. This 237 Million Dollar project was originally intended to be bid as a single project, but the plan was recently altered. The project will now be bid and completed in segments, with Phase 1 beginning at the Surf City/Topsail Beach border. The Corps is beginning there so as to tie this project in with the recently completed Topsail Beach project. This work is slated to take place during the environmental window of December 1, 2020 to March 31, 2021. Work in North Topsail Beach will not begin until at least the autumn of 2021, and possibly later if the Corps cannot secure an expanded environmental window, or “year round” placement permission.

Phase 5 Matthew Project

The Phase 5 Matthew Truck Haul & Extension is complete, and the contractor has replaced the Onslow County crossover at 2nd Avenue. Efforts to secure permission to use remaining funds for placing vegetation on the berm continue.

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.

USACOE Federal Project

We are holding biweekly meetings between the Corps and Surf City to assist in meeting deadlines set by the Corps. As I have mentioned, they are planning on an expedited timeline for completion, but have decided to segment the project, beginning in fall 2020 (the environmental window is 12/1 – 3/31) at the Surf City/Topsail Beach border. NTB will not see any sand from this project until 2021-2022 at best, though parking and access plans must be finalized before the first phase of the project starts. USACOE claims that this change was dictated by their Atlanta division office, and will improve efficiency while reducing cost.

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 Fall of 2020.

Town Park Repairs

Repairs to the Town Park commenced several weeks ago. Originally scheduled to be completed in two phases to permit use of half of the park by the public, Covid19 has disrupted the plan. Work is being performed simultaneously throughout the park, and right now what was originally designated as Phase #1 is slightly behind schedule, while Phase #2 work is well ahead of schedule.

Though the contracted completion date is July 24th, the contractor anticipates completion of the project prior to July 4th weekend. At this point there have been no significant change orders, and only a minor adjustment to the height of the electric service is anticipated.

Town Hall

Staff has reviewed initial floor plans with the architect, with the building inspector and DPW Manager meeting with the architect on site to address issues with the HVAC which plagued the facility in the past. A plan with minor revisions is anticipated shortly.

Terminal Groin

Mr. Chadwick spoke with Mickey Sugg with the USACE just before he left, and I have had discussions with him since. He has received the final plan for study and is to schedule a sit-down with Dial Cordy to ensure everything is captured and they “are on the same page.”

According to Mickey, the stakeholders meeting is not scheduled because of the shutdown.

Parking

Information to follow

Financial

FY20/21 Budget

Interim Manager Gilbride and Finance Officer Elliott have been working on the budget for this year. The major difficulty at this point is in forecasting both sales tax and accommodation tax revenues for the coming year as a result of Covid19 related restrictions imposed from March of 2020 until, in some form, July (?) of 2020.

Human Resources

MAPS Study

Study results have been received and each board member has been presented with the results. Cheryl Brown with the MAPS Group made a remote presentation for the Board, and is available to answer any questions. Staff recommends implementation of the study recommendations effective June 1, 2020, and adjusted salary and wage data (Option #2) has been used in preparing 2020-2021 budget.

April 21, 2020

Mr. David Gilbride
Town Manager
2008 Loggerhead Court
North Topsail Beach, NC 28460

RE: Proposal for Coastal Engineering Services

Dear Mr. Gilbride:

ATM has developed the following scope of services for the Town of North Topsail Beach to conduct a Hurricane Dorian post-storm erosion/damage assessment.

It is ATM's understanding that the Town of North Topsail Beach wishes to investigate and quantify the erosion and damage along the Town's oceanfront shoreline due to Hurricane Dorian. The ATM team will build upon its previous studies and data analysis for this effort.



Figure 1: Hurricane Dorian model image.

Provided herein is a scope of services and cost estimate for the following tasks:

1. Hurricane Dorian Post-Storm Erosion Assessment
2. Meetings and Coordination.

Additional information on each task is discussed below.

TASK 1.1 – HURRICANE DORIAN POST-STORM EROSION ASSESSMENT

ATM will post-process and analyze post-storm survey data of the beach and compare data to the summer 2019 dataset (i.e., pre-hurricane survey). ATM will quantify shoreline and volumetric erosion caused by Hurricane Dorian. ATM will develop a memo suitable for submission to FEMA. Specific items that will be discussed include:

- Hurricane Dorian coordination with Town and FEMA representatives
- Hurricane Dorian survey post-processing
- Pre/Post Dorian aerial imagery comparisons
- Volume and shoreline calculations for Post-Dorian Survey
- Pre/Post Dorian survey comparisons factoring in background erosion
- Survey comparisons at all 64 monitoring transects from New River Inlet to the Surf City Border
- Cost estimates for shoreline mitigation
- Dune vegetation mitigation cost estimate

TASK 1.2 – MEETINGS AND COORDINATION

This task is required for ATM to continue coordination with anticipated Town representatives and consultants (as required), general project management, and for requested project-related meetings. Specific items included in this task are:

- Regular contact and communications with Federal (e.g., FEMA, USFWS, USACE, NMFS), State (e.g., DCM, DWR, WRC, NC Archeology Office), and Local/Private interests (e.g., environmental organizations, island residents) as necessary
- Provide information as requested and advise Town of any additional studies or documentation required for consultant's review
- Attendance at meetings with Town and/or regulatory agencies
- Responses to storms and other significant erosion events.

This task is presented as an allowance amount, based on an estimated minimum effort (as described above), which will be expended as required/requested. ATM will provide Town with the status of this task through our invoicing process, so that if and when additional ATM participation is required, extensions to the allowance can be made via incremental work authorizations.

SUMMARY ESTIMATE OF PROFESSIONAL LABOR FEES

Table 1 presents the fee estimates for the described scope of services. Surveying is not included in this proposal and the post-storm survey has already been completed.

Table 1: ATM Professional Fee Estimate

Task	Description	ATM Professional Fee Estimate ¹
1.1	Dorian Data Analysis and Memo Development	\$18,500
1.2	Meetings and Coordination (Allowance)	\$10,000

1. Fee estimate includes labor and field equipment charges only, at ATM's 2020 Standard Rates.

The anticipated professional services associated with this addendum shall be billed to the Town on a time and materials basis. Professional services will be billed by the hour according to ATM's 2020 rate sheet.

This addendum serves as Change Order No. 3 to the existing Professional Services Agreement (PSA) between ATM and the Town of North Topsail Beach, dated October 12, 2018. Change Order No. 3 is proposed to continue the Town's comprehensive beach management program.

Reimbursable expenses as defined in the October 12, 2018 PSA shall be billed in addition to professional labor indicated in the above table. Reimbursable expenses (i.e., printing, travel, phone, mail, subcontractor administration, etc.) are billed at cost plus 10%.

If additional site visits, data collection, analysis, or meetings are needed, ATM will notify the Town to receive authorization prior to executing the additional work.

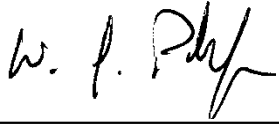
Except where noted herein, all conditions of the October 12, 2018 PSA remain in place.

To execute this work, please authorize Change Order No. 3 by signing two originals, returning one to our office, and retaining the other original for your records.

ACCEPTED BY:

APPLIED TECHNOLOGY AND MANAGEMENT

TOWN OF NORTH TOPSAIL BEACH

By 
Sam Phlegar, President

By _____

(Type Name and Title)

Date 4/22/2020

Date _____

Town of North Topsail Beach

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

Aldermen:
Tom Leonard
Richard Peters



David J. Gilbride
Interim Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Special Meeting Minutes Thursday, May 21, 2020

Attendees: Mayor McDermon; Mayor Pro Tem Benson; Aldermen Leonard and Peters (remotely); Interim Town Manager Gilbride; Town Clerk Oxley; Town Attorney Edes (remotely)

I. Call to Order

Mayor McDermon called the Meeting to order.

II. Approval of Agenda

Mayor McDermon recommended adding the following topics to the Agenda: Federal Project update, staff report for upcoming Memorial Day Weekend and State of Emergency.

After discussion, Mayor Pro Tem Benson made a motion to approve the Agenda with the Mayor's recommended edits. Alderman Leonard seconded. The Motion passed unanimously, 3-0.

III. Accept Alderman Heid's resignation

- A. Motion and vote
- B. Thank him for his service

Alderman Leonard stated his support for Alderman Heid. He agrees with the issues cited in Alderman Heid's resignation email. Alderman Leonard expressed his appreciation for Alderman Heid's contributions to the Town, which extends beyond the scope of his service on the Board of Aldermen.

Alderman Peters made a motion to accept Alderman Heid's resignation. Mayor Pro Tem Benson seconded. The Motion passed 2-1, with Alderman Leonard voting against the Motion.

IV. Ratify Vote for Alderman Swantek

Town Attorney Edes explained that a procedural error occurred during the vote that resulted in the Board's appointment of Mr. Robert Swantek to the Board of Aldermen. He provided guidance.

Mayor Pro Tem Benson made a motion to suspend the rules to appoint the vacancy through motions as opposed to written ballots. Alderman Peters seconded. The Motion passed 2-1, with Alderman Leonard voting against the Motion.

Mayor Pro Tem Benson made a motion to appoint Mr. Robert Swantek to the vacancy. The Motion failed for a lack of second.

Alderman Peters made a motion to appoint Mr. Richard Grant to fill the vacancy. Alderman Leonard seconded. The Motion passed 2-1, with Mayor Pro Tem Benson voting against the Motion.

V. Announce that Board now has one vacancy

A. BOA to discuss how it would like to proceed and give staff direction

Mayor McDermon announced the vacancy. She looked to the Board for recommendations as to how the Board should fill the vacancy. Alderman Leonard made a motion to re-advertise the vacancy with the understanding that the current pool of applicants will still be considered. He further recommended that the decision be an agenda item for the Board's June Regular meeting. Alderman Peters seconded. The Motion passed unanimously, 3-0.

Mayor Pro Tem Benson asked for the Town Attorney's opinion on the Mayor Pro Tem appointment. Town Attorney Edes provided the opinion that the Board's internal rules were not violated in the process of appointing Alderman Benson to the position of Mayor Pro Tem.

VI. Update on USACOE Federal Project

Interim Town Manager Gilbride provided an update to the Board. The cost of the Federal Project to North Topsail Beach has greatly increased over the years. The Town has contacted the State to see if there are options to assist. Surf City's portion has also increased. The two towns have a scheduled call with the Army Corps of Engineers to discuss the financial details.

Mayor Pro Tem Benson also expressed concern for the continuing costs of maintenance. Mayor McDermon asked staff to ensure that the item is on the Agenda for the Board's Retreat.

VII. Update on Staff's Efforts to prepare for Memorial Day Weekend

Town Manager Gilbride provided an update to the Board. Emergency services will have additional staff. The weather may discourage a high volume of visitors. The parking attendants will be present to control parking at the north end. The Police Department may hire additional staff to write tickets.

As for restaurants, Mr. Gilbride distributed rules and guidance to each establishment.

VIII. State of Emergency

Mayor McDermon opened the discussion, specifically asking about towing. The Town Attorney provided his opinion that under normal circumstances, the Town's authority has parameters. However, during a state of emergency, the Town may have more authority to act. The Town Attorney recommended amending the State of Emergency.

Mayor McDermon recommended an electronic sign to educate visitors on parking rules.

IX. Adjournment

Mayor McDermon welcomed Mr. Grant to the Board.

Alderman Leonard made a motion to adjourn. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 3-0.

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Town of North Topsail Beach

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

Aldermen:
Richard Grant
Tom Leonard
Richard Peters



David J. Gilbride
Interim Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Special Meeting Annual Retreat Minutes Tuesday, June 2, 2020

Attendees: Mayor McDermon; Mayor Pro Tem Benson; Aldermen Grant and Leonard; Alderman Peters (remotely); Interim Town Manager Gilbride; Town Clerk Oxley

I. Call to Order

Mayor McDermon called the Meeting to order.

II. Approval of Agenda

- A.** Any topics inadvertently excluded?
- B.** Any topics that are no longer relevant?
- C.** Discussion for change in ownership?

Mayor McDermon asked for the Board to consider the prompts and make any needed suggestions. The elected Body did not propose changes.

Alderman Grant made a motion to approve as presented. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 4-0.

III. Department Reports

A. Planning

Planning Director Hill presented with Mr. Landin Holland of Holland Consulting Planners. Mr. Holland asked for the Board to endorse the CAMA Land Use Plan before sending to the North Carolina Division of Coastal Management (DCM). Mr. Holland recommended the Board of Aldermen call for a special meeting to discuss the plan's details, but in the interim, DCM can begin its review process. The reviews can run simultaneously to expedite the process. Mr. Holland stated to the Board that submitting to DCM now does not hold the Town to the Plan as it

currently stands. If the Board of Aldermen suggests changes, those amendments will be sent to DCM and incorporated.

Alderman Leonard made a motion to submit the CAMA Land Use Plan to DCM. Alderman Grant seconded. The Motion passed, 3-1. Mayor Pro Tem Benson stated that his preference is to finalize the Plan from the Town's standpoint before sending it to DCM.

B. Police

Chief Younginer reminded the Board of Aldermen that his department has been working out of substations for the last 2 years. His department has also struggled with retention issues, but the results of the MAPS study has helped. However, the Chief indicated that the results were not entirely what he expected. The Board discussed whether the pay study needed adjustments.

The Department heavily relies on Conex boxes for storage, which is a temporary fix to a long-term problem. A public safety building, designed to address the issues the department is facing, would be helpful. It would also be helpful for the Board to consider off-Island options. An EOC that offers year-round storage would be very beneficial, not only to the Police but other departments as well.

C. Fire

Chief Soward presented statistics for his department. The Department completed over 3,300 hours of training and responded to over 370 calls last year. Their average turnout time, measured from the time of the alarm sounds until the first truck moves, is 9 seconds.

In this year's budget, the Chief is requesting additional staff. Compared to other comparable towns, the number of fire responders is low. He believes this is a safety issue for both his crews and the residents and visitors. The Town has tried to staff with volunteers, but the solution has not been without issues. Volunteers do not have the same level of commitment as fulltime employees.

Based on Board questions, the Fire Chief provided the following information:

- If the call is only an alarm, 5 responders are required. If the call is a structure fire, 15 responders are required.
- Facilities are also a concern. The most pressing need is personnel, but the south-end fire station needs significant repairs. Some of the equipment is aging, but the department can work with it for now. The Town may need a ladder truck within the next 9 years.

- If the Board allows, the Fire Department would like to surplus a hummer that is not in service and retrofit a truck that will have the same capabilities.

After discussion, Alderman Grant recommended to the Board that it review and set its priorities; with these priorities in mind, the Board will be better prepared to navigate requests and plan strategically.

D. Public Works

Public Works Director Anders reported that his department will need a new dump truck soon. He cannot obtain parts for the current truck due to its age. He is not asking for the truck this fiscal year. He wanted the Board to be aware of the need in the future. The Department just purchased a mower, which was budgeted for this fiscal cycle.

The Department's current staffing level is 3.5. Public Works will be converting the one part-time employee to full-time.

Based on Board questions, the Public Works Director provided the following information:

- The park project is on track. The building onsite does not have any apparent issues and should be able to reopen with the rest of the park.
- The Public Works Department took the lead on disinfectant supplies for the COVID-related needs of other Town departments.
- As a solution to weekend trash issues at the beach accesses, the Public Works Director is working with waste collection to have the reciprocals emptied between 4:00 and 5:00 AM on Saturday mornings.
- CAMA does not consider the recent berm construction to meet the definition of a "berm." This continues to be an issue as residents want the Town to enforce "keep off the dunes" in these areas.

E. Administration

Interim Town Manager Gilbride presented to the Board. While most of his report will be scattered throughout the meeting with other agenda items, a few general topics are best addressed under this subject line. Since the State of Emergency went into effect, two employees quarantined themselves at the request of the Town.

In terms of upcoming expenses for the Board's radar, the Manager will be seeking funds for additional firemen and some equipment. Otherwise, the Town expenditures are projected to decrease.

F. Inspections

Building Inspector Canady presented. He thanked the Board for the funding for a third-party contractor to serve the Town when Mr. Canady is unavailable. This help keeps the work of the department on track.

The software overhaul is progressing. The system will increase transparency for property owners, who do not always know when or why an inspection failed. The system will also link to the County's system, which will be helpful.

The Building Inspector thanked the Board for closing townhall to the public to protect staff from COVID-19.

Lastly, Mr. Canady is excited for the progress on the townhall rebuild. He is hopeful that the issues experienced with the structure, such as the heating and cooling system, can be resolved in this renovation.

IV. Recap of 2019 Board Goals/Discuss 2020 Goals

Although he was not a part of the Board's prior retreat, Interim Town Manager Gilbride presented information on the Board's top topics:

- Sandbag revetment: The Town should have the contract soon.
- Town Park: It should be open by July 4th. Everything is on track. The only potential delay is the tennis courts. The Town is engaging in discussions with Onslow County to resolve issues in this specific area, especially parking.
 - Mayor Pro Tem Benson asked about flood insurance for the park. Finance Officer Elliott reached out to the carrier. The land itself cannot be covered, only the building.
- Update Communications: The staff has implemented new efforts, and the Manager hopes these outcomes are acceptable to the Board.
- Town Hall: Mr. Stumbo believes the project can be completed by the end of the year.
 - Taxes: This topic will be discussed elsewhere, especially during the budget presentation, but in terms of previous retreat items:
 - Accommodations: This is a 6% tax on short-term rentals. By law, the revenue is split between the county and municipality at a 50/50 rate. To change this, the State Legislature would have to approve. At the Town level, this revenue is distributed to Fund 30.
 - Ad Valorem: \$.15 (of the \$.41 tax) of this revenue is distributed to Fund 30.

V. Budget FY 2020-2021

Interim Town Manager Gilbride & Finance Officer Elliott presented their initial draft of the FY 2020-2021 Budget. Manager Gilbride stated that the process began by examining revenues. Alderman Leonard suggested that the Onslow County Tourism Grant should go towards beach maintenance, such as the lease for the Jeffries lots and trash collection. Ideally, all occupancy tax generated in North Topsail Beach would be returned to the Town. Mayor Pro Tem Benson suggested that revenue generated from paid parking should go into Fund 30. Similarly, parking citations could also go to Fund 30. The Manager, following up on a previous Board question, reported that the Town's collection rate for citations is 80%.

Mayor Pro Tem Benson recommended to the Board that it decrease its salaries. There was a consensus to downsize board salaries to \$500 per month but leave stipend as is.

The Manager and Finance Officer presented the following variances for this budget cycle:

- Health insurance: The current Blue Cross plan's price did decrease. However, a switch to Cigna would save the Town 15%. The proposed plan is very similar, and in some instances, is a better benefit to employees.
- Merit raises: For the current budget cycle, the Board approved a 1% merit raise. Some have raised a question as to whether this enough of an incentive. This budget reflects changes recommended by the MAPS Group. The Board can weigh the pros/cons of implementing a new merit system in the upcoming fiscal year or perhaps in the FY 2021-2022 cycle.
 - The Board directed staff to review pay requests from the Police Department. The Board also asked the Fire Department to create a staffing plan to review.
- Town hall: Staff informally discussed town hall repairs and upgrades, which will help fortify the structure against future storms.
 - Mayor Pro Tem Benson asked if a LED sign was feasible. After discussion about the previous LED sign and its expenses, the Board asked staff to research the matter further.
- Contingency Fund
 - Mayor Pro Tem Benson believes taxes were increased in the current budget cycle to help pay for capital improvement projects. He is concerned that if this revenue is directed to the general fund and not specifically designated, capital projects will continue to be delayed.
- Fund 30: The Board of Aldermen questions whether the FEMA line item is properly labeled. It seems that some projects are listed and some are missing. The Board asked Finance to review and make changes for consistency or remove.

- Fall Retreat: Alderman Leonard suggested that another retreat in the autumn, perhaps September, would be helpful. If the Board has not had a discussion about priorities before this time, it would be a time set aside for a review.

VI. ~~CAMA Land Use Plan~~ ~~(Planning Director Hill)~~

This item was covered in the Planning Department's report.

VII. Shoreline Protection

A. Change CBRA designation

Alderman Leonard reported to the Board that one of the most significant consequences of a CBRA designation is the restrictions in FEMA funding after a named storm. Alderman Leonard was looking forward to the meetings in DC with influential stakeholders, which was scheduled in conjunction with the ASBPA conference. With the growing concerns for COVID-19, both the conference and the meetings were cancelled. However, he is hopeful that the virtual meetings will be available soon.

Alderman Leonard reminded attendees that there are companion bills in both chambers of the General Assembly. As he stated, the Town has never been this close to resolve the issues of a CBRA designation. He would like to contact Chairman Smith of the TISPC in a show of good will to make sure the Town is not overstepping by contacting the lobbyists on the issue.

Mayor Pro Tem Benson encouraged this plan and asked that Alderman Leonard remember the Audubon Society as a potential ally.

B. Beach, Inlet and Sound Advisory Committee

Mayor Pro Tem Benson requested, largely due to time constraints, to reserve this topic for later in the meeting.

C. Shoreline Protection Officer

Mayor Pro Tem Benson requested, largely due to time constraints, to reserve this topic for later in the meeting.

D. Pursuing Hardened Structure

Mayor Pro Tem Benson requested, largely due to time constraints, to reserve this topic for later in the meeting.

E. Federal Project

Interim Town Manager Gilbride reminded attendees that the project began approximately 10 years ago. One concern that he has is that the Town has invested a lot of manhours and has recruited the help of others to push for approval. If the Town cannot participate, the Town stands to lose its own work efforts along with the goodwill of others who helped.

Another concern is that the project may not bring any sand to the Town in the next three years, but the Town is asked to agree to the obligations now and even potential begin financial obligations.

The Board discussed whether the Hurricane Florence project profile would reduce the proposed Federal project and thereby lower the Town's financial obligations. Mayor Pro Tem Benson suggested that staff talk to Mr. Fran Way and request he compare the Army Corps of Engineer template to the Phase 5 Template to measure differences.

The Board also discussed soliciting help from the State on the financial obligations of the project.

F. Develop funding plans for terminal groin and Phase 2 to 4 re-nourishment

Mayor Pro Tem Benson requested, largely due to time constraints, to reserve this topic for later in the meeting.

VIII. Town-Wide Permitted Parking Plan

Mayor McDermon introduced the topic. She stated that while she sees the benefits of implementing paid parking, her biggest concern is pushing cars into neighborhoods and side streets. She hopes to thoroughly vet those issues and plan to mitigate unintended consequences before implementation. For these reasons, she recommended sending the topic to the Planning Board.

Planning Director Hill indicated that as the Planning Board is already set to review parking requirements for the Federal Project, this is a good time to review town-wide paid parking.

IX. Apply for Stormwater Management

Mayor Pro Tem Benson expressed concern for the Town's stormwater issues. He hopes that the Board and management will be open to opportunities to address these concerns as they present themselves. One example is flooding at the town park. Since the park is already under construction, the design renovation included remedies to combat future flooding.

The Board asked the Planning Director for her opinion. Ms. Hill recommended adding a requirement on new developments: an engineered stormwater plan. Alternatively, the Town could present the issue to the Metropolitan Planning Organization.

After discussion, the Mayor suggested that staff start by raising the issue with the North Carolina Department of Transportation.

X. Emergency Preparation

- A. Hurricane Dorian- Lessons Learned
- B. Emergency Operations Plan
- C. Hurricane Preparedness Plan
- D. Preparation for 2020 Hurricane Season

The Interim Town Manager presented the topic. He suggested that a meeting in the winter, after the hurricane season, to review the Town's performance would be beneficial.

Alderman Leonard was complimentary of the Emergency Operations Plan (EOP), but he did observe that the Hurricane Plan does not fit well. The Board directed staff to review the Hurricane Plan and integrate the missing pieces of the Plan back into the EOP. The end goal is for the EOP to incorporate the Hurricane Plan, which will no longer be a freestanding document.

XI. Improve Communications

Mayor Pro Tem Benson presented the topic. He believes the Town has improved its communications, which was a stated goal. He recommends that staff continue its efforts to overhaul the website.

Additionally, the Mayor Pro Tem stated an interest in the Town supporting or sponsoring a community-based event.

The Board also expressed an interest in hosting an event at town park as a reopening ceremony.

XII. Relationship with Onslow County

Mayor McDermon presented this topic. She believes the relationship is improving. Elected officials from the Town and County have increased their communications, and the Town is seeing some positive movement on some outstanding items of business.

XIII. Selection of Town Manager

The Town Clerk informed the Board that candidates have been selected by the Eastern Carolina Council. The Board asked the Clerk to obtain the applications and disseminate to the Board. The Board would like to discuss in a future closed session.

XIV. Future Meetings

- A. When do we anticipate opening to physical attendance?
- B. Any discussion on location?

Alderman Leonard presented the topic for discussion. He thought it should be something that the elected body consider and actively discuss for planning purposes. The State is still in Phase Two of reopening and as such, the Board of Aldermen is conducting their meetings virtually. Whenever the State enters Phase Three, the Board should be prepared to make adjustments.

The Board agreed that it will continue to conduct virtual meetings for the public, and it will continue to rotate its location based on availability of venues. When the Board needs to make accommodations for the public to physically attend, it will explore different venues.

XV. Adjournment

Alderman Leonard made a motion to recess the meeting until Tuesday the 9th at 9:00 AM. The meeting location will continue to be virtually. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 4-0.

**Board of Aldermen
Special Meeting
Annual Retreat
Minutes
Tuesday, June 9, 2020**

Present: Mayor McDermon; Mayor Pro Tem Benson; Aldermen Grant, Leonard and Peters; Town Manager Gilbride; Finance Officer Elliott; Town Clerk Oxley

XVI. Call to Order

Mayor Pro Tem Benson called the Meeting back to order.

XVII. Approval of Agenda

- A. Any topics inadvertently excluded?
- B. Any topics that are no longer relevant?
- C. Discussion for change in ownership?

Alderman Grant made a motion to approve the Agenda as presented. Alderman Leonard seconded. The Motion passed unanimously, 4-0.

XVIII. Discuss/Appoint Board Candidates

Mayor McDermon introduced the topic. The Board members began by conducting a round of nominations.

Two Board members, Alderman Leonard and Alderman Peters, nominated Ms. Susan Meyer. Alderman Benson nominated Ms. Constance Pletl. Alderman Grant nominated Ms. Deborah Coltrane.

The Mayor called for the Board to vote on the nominees. The Aldermen cast their votes in the following way:

- Alderman Leonard voted for Ms. Susan Meyer
- Mayor Pro Tem Benson voted for Ms. Connie Pletl
- Alderman Peters voted for Ms. Susan Meyer
- Alderman Grant voted for Ms. Susan Meyer

Ms. Meyer was appointed to the Board of Aldermen by a vote of 3-1.

XIX. Budget FY 2020-2021

Interim Town Manager Gilbride and Finance Officer Elliott presented budget information based on feedback from the Board at the beginning of the retreat.

Mr. Gilbride presented different options to balance the budget. He did not recommend raising taxes. One option to avoid an increase in taxes is to redistribute funds.

Based on questions from the Board, the Town Manager and Finance Officer provided the following information:

- The Finance Officer explained the reduction in the Police Department's Budget is a reflection of the recent change in holiday pay.
- The Future Projects Fund is a contingency line item for Fund 30.
- The budget does not reflect the south-end fire station's repairs. The Board discussed to what extent it should pursue renovations or when a new structure is the best course of action. The Board asked the Town Manager to do some research and present findings to the Board.

XX. Shoreline Protection

- ~~G. Change CBRA designation (Alderman Leonard)~~
- H. Beach, Inlet and Sound Advisory Committee**

The Mayor Pro Tem introduced this item and acknowledged that it was previously tabled. Based on feedback from the Board, he withdraws this

specific proposal. He does believe that the Board of Aldermen needs to discuss the path forward in beach management. Mayor Pro Tem Benson is hopeful that with a shoreline protection officer in place, decisions for beach nourishment will be streamlined.

The Board reviewed the Town's history of committees and is now searching for a new idea. The results of past committees have been variable. Appointing one person to exclusively manage coastal projects may increase accountability and results. The Board also stated that expectations must be clearly stated and communicated.

The Board directed the Town Manager and Finance Officer to add a line item for salaries in Fund 30.

I. Shoreline Protection Officer

Mayor Pro Tem Benson introduced the topic.

Mr. Gilbride recently received notice that the other towns on the Island will not participate in this proposed action this year, but there may be interest in subsequent years. The Board discussed that this news may help align the proposed employee's priorities in favor for North Topsail Beach. If the funding comes completely from North Topsail Beach, the Town's interests will naturally be the shoreline officer's primary priority.

Mr. Gilbride proposed adding a statement in the job description that explains the position could migrate into work with other towns on the Island.

Mayor McDermon summarized the Board's discussion to give the following direction to staff:

- 1) Edit the job description so that duties specifically relate to North Topsail Beach. However, include a statement that signals the role may expand into other similar duties for other municipalities on Topsail Island.
- 2) Adjust the budget to reflect a salary for the Shoreline Protection Officer in Fund 30. If other expenditures, such as supplies and equipment are needed, create another line item.
- 3) Send the staff's final version to the Town Attorney.
- 4) Bring the final result back to the Board for action.

J. Pursuing Hardened Structure

- a. Amend G.S. 113A-115.1(h) to exclude NTB as an exception to these requirements

The Board would like for the Town Attorney to review and explore options.

- ~~K. Federal Project—organize efforts with Surf City to provide necessary town actions and coordination with the ACOE and the State
——(Interim Town Manager Gilbride)~~
- ~~L. Develop funding plans for terminal groin and Phase 2 to 4 re-nourishment~~

XXI. Capital Improvements

Mayor Pro Tem Benson requested the Board’s support in his continued work with capital projects, such as exploring a public safety building and town hall renovations. Alderman Grant volunteered to help. By consensus, the Board designated Mayor Pro Tem Benson and Alderman Grant as the champions of these projects.

XXII. Adjournment

Alderman Leonard made a motion to adjourn. Alderman Peters seconded. The Motion passed unanimously, 4-0.

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Town of North Topsail Beach

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

Aldermen:
Richard Grant
Tom Leonard
Richard Peters



David J. Gilbride
Interim Town Manager

Laura Oxley, JD, MPA
Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Regular Meeting Minutes Thursday, June 4, 2020

Present: Mayor McDermon; Mayor Pro Tem Benson; Aldermen Grant and Leonard; Alderman Peters (remotely); Interim Manager Gilbride; Town Clerk Oxley

I. Call to Order

Mayor McDermon called the Meeting to order.

II. Invocation

Mayor McDermon delivered an invocation.

III. Pledge of Allegiance

Mayor McDermon led the attendees in the Pledge.

IV. Approval of Agenda

Mayor Pro Tem McDermon made a motion to approve the Agenda as presented. Alderman Grant seconded. The Motion passed unanimously, 4-0.

V. Manager's Report

Interim Town Manager Gilbride presented his monthly report. The town park renovations should be completed by July 4th. He discussed tentative plans to hold a ribbon cutting ceremony.

Mayor Pro Tem Benson requested that the vendor who presented the paid parking proposal modify initial estimates so that the plan encompasses the entire town.

*There are attachments

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

2008 Loggerhead Court
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NTB is an equal opportunity provider and employer.

Alderman Leonard suggested that the Planning Board, who was directed to make a recommendation to the Board of Aldermen, should discuss the issues first. Then, based off the presented recommendations, the Board can discuss goals and concerns with the vendor.

Alderman Grant suggested that the Planning Board include in its review 1) areas that parking should not be allowed and 2) needed signage.

The full manager's report is attached.

VI. Open Forum*

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

VII. Public Presentations and Hearings

Town Attorney Edes recommended discussing the Special Use Permits first, because there was an error that should be promptly addressed. The Board did not object.

A. CASE SUP-19-01; SUP-19-02; SUP-19-03; SUP-19-04

Town Attorney Edes stated that the applicants did not receive a copy of the staff report. Additionally, an adjacent property owner stated that he did not receive written notice or a draft of the proposal. These parties request that the hearings be continued.

Planning Director Hill believed the parties did receive notice of the hearing, but they may have not received notice of the staff report available for inspection.

The Town Attorney recommended postponing the hearing until June 24th.

Alderman Leonard made a motion to continue the hearing. Mayor Pro Tem Benson seconded. The motion passed unanimous, 4-0.

B. Update: ongoing beach projects

Mr. Fran Way of ATM was participated remotely. Unfortunately, due to technology issues, the Board could not hear the report. The Board requested a written report from ATM at future regular Board meetings.

~~C. CASE SUP 19 01; SUP 19 02; SUP 19 03; SUP 19 04~~

(Planning Director Hill)

**D. Proposed Amendments to the Unified Development Ordinance
Article 7 Flood Damage Prevention and § 11.02 Definitions**

Planning Director Hill presented the proposed changes.

Mayor McDermon commented that the edits seemed minor. Planning Director Hill suggested that perhaps the most significant change is that a professional engineer is required to certify compliance prior to the issuance of a Certificate of Compliance/Occupancy. This change removes some liability from building inspectors.

Alderman Leonard made a motion to open the public hearing. Mayor Pro Tem Benson seconded. The Motion was unanimous, 4-0.

The Mayor announced that hearing open and invited anyone from the public to approach and address the Board. No one came forward.

Alderman Leonard made a motion to close the hearing. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 4-0.

Alderman Leonard made a motion to approve. Mayor Pro Tem Benson second. The Motion passed unanimously, 4-0.

The staff report is attached.

VIII. Consent Agenda

- A.** Approval of Minutes ([April 24, 2020](#); [May 6, 2020](#); [May 7, 2020](#); [May 21, 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.** Surplus Item- Fire Department Hummer
- E.** [Budget Amendment 2019.20.4](#)

F. Amendment to Personnel Policy

Mayor Pro Tem Benson made a motion to approve the Consent Agenda. Alderman Leonard seconded. Alderman Grant requested to abstain from the vote as he was only recently appointed to the Board. The Motion carried without any objection.

IX. Continuing Business

A. Discuss/Fill Board Vacancy

Mayor McDermon began by asking for the Board's preference on the voting procedure.

Alderman Grant stated that there were many applications to review. He was not comfortable voting at this meeting, because he was only recently appointed to the Board.

The Town Attorney recommend that each individual board member do his or her own interviews and research.

Mayor Pro Tem Benson stated that the public had ample time and opportunity to present information to the Board about qualifications. Some applicants provided less than adequate information about themselves. It is not the duty of the Board to pursue applicants and ask for supplemental information.

Alderman Leonard stated his preference was to defer the vote so that the newest member of the Board could have an opportunity to review.

There was a consensus to continue the topic until Tuesday.

X. New Business

A. Annexation and Town Charter

Mayor Pro Tem Benson introduced the item. He expressed prior administration and Board opinions that the opportunity to annex could be beneficial. However, given the restrictions enacted by the General Assembly, the Town's charter prohibits annexation across the Intracoastal Waterway.

The Board discussed the range of interests: from annexing properties owned by the Town to property owners who wish to voluntarily annex.

The Town Attorney advised that the process would involve a local act from the State Legislature.

There was a consensus from the Board to direct the Town Attorney to begin this process.

XI. State of Emergency

Mayor McDermon announced that she has not issued any changes. The Town Attorney's recommendation was to remain in a State of Emergency.

XII. Attorney's Report

Mr. Edes did not have a report for the Board.

XIII. Mayor's Report

Mayor McDermon announced that she attended her first ONWASA meeting as an official Town representative.

XIV. Aldermen's Report

Alderman Peters did not have a report.

Mayor Pro Tem Benson asked staff to publish the recent communications report so that the public may see the Town's improvements. He thanked town staff for their efforts.

Alderman Grant expressed his appreciation for everyone's help in his initial days as an alderman, especially staff's efforts.

Alderman Leonard recently participated in a call with the North Carolina Realtors Legislature Committee, which voted to support the Town's current CBRA-related bill. The North Carolina chapter is sending their recommendation to the nation association for its support. Alderman Leonard stated that the Town has never been this close to changing the CBRS maps designations.

Alderman Leonard made a motion to go into closed session. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 4-0.

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

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

Alderman Leonard made a motion to return to open session. Alderman Grant seconded. The Motion passed unanimously, 4-0.

The Town Attorney announced that no action was taken during closed session.

XVI. Adjournment

Alderman Leonard made a motion to adjourn. Alderman Grant seconded. The Motion passed unanimously, 4-0.

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 07/ /2020



Manager's Report – June 4,2020 Board Meeting

Revetment

An Agreement for professional services has been executed with Arendell Engineers to survey the revetment area, assess the availability of fill sand, develop sandbag installation objectives and criteria, and provide a preliminary assessment of probable costs. The agreement further addresses project design and permitting, contractor selection, and construction administration. The engineer will begin work approximately June 6th, and present findings in early July. Construction could begin shortly thereafter.

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.

USACOE Federal Project

We are still holding biweekly meetings between the Corps personnel and our partners at Surf City to assist in meeting deadlines set by the Corps. Cost estimates and financing options are currently being reviewed.

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 Fall of 2020. According to their representative the dredging company remains contractually obligated to complete the work.

Town Park Repairs

Repairs to the Town Park commenced several weeks ago, and are progressing rapidly with landscaping and irrigation largely completed. Photographs of the progress are posted weekly on town facebook and web pages, and the improvements are now extremely obvious to passing residents.

Though the contracted completion date remains July 24th, the contractor anticipates completion of the project prior to July 4th weekend, and the possible opening of portions of the park within the next two weeks. At this point there have been no significant change orders, and only a minor adjustment to the height of the electric service is anticipated. A replacement for the original bicycle rack has been authorized for a nominal charge.

Town Hall

Floor plans have been reviewed by the building inspector, the DPW director, the Fire Inspector, the Planning Director, and I along with the architect. Issues with the HVAC which plagued the facility in the past were addressed while maintaining the policy of replacing the facility “as it was”.

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 planning board advice sought to identify a viable strategy for side streets to prevent motorists migrating from paid lots to residential right-of-ways.

FY20/21 Budget

The Board was presented with a preliminary budget at the retreat of June 2nd. Problems associated with Covid19 precluded us from following long established procedures for budget development, so the preliminary budget was largely prepared by the Finance Officer and Town Manager. Adjustments suggested by the Board are being incorporated into a final document. The major issue with this budget is our inability to determine for certain what effect the Covid19 restrictions will have on revenues, specifically sales and occupancy taxes.

MAPS Study

MAPS Study recommendations were implemented on June 1, 2020, and adjusted salary and wage data (Option #2) were used in preparing 2020-2021 budget.

IT

Contract package proposals for the providing of IT services were submitted by our vendor, Computer Warriors, and reviewed in a meeting with Ms. Hill, Ms. Elliott, and me. A decision on how to proceed will be made based upon what the organization needs with an eye toward controlling costs.

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.

Health Insurance

Competitive quotes for comparable coverage were sought and received. While keeping Blue Cross/Blue Shield would have resulted in a decrease in premiums for the town, a switch to CIGNA promises improved coverage and a rate reduction of over \$40,000. The board was presented with this info at the retreat.

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.

Fire Hydrants

In discussion with Jeff Hudson of ONWASA it was requested that three inoperable fire hydrants in NTB be repaired. While all three were "bagged", it turned out that only one was actually defective, and that was promptly repaired. The other two actually had flow meters mounted on them for data collection, and our Fire Dept was notified as to how they could be used without harming the meters.



Town of North Topsail Beach
Board of Aldermen

PUBLIC HEARING

Date: 06/04/2020

Issue:	Proposed Amendments to the Unified Development Ordinance Article 7 Flood Damage Prevention and § 11.02 Definitions
Department:	Planning
Presented	Deborah J. Hill, MPA AICP CZO CFM - Planning Director
Presentation:	Yes

BACKGROUND

Each time FEMA provides the Town with additional flood hazard data, the Town must adopt new floodplain management regulations or amend existing regulations to incorporate the new data and meet any additional requirements that result from any changes in the data. The floodplain management regulations must also meet any additional State of North Carolina requirements and be adopted through a process that complies with the procedural requirements established by NCGS § 160A-364 for the adoption of ordinances or regulations.

A Letter of Final Determination (LFD) is sent by FEMA to the Chief Executive Officer and Floodplain Administrator of a local jurisdiction stating that a new or updated Digital Flood Insurance Rate Map (DFIRM) will become effective in six (6) months. The LFD also notifies each affected flood prone jurisdiction participating in the National Flood Insurance Program (NFIP) that it is required to adopt a compliant Flood Damage Prevention Ordinance by the map's effective data in order to remain a participant in good standing in the NFIP. Due to the LFD Date being December 19th, the Map Effective Date will be June 19, 2020.

North Carolina General Statutes require public hearings for adoption and amendment. All ordinances must be adopted prior to June 19th (preferably well in advance of that date).

The Planning Director will track codification to verify that all mandatory revisions have been address, as we are merging the document into the UDO, which is a different format from the Model Ordinance. The final product will reflect the mandatory language required by the State and higher standards adopted by the Town. Reasons for higher standards:

- Lower Flood Insurance Rates
- Community Rating System (CRS) Activity Points ability for community wide insurance discounts
- More Resilient Development
- Reduced Loss of Property & Displaced Households
- Reduced Impact to the Community
- Reduced Stress on Emergency Services
- Protect natural and beneficial function of the floodplain

RECOMMENDATION

On, March 12, 2020, Mr. Matthews made a motion that the Planning Board recommends that the Board of Aldermen conducts a public hearing on or before June 19, 2020 and adopts the amendments as indicated in the draft Unified Development Ordinance Article 7 Flood Damage Prevention and §11.02 Definitions (attachment 1) to be effective June 19, 2020. Mrs. Green seconded the motion; motion passed unanimously, 5-0.

ATTACHMENTS

1. Unified Development Ordinance Article 7 Flood Damage Prevention and § 11.02 Definitions (amended, draft).

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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North Topsail Beach, NC 28460

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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

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 Special Meeting Minutes Tuesday, July 21, 2020 11:00 A.M.

Present: Mayor McDermon; Mayor Pro Tem Benson; Aldermen Grant, Leonard, Meyer and Peters; Town Manager Gilbride; Planning Director Hill; Town Clerk Oxley; Consultant Landin Holland (via teleconference)

I. Call to Order

Mayor McDermon called the Meeting to order.

II. Approval of Agenda

Alderman Peters made a motion to approve the Agenda. Alderman Leonard seconded. Mayor Pro Tem Benson made a motion to add paid parking to the Agenda. The Motion passed unanimously, 5-0.

III. Paid Parking

Manager Gilbride provided an update. Town Administration has identified locations for paid parking. The Town Manager and Planning Director Hill will be mapping out the spaces. The vendor does have a "lead time" to set up the parking units; it may be difficult to have the process in place by Labor Day.

Mayor McDermon believes implementing sooner rather than later could help with traffic and parking issues. The traffic on and off the Island is still congested.

Alderman Leonard attended the meeting with the vendor. The Town needs to identify side streets and locations for parking spots. Visitors are already parking on the side streets; the Town just does not receive any revenue. The goal is to properly rollout the plan the first time, not go back and re-do when homeowners experience issues.

Alderman Grant asked for expense clarification. In his prior experience, other municipalities set up a person with a table who could collect money. This may not be ideal, but it is an effective cost savings approach. The vendor's plan has a lot of upfront costs. The Town could implement something simple at first and work towards a bigger plan. There is pressure from the public to provide an answer.

Alderman Leonard suggested a methodical rollout. His concern is that side streets will bear the consequences. Another factor is emergency vehicles.

Alderman Meyer stated that there is a lot of push back from surrounding areas. The County's lot, which would be free, is currently unavailable. She does have concern about taking an option away from a family that may not be able to afford the additional expense.

Mayor McDermon announced that the Board seems to be on the same page with moving forward and exploring this revenue option.

Alderman Peters made a motion to immediately expand parking areas for paid parking. The Motion failed for lack of second.

Alderman Leonard wanted to provide one final thought. The vendor will place a spot anywhere, because they receive money. The Board should focus on how to rollout this plan without losing the Town's character.

IV. Draft CAMA Land Use Plan

Planning Director Hill & Mr. Landin Holland of Holland Consulting Planners presented. Mr. Holland explained that the Town cannot yet approve. Today is only a discussion.

Mayor McDermon thanked Mr. Holland, Ms. Hill and the Planning Board for their work.

Alderman Leonard made some recommendations. He suggested a sentence about post WWII Ocean City. Regarding the section concerning the Labor Force, he suggested information about Camp Lejeune. Overall, the product is good. He acknowledged the hard work, including citizen comments.

Alderman Grant thought the Plan was very informative. He liked the way it was written. He agreed with Alderman Leonard's additions. He believes that Ms. Hill and Mr. Holland did an excellent job. He hopes to incorporate the principals of this plan as he makes decisions in the future as an Alderman.

Ms. Hill reminded the attendees that the CAMA Land Use Plan is a guide that many planners did not follow until new legislation was passed that required

decisions have justification, meaning comment that references the municipality's land use plan.

Mayor Pro Tem Benson echoed the Board's accolades. Ms. Hill and Mr. Holland did a great job putting the Plan together. The timing of the Census is unfortunate. He had a few concerns with the Plan. It should recognize the importance of land use policies and coastal resiliency. Essentially, when the infrastructure or plan is in place with consideration for resiliency measures such as fortified roofs or restoring dunes, the community is more prepared to recover. Mayor Pro Tem Benson recommended adding the language in the introduction.

Mayor Pro Tem Benson's second concern is the conservation of coastal wetlands. He would like a strong policy statement about conservation of coastal wetlands. Mayor Pro Tem also recommended that a Conservation D policy statement be added to prevent rezoning by future Boards.

Alderman Grant would like the Town Attorney's advice before making decisions that place any restrictions on privately owned property. He also has reservations about tying the hands of future Boards.

Alderman Meyer had concerns that some of the Mayor Pro Tem's comments were too restrictive.

Mayor Pro Tem Benson asked the consultants to create another GIS layer to clarify low-density residential.

Mayor McDermon expressed a concern about taking the document too far. She believed there is merit in keeping the document broad.

Mayor Pro Tem Benson also wanted Conservation D areas marked on the map. His goal is to protect the coastal wetlands.

Planning Director Hill explained that "wetlands" is not synonymous with "conservation." She appreciates the Mayor Pro Tem's concerns, but the Division of Coastal Management and the Army Corps of Engineers are the permitting authorities, which is an extensive permitting process.

Mayor Pro Tem Benson believes that the multi-use imagery on page 65 is out of date. He also suggested that the map's key may need modification.

Mr. Holland will try to find a better replacement.

Alderman Peters asked how the Town can become a higher priority for DOT.

Planning Director Hill suggested participating in the JUMPO.

The Mayor Pro Tem stated that the Inlet Hazard Area process has been delayed because of COVID-19, but he believes changes will occur and an update may be needed in the future.

He asked that page 77 have an addition to include coastal resiliency as a bullet point.

Alderman Meyer asked Mayor Pro Tem if he has a definition of “coastal resiliency” to add to the Plan. She believes some of these ideas already covered by zoning and building code.

Mayor Pro Tem Benson raised some concerns for potential contradictions. For example, at one point, the Plan states that it does not support marinas or boat ramps, but later, it supports access to estuary areas. He recommended deleting the “boat ramp” section.

Planning Director Hill responded that the statements do not necessarily conflict.

Other Board members discussed the potential conflict. Planning Director Hill responded that she understands the confusion and will work to clarify.

Mayor Pro Tem referenced page 85 and asked if it was meant to imply the Town is no longer allowing condominiums.

Planning Director Hill stated that it is possible to have a condo development, but the building height and setbacks requirements would be tough to overcome.

Mayor Pro Tem Benson proposed that the Planning Director and Planning Consultant review his edits, make suggestions and present to the Board.

Mayor McDermon asked for objections to the Mayor Pro Tem’s proposal. No one objected.

Mayor McDermon asked if it would be appropriate to send the suggestions back to the Planning Board. Planning Director Hill stated that she had not yet reviewed the suggestions. She will circle back to the Board of Aldermen with her recommendations on how to proceed.

V. Adjournment

Alderman Leonard made a motion to adjourn. Alderman Meyer seconded. The Motion passed unanimously, 5-0.

Town of North Topsail Beach
Special Board of Aldermen Meeting

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 08/ /2020

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 Special Meeting Minutes Thursday, July 30, 2020 11:00 A.M.

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

I. Call to Order

Mayor McDermon called the Meeting to order.

II. Approval of Agenda

Alderman Leonard made a motion to approve the Agenda. Alderman Peters seconded. The Motion passed unanimously, 5-0.

III. Discuss Federal Project

Mayor McDermon briefed the Board on the meeting with Surf City. The Corps proposal is missing important documents. Representatives from Surf City and North Topsail Beach agreed that a decision cannot be rendered until this information is presented. Also, the Mayor restated North Topsail Beach's concerns with the project's finances during the joint meeting.

Mayor Pro Tem Benson stated that the PPA greatly favors the federal government over the towns. During past conversations, the Corps has stated it will request funds after a named storm to assist with recovery. This term of the agreement is not included in the PPA.

Alderman Leonard asked about other towns that have federal projects and restoration efforts. Does the Board have information about the success or failures of those projects?

Mayor McDermon responded that Surf City's Manager seemed familiar with other Corps projects in New Hanover County. And in that scenario, the local municipalities paid for the recovery efforts.

Town Manager Gilbride stated his concerns. In particular, he is concerned about joint and several liability. If Surf City cannot uphold their financial obligations, North Topsail Beach could be held liable for outstanding balances owed and vice versa.

Alderman Grant stated his concern that the PPA is not transparent and weighted in favor of the federal government.

Mayor Pro Tem Benson stated that both towns have already paid several hundred dollars to the project. He does not understand why the towns are being charged for the Corps contributions when the towns have already contributed.

Alderman Leonard stated that at end of the day, the Board has a responsibility to the people of North Topsail Beach. If the proposed project is not beneficial, the Board cannot support it.

Alderman Grant agreed by saying the Town should not throw good money at bad.

IV. DEC Associates, Inc. Contract

Town Manager Gilbride is in discussion with the consultants, who requested to be under contract before giving advice.

The Town is currently obligated to a USDA loan. Some believe there was an ancillary agreement made between the Town and the LGC that the loan would be paid off sooner than the 30 year term. To date, the Town has not made any early payments.

In 2012, the realignment project had to go before the LGC; the Town successfully received unanimous approval to move forward with financing. In 2014, the Town received a USDA Loan for Phase 5 and had to go back to the LGC. The Town received unanimous approval for this project as well. Alderman Leonard does not recall the LGC stating the loan must be paid off sooner than stipulated in the loan agreement. Alderman Leonard then provided some insights to the process itself. To obtain approval, the Town had to send representatives to Raleigh. In a room at the state office, there is a long conference table. There is not an empty seat at the table. At the head of table is the state treasurer. All other parties, such as the applicants, sit in chairs that align the wall. With the realignment project, the Town representatives were Mayor Tuman, Manager Foster, Alderman Gray and Alderman Leonard. Also in attendance were citizens who opposed the project. For the Phase 5 project, the representatives were Mayor Tuman, Manager Turille

and Alderman Leonard. Even though the proposed Corps project federal funding, the Town must go through the LGC process. The Town must demonstrate that it has the ability to pay back the obligation.

Town Manager Gilbride stated that staff cannot find any documentation of an agreement with the LGC.

Finance Officer Elliott reported that the Town is at the five-year mark of the loan, and there is over \$4 million in the sinking fund. Ms. Elliott consulted the USDA, and the Town is not allowed to use the reserve until its final payment. As for the reserve fund, \$90,000 each year is placed in this separate fund. In 2025, it will have accumulated into a full payment. The fund's purpose is to be a safety in the event the Town cannot make a payment.

Alderman Grant went back to the Federal Project conditions. Under one premise, the Town would have to pay \$15 million in 6 years. If the Town moves forward, it cannot take on much more debt. He is looking for the financial advisor to explain what information is needed to make the decision. Then, the consultants should start a more in-depth analysis.

Mayor Pro Tem Benson reminded the Board that his intention in reaching out to financial consultants was for capital projects, such as the fire station. For the new discussion of the Federal Project, he recommended the Board start by reviewing the last deliverable received from a financial consultant.

Alderman Leonard stated to the Board that there is more than one reason to hire a consultant. The Board just discussed two- the Federal Project and capital projects.

Alderman Grant requested that the financial firm describe what deliverables the Town can anticipate; the current proposal is too ambiguous.

Town Manager Gilbride stated that he did ask the consultants about the terminal groin, police station and fire stations. He can add fire trucks to that list.

Alderman Grant made a motion to grant the Town Manager authority to approve the financial agreement, contingent upon the Town Attorney's approval, a more detailed understand of the deliverables and the inclusion of capital projects, not to exceed \$50,000. Alderman Meyer seconded. The Motion passed unanimously, 5-0.

V. Adjournment

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

Town of North Topsail Beach
Special Board of Aldermen Meeting

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 08/ /2020

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, August 6, 2020 6:30 P.M.

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

I. Call to Order

Mayor McDermon called the meeting to order.

II. Invocation

Alderman Grant led the attendees in an invocation.

III. Pledge of Allegiance

Mayor McDermon led the attendees in the Pledge.

IV. Approval of Agenda

Alderman Peters made a motion to approve the Agenda. Alderman Grant seconded.

Mayor Pro Tem Benson asked to add a new item, Congressional Delegation Discussion, under New Business.

Alderman Grant made a motion to approve as modified. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

V. Manager's Report

Town Manager Gilbride presented his report. It is attached.

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

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North Topsail Beach, NC 28460

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Alderman Grant thanked the Town Manager for his decision to close the County's access across from town park by creating a small berm ahead of Hurricane Isaias. Alderman Grant believes this act may have prevented damage to the recent repairs at the park. Alderman Grant then asked if there is any harm in leaving the berm in place?

Town Manager Gilbride explained, unfortunately, the berm may impede current efforts of Onslow County to restore the access.

Mayor McDermon recommended that recreating the berm for future storms may be an option even if the berm cannot permanently stay.

Alderman Leonard asked about the Revetment Committee.

The Town Manager reported that Mr. Forman, who is the project's engineer, has not directly communicated an update to the Town. Mr. Forman has told others that he is updating his plan.

VI. Open Forum*

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

Town Clerk read the pre-submitted comments from Mr. Kevin Finer, Mr. Lenny Denitis and Ms. Becky Bowman.

VII. Public Presentations and Hearings

A. US Army Corps of Engineers – Updates/Discussion

Mr. Mickey Sugg of the United States Army Corps of Engineers was present to answer questions related to the Environmental Impact Study. Mr. Sugg opened by explaining his role at the Corps is on the regulatory side. Projects trigger a review from the regulatory division if the activity is in certain waterways. An EIS can be triggered for different reasons, but common examples are controversial subject matter, unknown impacts, threats to endangered species or impacts to the wetlands.

Also, state legislation requires an EIS when a groin is proposed. The current EIS study is being streamlined in that the reviews are running simultaneously.

When conducting an EIS, the applicants typically hire a third party contractor to write the proposal to help move the project forward. The Corps does not have the staff manpower to draft the EIS as quickly as a third party. Even though the applicant is paying for the contractor, this

process is meant to be unbiased. To that end, a contract is executed to set boundaries among the parties.

The EIS process itself begins with scoping. This process attempts to gather all interested parties, such as nonprofit groups, realtor groups and military representatives, and give them the opportunity to voice concerns or support for the project.

Within the next few months, Mr. Sugg hopes to hold the first public scoping meeting. At this stage, the EIS is a disclosure document. It is meant to address all elements, good and bad, and explain alternative options.

Alderman Grant asked if there is a no action alternative.

Mr. Sugg responded that by law, there is a no action alternative. The Town currently holds a 50-year permit. The no action alternative in this scenario may be continue current management practices.

Once the notice of intent is created, it will go into the Federal Register. This is a notice to the public that the Army Corps of Engineers is reviewing and advertising for the first scoping meeting.

The finalized draft also goes into the Federal Register. Dial Cordy will be tasked with compiling all comments and providing a response to each. After this process, the final EIS will be complete. Then, the Town may use this document to apply for a permit.

One thing to note, President Trump signed an executive order- One Federal Decision. If more than one agency is required to participate in a decision, a stricter timeframe is enforced for making the decision; a two-year window starts when the notice of intent is released. This Order could help expedite the process, but there is some question as to whether this project falls within the scope of the directive.

Mayor McDermon stated that the question she receives the most is when will the process be completed.

Mr. Sugg stated that he cannot give an exact time frame, but he doubts that the permitting process can be completed within the next two years.

Alderman Leonard asked about similar EIS projects.

Ms. Sugg answered that the ideal fast track model was Bald Head Island. He believes this permit was completed in less than three years. Conversely, Ocean Isle is still in litigation.

Mayor Pro Tem Benson acknowledged that it is difficult to have scoping meetings during a pandemic. He asked about other options than the traditional method in order to be accommodating to those who want to participate but not create more delays in the process. Perhaps a two-part approach would help. Stakeholders could write comments ahead of time. The meeting's facilitators could collate and redistribute for everyone at a virtual meeting.

Mr. Sugg responded that at the scoping meetings, attendees are placed in small breakout groups. In these sub-sessions, people tend to be more comfortable participating and expanding on others' comments. It is an important piece of the process. He believes there could be a solution given the circumstances of the pandemic, but he wants to think through the proposals.

Mayor Pro Tem Benson asked if Mr. Fran Way could provide an explanation of the project in a virtual meeting, ask stakeholders to provide written responses to the summary, compile the comments, disseminate and hold a meeting to discuss.

Mr. Sugg said that he appreciated the suggestions. The Town is part of the process and wants input from the Board on how to proceed. Whatever is ultimately decided, the main objective is to provide an opportunity for everyone involved to participate.

Town Attorney Edes added to the discussion that the more the Town deviates from the standard operating procedure, the more the Town opens itself to problems. The ultimate solution cannot cut off anyone's opportunity to review and comment. He added that the State Government has been responsive and made adjustments for conducting business in a pandemic. He will research whether federal agencies have made similar considerations for how they conduct business.

Mayor McDermon stated the next step is a follow-up on how to hold a scoping meeting.

Mr. Sugg stated his intent to reach out to other districts who have held virtual meetings.

Alderman Grant offered a different perspective. There are those who have concerns and limitations due to COVID and need an altered process.

B. Discuss Financial Services Contract

Mr. Douglas Carter, President and Managing Director of DEC Associates and Mr. Andrew Carter attended the meeting virtually. Mr. Douglas Carter began by providing a background of their firm's prior work

with the Town. He would like to begin this partnership by looking at the former financial models, determine the Town's current financial situation and researching how the LGC agreement influences other projects. Also, the firm would look at other capital projects outside of beach projects, such as a fire station. Lastly, the firm would prepare new financial models.

Alderman Grant asked if the new models will demonstrate borrowing capabilities. He said he is looking for honest feedback on projects the Town cannot afford.

Mr. Doug Carter responded that his firm provided that advice in the past and would do the same with this contract.

Alderman Meyer asked if the firm also researches other revenue streams, such as grants.

Mr. Doug Carter explained that while he will be a financial partner, his firm will not actively search for grants. However, once grants are discovered, he can explain how they would affect the models.

Mr. Doug Carter ended by stating his firm has particular experience in this area, because they work with other coastal towns and consult on beach projects.

C. Coastal Engineer Update

Mr. Fran Way of ATM Consulting attended remotely to provide his update. It is attached.

Mr. Way indicated that he was able to hear Mr. Sugg's presentation and will follow-up with him.

Mayor Pro Tem Benson asked about the truck haul project. Will the Town be able to modify the permit to use state money to extend scope of truck haul?

Mr. Way said that is his intent.

Mayor Pro Tem then asked about the potential dredge for the upcoming season.

Mr. Way stated that he had a meeting with DCM, Army Corps and Wildlife Resource. His originally proposed borrow site was rejected for fear of rocks. He is now looking at Borrow Area A, which is farther south, and requires a separate permit. It will take at least a year.

Mayor McDermon asked if the truck haul project for the Hurricane Florence project will start where the last project ended.

Mr. Way answered in the affirmative.

Alderman Meyer asked if the dredge in the fall is still on track.

Mr. Bob Keistler, of the Army Corps of Engineers, answered that the contractor under-performed. The work was not completed within the environmental window. He will follow-up with more information, especially timeframes.

Alderman Leonard made a motion to suspend the rules to add the Federal Project to the Agenda. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 5-0.

D. Federal Project

Mayor McDermon began by stating North Topsail Beach representatives met with Surf City representatives, drafted concerns with the original PPA and sent those comments to the Corps. Perhaps the biggest concern from North Topsail Beach is the growth of cost and missing final numbers.

Ms. Pam Castens acknowledged the joint comments and reported that the Corps has drafted responses; their legal counsel is in the process of reviewing. They hope to soon deliver the overall final project cost and environmental documents. The cost has been updated from \$893 to \$692 million.

Alderman Grant believes the project design is great. His concern is the numbers. North Topsail Beach is a small town with a small budget. A 50-year commitment is difficult to make, especially given the Town does not know the final cost. Many people support the project, but how does this project impact other projects, such as a fire station? There are a lot of unknowns. He noted that the reason the Board hired financial consultants is to help explore these questions.

Ms. Castens responded that the project is an opportunity. There has been and continues to be a lot of support and work for the project. She understands that the numbers are uncertain. The Corps is trying to present the best forecast that it can. The Corps is also exploring ways to streamline the process to reduce the cost. A commitment from the Town would encourage them to continue in their search for these solutions.

Alderman Grant asked if the re-nourishment commitment is a mandatory piece of the agreement.

Ms. Castens answered in the affirmative.

Alderman Grant stated that the joint and several liability clause is a concern. He added that he is not trying to be difficult. He wants to be upfront with the Corps.

Colonel Bennett asked if the Town considers the cost of no action when financial decisions are reviewed. If the Town is hit by a storm, more protection reduces costs.

Alderman Grant added that the public perception is that the project is free to the Town, which is not the case.

Mr. Keistler reminded the participants that the Town will not pay the projected costs; it will pay actual costs, which may be less.

Mayor McDermon asked about the timeline for when a decision is needed.

Mr. Keistler said the goal is an executed PPA in September.

Ms. Castens explained that in order to meet that deadline, certain information and time is needed to prepare the documents. The Corps would need the decision sooner than the September PPA goal.

Alderman Leonard noted that Surf City has not conducted many nourishment projects. It seems they have been waiting for this project. Conversely, North Topsail Beach decided to pursue other projects, because the federal project was not guaranteed. To Alderman Grant's point, the Town already has debt on the same section of beach.

Ms. Castens expressed her surprise that the project was wholly funded. She thought that if anything happened, it would be an increment of the project.

Mayor McDermon asked about next steps.

Ms. Castens answered that the Corps will return their responses to North Topsail Beach and Surf City.

E. Proposed Amendment- to allow for garage apartment/guest house

Alderman Leonard made a motion to open the public hearing. Alderman Grant seconded. The Motion passed unanimously, 5-0.

Planning Director Hill presented her staff report; it is attached.

Mayor Pro Tem Benson asked a clarifying question about the accessory being above ground level.

Planning Director Hill affirmed that it must be above ground level.

Mayor McDermon asked what the Planning Director is asking of the Board.

Planning Director Hill explained that this issue came to light with a new FEMA interpretation. She took the issue to the Planning Board, which has now made a recommendation to the Board of Aldermen to permit accessory dwelling units.

Alderman Peters asked if the relevant HOA had an opinion.

Planning Director Hill replied that she has not talked to the HOA. She believes it is important to first bring the matter to the Board of Aldermen.

Alderman Meyer asked about sewer availability.

Ms. Hill explained that the application would be treated as a separate residential structure, and as such, another sewer permit would be required. The Board could also decide to limit the accessory to single family homes.

Town Attorney Edes added that this idea is something that is relatively new. He recommended that if the Board proceeds, it can allow these accessories through special use permitting. In this way, the Board can be more mindful of the process and invite neighbors' feedback. Mr. Edes recommended the Board of Aldermen send the issue back to the Planning Board to review the conditions for a special use permit.

Planning Director Hill offered to reach out to other coastal towns to discern best practices.

Chief Soward added that as the Town's Fire Marshal, he would like to have some input.

Alderman Leonard made a motion to close the public hearing. Mayor Pro Tem Benson seconded. The Motion was unanimous, 5-0.

Town Attorney Edes offered a recommendation that the Board direct Ms. Hill to work with the Planning Board to develop special use standards and ask for feedback from the Building Inspector, Police Chief and Fire Chief. He then asked if that was the Board's consensus.

The Board agreed.

VIII. Consent Agenda

- A. Approval of Minutes (June 24, 2020; July 2, 2020; July 21, 2020; July 30, 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](#))

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

IX. Continuing Business

A. Emergency Operations Plan

Town Manager Gilbride presented the final version of the Emergency Operations Plan.

The Board approved the Plan.

B. Capital Improvements Update

Mayor Pro Tem Benson and Alderman Grant provided a background to the Board on the efforts they had made thus far. They asked the Town Manager to meet with department heads to gain a better understanding of capital improvement needs.

X. New Business

A. TISPC: Appoint Citizen Representative

Mayor Pro Tem Benson introduced the topic. He thanked all candidates who volunteered. He nominated Connie Pletl. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

1. Congressional Delegation Discussion

Mayor Pro Tem Benson introduced the topic. He explained that representatives will be visiting in August. Topsail Island Shoreline Protection Commission's Chairman Smith asked that each town appoint its delegates.

Mayor McDermon suggested that the people who represented the Town on the DC virtual meeting should also serve as representatives for the August visit.

Alderman Leonard stated that he was happy to help. During the July conference call, Congressman Murphy stated his opinion that the Town needs a jetty- an opinion he developed during a flyover of the Island.

Alderman Leonard formally recommended Mayor McDermon, Mayor Pro Tem Benson and himself to represent the Town at the August Congressional Delegation visit. The Board agreed by consensus.

B. Planning Board and Board of Adjustment Appointments

Planning Director Hill recommendations:

- Lisa Brown (Planning Board)
- Alfred Fontana (Planning Board)
- Lisa Lee Kozlowski (Board of Adjustment)
- Joseph Peterson (Board of Adjustment)

Alderman Leonard made a motion to nominate Ms. Brown and Mr. Fontana to the Planning Board. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 5-0.

Alderman Leonard made a motion to nominate Ms. Kozlowski and Mr. Peterson to the Board of Adjustment. Mayor Pro Tem Benson seconded. The Motion passed 4-1 with Alderman Peters objecting.

XI. Attorney's Report

Town Attorney Edes did not have a report.

XII. Mayor's Report

Mayor McDermon recently attended an ONWASA meeting. ONWASA is considering one capital project that is of particular interest- a booster pump for North Topsail Beach.

XIII. Aldermen's Report

Alderman Peters commended his fellow board members, Mayor McDermon and staff for their work.

Alderman Meyer wanted to thank everyone for watching online. She knows it is tough to stay engaged. She wanted the public to know that there is some work going into a town festival, but with concerns surrounding COVID, the event will probably be pushed to the spring. In the meantime, those who are working on the event will look for a venue. The current plan is to use town park, which can have booths, vendors and music.

Alderman Grant wants citizens to understand that the proposed Federal Project is not a free project. It is the largest financial commitment the Town will have. Most people support the design and the idea of the project. However, it may not be financially feasible. It is two separate considerations.

Mayor Pro Tem Benson thanked town staff for their work during the recent hurricane. He was thankful to see that the Town did not lose a lot of sand.

Alderman Leonard echoed the sentiments about the staff's efforts during the storm and was thankful that the storm impacts were minimal. He spoke about the virtual Capitol Hill meeting, in which Town representatives were able to discuss efforts to remove property from CBRS maps. Alderman Leonard felt that the representatives were receptive, and he believes the Town is closer than ever to removing property from the CBRA designation. He is looking forward to the Congressional visit in August.

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

XIV. Closed Session to preserve attorney-client privilege and to discuss a personnel matter

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

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

XV. Adjournment

Alderman Meyer made a motion to adjourn. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

Joann McDermion
Mayor

ATTEST:

Laura Oxley
Town Clerk

Approved: 09/ /2020



Manager's Report – August 6, 2020 Board Meeting

Capital Improvement/Fire Station

In order to evaluate various capital projects, including the Fire Station, we have approached DEC Associates, a municipal finance consulting firm, to evaluate the town's financial position and ability to finance projects. DEC has worked with the town before, specifically on inlet dredge projects and the Phase 5 renourishment USDA loan. The principal, Doug Carter, has asked to address the Board of Aldermen at the 8/6/20 meeting to define the scope of work and address board expectations.

Revetment

Arendell Engineers completed survey work on the revetment and a meeting of the committee was convened to review his design. Immediately prior to the meeting the engineer, Mr. Forman, provided the outline of a new approach to the revetment, rendering his earlier operation plan obsolete. No committee decisions could be made, and Mr. Forman is preparing a new operational plan which will be presented to the committee when received.

Town Park Repairs

Park repairs have been completed, and the park was opened to the public on Friday, July 24th. No ceremony was held for the opening since social distancing would have been difficult to maintain at a traditional ribbon cutting.

USACOE Federal Project

The long awaited Project Partnership Agreement (PPA) was received by both North Topsail Beach and Surf City, and a number of questions arose which were compiled at a joint meeting of the towns, and will be forwarded to the USACOE following attorney review.

While the Corps has a "deadline" of August 4th for signature of the agreement by both parties, the number of unresolved issues make complying with that deadline unlikely. It remains difficult to get a handle on just what this project will cost, and what is required of the towns.

Town Hall

Preparation of complete plans continues, and drawings were reviewed by staff and engineers at the site on the 24th. The architect/engineers are finishing up the design, and we will be providing them locations for electric outlets and data ports. The project is estimated to be ready to go out for bid in Mid-August. The Town Clerk and Finance Officer continue to work with FEMA, the Golden Leaf foundation, and the Insurance carrier to determine what, if any, additional reimbursement can be obtained.

Florence Project

The Florence project is out for bid, but due to hurricane Iasiah the bid opening deadline was extended an additional week. Bid opening is scheduled for August 6th.

Parking

Surveys of the two Jeffries parking lots were provided to CAMA for review, along with a description of our intentions to expand these lots. Town streets have been viewed via Google Earth (GIS Maps did not have sufficient clarity) and a surprisingly small number of suitable parking spots on side streets appears available. It is likely that the recommendation will be to prohibit any side street parking in town, and move to paid parking only in the lots and a few select locations. We believe expansion of the lots can be done in-house at minimal cost.

Annexation

I have made no progress with this but will continue to effort it.

TISPC

The annual visit to Capitol Hill was held virtually this year, with Alderman Leonard taking the lead in explaining the history of our CBRA problem and proposing solutions for our legislators in Washington. We were encouraged by the position taken by Congressman Murphy on the need for jettys and groins, and hope to work with him to change North Carolina's reluctance to use these structures.

Solid Waste

While our solid waste fees to residents have gone up, the quality of service from our contractor has been decreasing. We've had a dramatic uptick in complaints, especially regarding recycling, with entire streets being overlooked, debris falling from the cans and trucks, late pickups, etc ... We are communicating with their management in an effort to improve their level of service.

Condemnations

We continue to pursue the two initial properties. One, which involves a bank foreclosure, is in negotiation for sale and improvement. The second – we have been unsuccessful in serving notice on the property owner. We will continue to work on that.

Federal Flood Maps

Disputes continue over the flood map panel for the extreme south end of town, a panel which includes both NTB and Surf City. The “appeal” period, a time when the public could appeal their flood designation, is long past. That has not been an issue. The decision to include this particular panel with Pender County/Surf City was unknown to us at the time of the appeal process, and was a decision made at the state level. We were unaware of this decision until June, when the approved map panels were accepted. Nevertheless, homeowners are threatening litigation, and the matter has been turned over to Mr. Edes.

Legal

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

Hurricane Isaiih

As I write this the hurricane is about three days away. Preparations are underway by all town departments, and I will no doubt be providing a separate report prior to or at the Board of Aldermen meeting. All have been provided with copies of our Emergency Operations Plan, and we are keeping our fingers crossed that this turns out to be largely a non-event.

Laura Oxley

From: Way, Francis <FWay@appliedtm.com>
Sent: Monday, August 3, 2020 12:07 PM
To: Laura Oxley
Subject: RE: North Topsail Beach - Board Monthly Meeting

Laura,
I am available by phone for Thursday's meeting.

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). There has been some back and forth between DCM and ATM about the project.
2. Florence Truck Haul bid package is out and the bid deadline has been extended from August 4 to August 11 because of Isaias. Town and ATM staff held the pre-bid meeting on July 22 and there was a good turnout. Several bids are anticipated based on contractor questions.
3. ATM is continuing to coordinate 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.

Hopefully Mickey will still be able to make this Thursday's meeting so he can provide more of an update on the NRI shoreline stabilization project (AKA terminal groin – but this is only an alternative at this time). Good luck to you to on Isaias as well.

Thanks
Fran

From: Laura Oxley <LOxley@ntbnc.org>
Sent: Sunday, August 2, 2020 2:38 PM
To: Way, Francis <FWay@appliedtm.com>
Subject: North Topsail Beach - Board Monthly Meeting

Caution: This email originated from outside the organization. Always use caution when opening attachments or clicking links when receiving unexpected emails.

Hello Fran,

I hope you are well. The Board's monthly meeting is later this week. They had suggested a written report going forward along with your participation at the meeting. Whenever you can provide a report, I'm happy to distribute.

Are you available this Thursday evening?

Thanks and good luck with Isaias!

Laura Oxley, JD, MPA
Town Clerk & HR Manager

Town of North Topsail Beach, NC
910-328-1349 / Fax 910-328-4508

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Town of North Topsail Beach
Board of Aldermen

Agenda
Item: **Public Hearing**
Date: **August 6 2020**

Issue: Proposed Amendments to the Unified Development Ordinance: § 4.02 Permitted And Special Uses Use Table (Table 4-1), § 4.03 Use Standards: Accessory Dwelling Unit (Garage apartment/guest house).

Department: Planning

Prepared by: Deborah J. Hill MPA AICP CFM CZO

Presentation: Yes

BACKGROUND

- On May 23, 2011, the application for “residential construction” on Lot 6 Ashe Island (Bostic) was denied (attached). The owner submitted a Change of Use May 27, 2011. To the best of my recollection, the owner, Bostic, met with the Town Manager and myself, resulting in the Zoning permit dated 6/9/11 (attached).
- The Unified Development Ordinance was adopted and became effective November 2, 2011.
- A zoning permit for 9 Hunter Heath was approved for a garage (use requested was for a garage addition, but in fact the garage is detached). Mr. Michael Affify was notified via email 2/5/2016 (attached) that the garage could not be used for human habitation.
- In June, Michael Afify of A'N'A Builders submitted a building application for a 2,968 gross sq ft “garage and office **attached** to existing home” and a zoning and flood application for an “addition of garage and office w/kitchenette”.

Attached vs. Addition

- The UDO defines **ADDITION (TO AN EXISTING BUILDING)**. An extension or increase in the floor area or height of a building or structure.
- The Residential Building Code defines addition as: “[RB] ADDITION. An extension or increase in floor area or height of a building or structure. For energy purposes, an extension or increase in the conditioned space floor area or height of a building or structure.”

The proposed garage apartment or *accessory dwelling unit* is prohibited by § 4.02 (Table 4-1). Permitted and special uses for each of the zoning districts and cross-references to use-specific standards applicable to some uses are identified in Table 4-1. Uses which are prohibited within a district are indicated by a blank space or are not listed. Italicized terms are defined in Article 11.

<i>Table 4-1 Use Table</i>											
<i>Use</i>	<i>MHR</i>	<i>R5</i>	<i>R8</i>	<i>R10</i>	<i>R15</i>	<i>R20</i>	<i>RA</i>	<i>COND</i>	<i>B1</i>	<i>B2</i>	<i>Use Specific Standard</i>
Garage, attached or detached	P	P	P	P	P	P	P				
Garage apartment/guest house											

It is my determination that two buildings attached by a roof and without a common wall are not an addition. UDO §11.02 defines GARAGE APARTMENT as: A structure above a private garage in which provision is made for one dwelling unit. See also ACCESSORY DWELLING UNIT.

The UDO defines ACCESSORY DWELLING UNIT as: A residential dwelling unit, located on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit or in a detached building. Secondary dwelling units shall be developed in accordance with the standards set forth in this ordinance and only in those zoning districts where the use is listed as a special use.

UDO § 7.05 (B) (8) *Accessory structures* states,

- (a) **Accessory structures shall not be used for human habitation** (including working, sleeping, living, cooking or restroom areas);
- (b) Accessory structures shall not be temperature-controlled;
- (c) Accessory structures shall be designed to have low flood damage potential;
- (d) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of flood waters;
- (e) Accessory structures shall be firmly anchored in accordance with the provisions of § 7.05(A)(1);
- (f) All service facilities such as electrical shall be installed in accordance with the provisions of § 7.05(A)(4); and
- (g) Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below regulatory flood protection elevation in conformance with the provisions of § 7.05(B)(4)(d).
- (h) An accessory structure with a footprint less than 150 square feet or that is a minimal investment of \$3,000 or less and satisfies the criteria outlined above is not required to meet the elevation or floodproofing standards of § 7.05(B)(2). Elevation or floodproofing certifications are required for all other accessory structures in accordance with § 7.04(B)(3).

I reached out NC Department of Public Safety, the State Coordinator for NFIP with regards to the Flood Regulations § 7.05 (B) (8), and they contacted FEMA Region IV. Per our FEMA Region IV contact the building as designed and attached should not be considered as an accessory structure for NFIP purposes. An excerpt from the email is as follows:

“Based on the building designs, this shouldn’t be reviewed as an accessory structure as defined in the attached policy. Attached is a copy of FEMA Ag and Accessory structures policy. On page 3 I’ve highlighted sections of reference.

2.c. The following may have uses that are incidental or accessory to the principal structure on a parcel but are generally **not considered to be accessory structures by the NFIP**:

i. Structures in which any portion is used for human habitation, whether as a permanent residence or as temporary or seasonal living quarters, such as a detached garage or carriage house that includes an apartment or guest quarters, or a detached guest house on the same parcel as a principal residence;

Please also take a look at the attached policy for accessory structures and agricultural buildings (page 3). However, we do think that in this case your zoning ordinance is the driving force for denial.

Based upon the interpretation of the Coastal Flood Model Ordinance by FEMA Region IV, the Planning Director requested the Planning Board to consider a recommendation to amend the UDO to allow for ACCESSORY DWELLING UNIT (garage apartment/guesthouse).

PLAN CONSISTENCY STATEMENT REQUIREMENT North Carolina planning statutes require that planning boards and the governing board review and consider any adopted plan when a zoning amendment is proposed. the statement still must describe plan consistency and explain why the proposed action is reasonable and in the public interest. the statement must take one of three forms:

1. A statement approving the proposed zoning amendment and describing its consistency with the plan;
2. A statement rejecting the proposed zoning amendment and describing its inconsistency with the plan; or
3. A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.

The statement is also to include an explanation of why the governing board deems the action reasonable and in the public interest. The statement does not need to be a long, complicated, legalistic document. The statement does not have to be supported by evidence in the record, as would be the case for a quasi-judicial decision. But it must be real, it must be approved by the board, and it must have a brief description of why the action is or is not consistent with the plan.

RECOMMENDATION At their regular meeting on July 9, 2020, the Planning Board unanimously recommends that § 4.02 Permitted And Special Uses Use Table (Table 4-1) be amended to permit Garage apartment/guest house In MHR, R5, R8, R10, R15, R20, RA Zoning districts and that § 4.03 USE SPECIFIC STANDARDS i. ACCESSORY DWELLING UNIT (garage apartment/guesthouse) shall meet all requirements of principal residential single family structure.

ATTACHMENT

1. Draft Ordinance

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF NORTH TOPSAIL BEACH, NORTH CAROLINA BY
UPDATING TABLE 4.1 AND 4.03 TO ALLOW FOR ACCESSORY DWELLING UNITS TO
INCLUDE GARAGE APARTMENTS AND GUESTHOUSES**

Ordinance 20-__

WHEREAS, N.C. General Statutes Chapter 160-D created new standards for Local Planning and Development Regulation that apply throughout North Carolina; and

WHEREAS, the Planning Board has reviewed the proposed standards and recommended approval of this ordinance; and

WHEREAS, the Board of Aldermen has found this ordinance to be consistent with the Town’s adopted CAMA Land Use Plan; and

WHEREAS, the Board of Aldermen has determined that is in public interest to update standards for accessory dwelling units to include garage apartments and guesthouses in the Unified Development Ordinance consistent with Title 44 Code of Federal Regulations § 60.3 and in compliance with the N.C. General Statutes.

NOW THEREFORE BE IT ORDAINED by the Board of Aldermen for the Town of North Topsail Beach, North Carolina that the Unified Development Ordinance shall be amended as follows:

PART I. That Subsection of the Unified Development Ordinance be amended with the addition of the following:

<i>Table 4-1 Use Table</i>											
<i>Use</i>	<i>MHR</i>	<i>R5</i>	<i>R8</i>	<i>R10</i>	<i>R15</i>	<i>R20</i>	<i>RA</i>	<i>COND</i>	<i>B1</i>	<i>B2</i>	<i>Use Specific Standard</i>
Garage, attached or detached	P	P	P	P	P	P	P				
Garage apartment/guest house											

And

4.03 USE SPECIFIC STANDARDS i. ACCESSORY DWELLING UNIT (garage apartment/guesthouse) shall meet all requirements of principal residential single family structure.

PART II. This ordinance shall be effective upon its adoption.

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, September 3, 2020 6:30 P.M.

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 Meyer 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 add a revetment committee update to continuing business.

Alderman Grant made a motion to add a closed session item to discuss personnel.

Alderman Leonard made a motion to add board discussion after the public forum.

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

V. Manager's Report

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

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Mr. Gilbride provided an update to the Board. He began by reporting on the townhall renovation project. The drawings have been reconciled. Next week, the engineer will prepare bid advertisements.

Regarding the truck haul bids, there were some minor irregularities. The Town Attorney will have more to report.

Onslow County's beach access restoration project took a notable and unexpected turn for North Topsail Beach. The contactor flattened the dune at the construction site. Administrators for the County Government have been contacted.

Ms. Hill is preparing the materials required to obtain a CAMA permit to expand parking areas managed by the Town.

VI. Open Forum*

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

A. Public Comments

The Town Clerk read the pre-submitted comments. Mrs. Becky Dickson and Mr. Phil Fowler sent messages to the Clerk to be read at the meeting. The comments are attached.

B. Board Discussion

Mayor McDermon explained that the Town has a lot to accomplish- including capital projects. Outside of this meeting's public comment period, she has personally read a lot of comments about North Topsail Beach needing to work with Surf City; she emphasized that the two municipalities are working together and that none of this occurs in a vacuum.

Alderman Leonard suggested that those who are providing feedback should propose solutions and not just criticisms. As a reminder, the Town completed the Phase 5 project in 2014/2015, because it did not know when or if the "Federal Project" would ever be approved. The main goal of a beach project is protection; recreation is a byproduct. And when the Town completed the Phase 5 Project, it protected the Town during three named storms; it served its purpose.

In Alderman Leonard's opinion, not a lot of the emails he received demonstrated a willingness to shoulder the costs of the proposed project. The reality is that the Town is likely facing a property tax increase. He began attending Town meetings in 2006, and early on, he learned that everyone wants a nice beach, but no one

wants to pay for it. He emphasized that the Town is not throwing in the towel. Town officials are analyzing how to make the project work alongside other projects, such as the projects mentioned by Mrs. Dickson. Alderman Leonard ended by stating that he received a wonderful email from Mr. Kenneth Chestnut, and he really appreciated the message.

Alderman Grant addressed the topic by saying he envisions the decision-making process as buckets. He is certain that most of Surf City wants the project- that is one bucket. But Surf City's opinion does not override his responsibility to North Topsail Beach's best interest. Another bucket is that the Town has already placed sand in Phase 5 and is still paying for that project. Total annual Town revenues is about \$8-9 million, so out of the gate, the project cost is difficult. Another bucket is the people who support the project but do not want to personally pay for it. Alderman Grant saw a lot of examples of this in the email correspondences; for example, many people suggested the Town proceed with paid parking to offset expenses. But one question that a lot of people overlook- should all of the Town's money go to one project?

Alderman Grant wanted citizens to know that the Board is looking at many different options, but it will have to raise taxes if the Town proceeds with the federal project. Another bucket is the Phases 2 through 4 citizens who believe money is not being distributed fairly throughout the Town. All of this comes down to: 1) What is the cost? and 2) How do we pay for it?

Alderman Grant referenced the proverbial "\$600 hammer," which is common in government contracts. The Town needs to know the breakdown of costs before a decision can be made. Bottomline: everyone is in favor of the project if it is free. The project is not free. Can the Town find an equitable way to pay for the project?

Alderman Meyer stated that she is in agreement with Aldermen Grant and Leonard. There are a lot of funding issues to work through. Some of the terms of the agreement are not firm, and outside funding is not necessarily guaranteed. There are a lot of issues to work though.

Alderman Peters suggested that the Board should look at all possible revenue streams. If, for example, the combination of paid parking, occupancy tax and a Municipal Service District ("MSD") would cover the additional financial needs, he would support the project.

Mayor Pro Tem Benson addressed Mrs. Dickson's comment. The Town has two main funds. The general fund covers capital improvements for projects such as a public safety building. The other fund is the beach fund, which addresses projects like the federal project. In the Mayor Pro Tem's opinion, the federal project and public safety building projects are separate topics of discussion, because they draw from separate funds.

Mayor Pro Tem Benson also heard a lot of debate about the north end versus the south end of Town. He emphasized that North Topsail Beach is one small town. He provided a breakdown of spending. Substantially more funding for nourishment projects has gone to the south compared to the north end of Town. An important question is what about the “central” part of town?

Mayor Pro Tem Benson commented on the idea of a Municipal Service District. In the Mayor Pro Tem’s opinion, North Topsail Beach is one small town, and it should work together. His tax money may go to support one project that does not affect his property, but later, others’ tax money may help a project that directly impacts his interests. There is a necessary give and take in communities. He would be interested in exploring a tax increase town wide.

Lastly, Mayor Pro Tem addressed the questions about the cost of the project. The federal project will require an ocean-certified dredge, and there are only five companies in the United States that meet the requirements. Also, by law, the company selected must be a US-based company. It is a matter of supply and demand. Additionally, the proposed federal project will build the profile by a substantial amount.

VII. Public Presentations and Hearings

A. Coastal Engineer Update

Mr. Fran Way of ATM Consulting presented his monthly report.

Mr. Way also discussed the Florence project. First, at least in the category b section of the project, the damages from Hurricane Dorian were not as substantial, and he believes the upcoming project could accommodate both Florence and Dorian nourishment needs. Second, in terms of the category g project, the Town could truck-haul material for a similar price to dredging an offshore borrow area. This would avoid a steep mobilization fee for a dredge. He presented this as an option to the Board.

Mayor McDermon stated that the Board would like to see the project’s financials, including any FEMA reimbursements.

Alderman Grant asked about the FEMA reimbursement process.

Mr. Way replied that the most common FEMA reimbursement approach is that FEMA pays 75% of the project cost and the state historically picks up the remaining 25%. There is an alternative, but it can take a year or more to receive reimbursements.

Finance Officer Elliott responded that the Town usually submits invoices as they are paid, which is approximately monthly. FEMA typically reimburses as the project is ongoing.

Mayor Pro Tem added that with prior projects, we received reimbursements typically within a few months.

B. North Topsail Beach Northern Shoreline Dune Truck Haul

The bids are attached to the Minutes. The Town Attorney will discuss with the Board.

C. Federal Project Discussion/Possible Decision

1. Financial Opinion

Mr. Doug Carter, President and Managing Director DEC Associates, Inc. presented information to the Board. He has been working with town staff. He agrees with Mayor Pro Tem Benson that this decision requires looking at multiple funds and multiple projects. When the USDA debt obligation is retired, Mr. Carter hopes more money will be available for the federal project. He is reviewing how rapidly the Town can pay that obligation. Currently, his firm is looking at the possibility of completing the terms of the loan in 4-5 years, and in so doing, the Town would remove any encumbrances on the \$3 million annual revenue in the beach fund.

Alderman Grant responded that removing encumbrances is helpful, but the federal project would add a new encumbrance that may prevent any other project. The Town should still consider new and additional revenue options.

Mr. Carter added that timing is important. For the next four to five years, the Town's beach fund is tied up. It is important that the Town understand precisely when debt service payments begin with the Corps.

Mr. Carter also reported that his meeting with the Army Corps of Engineers was very productive, but there are a few business points that are outstanding and important:

1) Use of a financing tool by the Corps is unusual

It is rare that a loan is allowed. Typically, municipal units must pay upfront in cash. This is a rare opportunity, and the Town needs to know the requirements to ensure that it does not violate state statutes that regulate municipal units of government.

2) Use of PPA with two partners is rare

Typically, PPA's are executed between one governmental entity and the Army Corps of Engineers. The nature of the joint agreement is what brought about the joint and several liability clause. If the Corps would agree to split the PPA and enter into a separate agreement with the Town, this would eliminate many issues.

Ms. Pam Castens of the Army Corps of Engineers provided information on the topic. She reported that the projects cannot stand on their own. An alternative is for one municipal unit to take ownership of being the sole signatory. Ms. Castens will confirm and report back to the Board.

Mr. Carter stated an additional concern. Entities of government that are part of a joint and several liability agreement carry the agreement's debt in its entirety as it counts towards credit ratings. This could hurt as the Town pursues other loans, such as financing for a fire station. Mr. Carter plans to review shorter payback periods to help free-up money for renourishment. Ideally, Mr. Carter would like to construct the agreement to be less than a 30 year loan. He believes the Town will likely need to borrow for the first renourishment. If the first project loan is not paid off in seven years, he is worried that it will be difficult to obtain a loan. Mr. Carter again expressed a need for caution before incurring overlapping debt.

Mr. Carter is also reviewing the Agreement's termination clause, required financing certificates and a longer fixed interest rate. To the last point, the Corps responded that the Town may not have a fixed interest rate that exceeds five years. Mr. Carter has now asked the Corps for more details about their calculations to better predict how the interest rate may fluctuate.

Mr. Carter explained that during the call with the Corps, it was revealed that the Corps understands that any of the government units, local or federal, may not have funding for renourishment projects. The Corps will not hold the Town to the terms of the Agreement if the funding is not available. Mr. Carter would like this understanding reduced to writing.

Mr. Bob Keistler of the Corps addressed the Board. He expressed his appreciation for the Town's time on the joint call. He understands that this is a difficult decision for the Town. He suggested that the Corps needs to hold a joint meeting with both towns. He wanted the Board to know that an indecision at this meeting was not the kiss of death for the project. Lastly, he reminded everyone that the Topsail Beach project is not an apples to apples comparison.

Mayor McDermon stressed that a separate PPA would alleviate a lot of the Town's concerns.

Mr. Bob Keistler offered to arrange the joint meeting.

Alderman Leonard stated that the Town must go back to the LGC. Even if this project is approved, he worries that it will inhibit the Town's ability to pursue other projects.

2. Board Discussion/Possible Decision

Discussion was encompassed in the previous point. The Board did not take action.

VIII. Consent Agenda

- A. Approval of Minutes ([August 6, 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. [MOTV Tax Return](#)
- E. [Planning Board Recommendation](#)

Mayor McDermon announced that the Planning Board made some recommendations to the Board of Aldermen. She asked staff, specifically Mr. Gilbride and Ms. Hill, to follow-up on how to implement these suggestions. One specific item is a tribute to the Ocean City community in town hall; this will be planned as the Town makes progress towards returning to town hall.

Mayor Pro Tem Benson made a motion to approve the consent agenda. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

IX. Continuing business

A. Revetment Committee

Mayor Pro Tem Benson reported a very productive Revetment Committee meeting. The Committee accepted the engineer's proposed design work. The engineer is responsible for managing the contractor to ensure the integrity of the design.

X. New Business

A. Osprey HOA Request

The Town Clerk presented the HOA's request.

Alderman Leonard expressed concerns with the carts crossing the bike path. He is also concerned that the proposed path is not straight across New River Inlet Road.

Alderman Grant expressed concern that the proposal takes away from public parking.

Alderman Leonard is also concerned for safety. This is a congested area of Town.

Town Attorney Edes suggested that in addition to deeding the access for public use, the Town could index the lost parking spaces and require the HOA offset the loss revenue.

Alderman Leonard made a motion to deny the request. Alderman Meyer seconded. Alderman Leonard stated that it is a bad precedent and is potentially unsafe.

Mayor Pro Tem Benson spoke against the Motion. He believes it is a win/win situation. This solves a problem for the homeowners by agreeing to the best solution to date. It also helps the Town by obtaining a crossover that it is not responsible for building. The Town could ask the HOA to build the crossover with the stipulation that it would be deeded to the Town for public use. This could help with paid parking in the future.

Alderman Peters stated that safety is already a concern in how it is currently being managed.

Alderman Grant stated that if the Town develops the parking lot, the Board may want to reevaluate. A lower speed limit is also an option to explore.

The Motion to deny the request passed, 3-2 with Mayor Pro Tem Benson and Alderman Peters voting against the Motion.

Town Attorney Edes recommended the Board of Aldermen send the request to the Planning Board to consider a more global solution. There was a Board consensus.

XI. Attorney's Report

Mr. Edes reported that he had items to discuss in closed session.

XII. Mayor's Report

Mayor McDermon stated her appreciation for everyone's participation in the meeting. Everyone was engaged in good discussion.

XIII. Aldermen's Report

Alderman Grant did not have anything to add.

Alderman Leonard reported on the previous week's meeting with Congressmen Murphy and Rouzer. The North Topsail Beach representatives were able to take the Congressional Delegation to the beach and visually point to CBRA versus non-CBRA properties. The point of this demonstration was to show that no real difference exists between the properties; the designation is arbitrary yet has significant impacts. On the ride back to the fire station, the North Topsail Beach representatives had a lot of one-on-one time with the Congressmen.

Mayor Pro Tem Benson seconded Alderman Leonard's comments. The Congressional tour was very effective. Additionally, he thanked the thoughtful participation of the citizens in the Board's call for input. As for Labor Day weekend, he applauded the Public Works Director for his outstanding preparation for Town, and he specifically cited the signs that warned against potential rip tides.

Alderman Peters thanked everyone who submitted their comments about the prospective federal project. He was amazed by the feedback. He also thanked his fellow board members, the town manager and the town attorney for their work on the project.

Alderman Meyer reported that a citizen came to her with a concern for a drone hovering by her deck. The police were called, but the Town does not have a drone ordinance. Alderman Meyer found a drone ordinance from Nags Head and will try to put something together for the Town Attorney's review.

Alderman Grant made a motion to enter closed session for the reasons stated. Alderman Meyer seconded. The Motion passed unanimously, 5-0.

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

Alderman Leonard made a motion to return to open session. Alderman Meyer seconded. The Motion passed unanimously, 5-0.

Mayor McDermon announced that the Board was now in open session, and it did not take action in closed session. The Mayor stated that she was looking for a motion to award the project to CM Mitchell as the lowest, responsible bidder with the condition that the Town and contractor split the difference on the mathematical error between the bid calculation and the obvious error with the unit price.

Alderman Leonard made the motion. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 5-0.

The Board instructed the Town Attorney to contact CM Mitchell.

XV. Adjournment

Alderman Leonard made a motion to adjourn. The Mayor Pro Tem Benson seconded. The Motion passed unanimously, 5-0. The Meeting adjourned at 9:32 PM.

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 10/ /2020

Laura Oxley

From: Becky Dickson <bd62359@gmail.com>
Sent: Wednesday, September 2, 2020 8:03 PM
To: Laura Oxley
Cc: Becky Dickson
Subject: Town Infrastructure (Buildings)

We are HIGHLY OPPOSED to participating in the North Topsail Beach/Surf City Federal Project. Our Fire and Rescue buildings, Law Enforcement Department, and Town Hall have been neglected in many, many ways.

While the North End Fire Station needs some repair and attention, the South End Fire Station is a disgrace to this town and those who have ignored and/or neglected to prioritize the upkeep and maintenance to make it a safe, healthy workplace. Everyone, taxpayers included, should stop by and take a tour of what our dedicated Fire and Rescue Professionals have to live with when they come to work. Not one resident of North Topsail Beach would live with the current conditions that these professionals live with when they are on duty for our residents. The "I beam support structure" and the metal facade are rusted and rotted completely through. When sleeping, if it rains the roof leaks and there is a rush to find buckets...after the bedding is already wet. This is an embarrassment to our town.

Law Enforcement, what can we say? To expect our Law Enforcement Officers, Admin, and Chief to work in a closet sized space, with not enough secure, safe area to keep all of the records and evidence protected is another area of neglect when examining the needs of our Law Enforcement Professionals. We have hired professionals in Law Enforcement and it is about time to provide them with the space and secure storage area that they deserve and need to adequately and professionally do their job.

To utilize the plans of other Public Safety Buildings and build a North Topsail Beach Public Safety Building is a NEED, and well past any further discussion or delay. Taxpayer dollars were spent on attempting to learn how to "retain" employees. Isn't it obvious? Competitive pay, competitive benefits, AND a HEALTHY, SAFE WORKING ENVIRONMENT! Rotted buildings (Fire/Rescue), inadequate space to move around (Law Enforcement), and no secure or adequate space for records/evidence do not represent a desirable working environment. It is time to listen to our Fire Chief and our Police Chief. North Topsail Beach has hired true professionals in these men and it is about time to provide a SAFE, HEALTHY, PROFESSIONAL space in which they can work and protect and provide services to the residents of North Topsail Beach.

Our Town Hall was underinsured. Isn't it ridiculous that two years after Hurricane Florence our Town Hall is still a shell of a building? It is well past time for our Town Hall to be back home, on the island...period. Hopefully, when Town Hall eventually gets repaired someone will make it a priority to check the insurance and make sure that it is a "repair or replace" policy that reflects the true value and cost of replacement. Again, the fact that two years after Florence hit our Town Hall is still uninhabitable and an eyesore for our community, ridiculous!

Forget locking us into an extremely long, expensive commitment for sand. Figure out how Topsail Beach did it without participating in this Federal Program and look at these types of other options. Build a Public Safety Building that we can be proud of that meets the needs of our Fire/Rescue and Law Enforcement Professionals. Make necessary repairs to our North End Fire Station and our Public Works Building. Get our Town Hall repaired. Our town building structures have been ignored for too long, get it done.

Laura Oxley

From: Paf1984 <paf1984@gmail.com>
Sent: Wednesday, September 2, 2020 11:13 AM
To: Laura Oxley
Subject: Federal Project input for Alderman meeting

Hello Laura,
Please find below, my remarks for the meeting.
Thank you
Vr-Phil Fowler

>>> Good Evening Madam Mayor and Members of the Board,

>>>

>>> Perception is reality!

>>> No matter how good yesterday was-today is all we've got.

>>>

>>> You are voting on perhaps one of the more important issues for NTB--do we make history, or do we become a footnote to Topsail Island? A positive outcome For this unprecedented project fortifies the safety and well being of our citizens and communities while demonstrating NTB's commitment to the long term wellness of the island.

>>>

>>> NTB is in the birth pangs of something new, and right now it's full of uncertainty and confusion.

>>>

>>> You are the benefactors of the division/dissent fostered by your predecessors. There is no "north end" or "south end"; no we-vs-they, only one NTB.

>>>

>>> You can make a difference!

>>>

>>> The first step in this new epic journey rests in your hands via tonight's vote. It will take great vision, strong hearts and determination to move the town forward. When you were sworn into office, you obligated yourself to represent the people.

>>>

>>> Don't squander this opportunity, vote in favor of the Federal Project!

>>>

Sent from my iPhone

Laura Oxley

From: Way, Francis <FWay@appliedtm.com>
Sent: Monday, August 31, 2020 10:37 AM
To: Laura Oxley
Subject: RE: Board Meeting - Sept 3rd

Hi Laura,

I am available this Thursday for a zoom meeting. A few bullet points:

- 1) 4 truck haul bids were received and they were very competitive prices. Under budget and lower than last year's truck haul prices.
- 2) Florence Category G: the Corps staff we coordinated with are okay with using borrow area A. Of course they can change their minds if something changes in the future. In any event, we can move forward with borrow area A with is offshore and just south of Topsail Beach.
- 3) Another potential option for the Florence Category G is truck haul. This is based on the competitive prices of the last bid. Of course this is a much larger volume (607,000 cy) but can be done.

From: Laura Oxley <LOxley@ntbnc.org>
Sent: Saturday, August 29, 2020 11:42 PM
To: Way, Francis <FWay@appliedtm.com>
Subject: Board Meeting - Sept 3rd

Caution: This email originated from outside the organization. Always use caution when opening attachments or clicking links when receiving unexpected emails.

Hi Fran,

Just doing a check-in for this week's meeting. On Monday, I will ask Deb to send a Zoom invite to you so you can participate. I have you early on the agenda: 1) provide monthly update and 2) go over the truck haul bids. I do not have a final answer from the Town Attorney. I will send another message this evening to nudge him. I think it is important to know what direction he plans to take this. Worst case, we may need to remove it from the Agenda.

Will you be providing a written monthly report this month?

Thanks,

Laura Oxley, JD, MPA
Town Clerk & HR Manager
Town of North Topsail Beach, NC
910-328-1349 / Fax 910-328-4508

Online: www.ntbnc.org
Facebook: www.facebook.com/ntbnc
Twitter: www.twitter.com/ntbnc

Pursuant to the Freedom of Information-Privacy Acts and NCGS Chapter 32, Public Records, this electronic mail message and any attachments hereto, as well as any e-mail message(s) that may be sent in response to it are considered public record and as such are subject to request and review by anyone at any time and may be disclosed to third parties.

North Topsail Beach 2020 - Bids												
COMPANY	CM Mitchell SUBMITTED BID		CM Mitchell CORRECTED		ST Wooten		Triangle Grading & Paving		Barnhill		Wells Brothers Construction	
Bid Form	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 87,000.00	\$ 87,000.00	\$ 154,000.00	\$ 154,000.00	\$ 159,000.00	\$ 159,000.00	\$ 235,000.00	\$ 235,000.00
205000	\$ 27.20	\$ 5,576,000.00	\$ 27.65	\$ 5,668,250.00	\$ 27.68	\$ 5,674,400.00	\$ 30.00	\$ 6,150,000.00	\$ 30.83	\$ 6,320,150.00	\$ 47.00	\$ 9,635,000.00
1	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 33,000.00	\$ 33,000.00	\$ 58,395.00	\$ 58,395.00	\$ 25,700.00	\$ 25,700.00	\$ 10,000.00	\$ 10,000.00
Total		\$ 5,601,000.00		\$ 5,693,250.00		\$ 5,794,400.00		\$ 6,362,395.00		\$ 6,504,850.00		\$ 9,880,000.00
Bid Security	United Fire and Casualty Comp.				Fidelity and Deposit Comp.		Phila. Indemnity Insurance		Travelers		Markel Insurance Comp.	
Subcontractors Trucking	Atlantic Coast Trucking				ST Wooten		Triangle Grading & Paving		Blue Max Trucking		Alan Baxley	
	G. J. Adams Trucking											
	Alan Baxley, Inc.											
	J.L. Blanks Trucking											
	Double M Transport											
Suppliers Sand	421 Sand				ST Wooten		421 Sand		421 Sand		421 Sand	
	S.T. Wooten											
	Martin Marietta											
References	Camp Lejeune Sand Dunes				NC 12 Dune Project - Hatteras		SEEM TO BE ROADS				road work and	
	Surf City Phase 1 & 2 Dunes				NC 12 Dune Project - Ocracoke						erosion control work	
	Town of Surf City Dune (2017)				North Topsail Beach Phase 5							
	North Topsail Sandbags (2015)											
	North Topsail Beach (2014)											
Equipment	YES				YES		YES		YES		YES	
Work Plan	YES				YES		NO		YES		YES	
IRS Form	2020				2020		2020		2020		2018	
Insurance	YES				YES		YES		YES		YES	
CY Per Day	2,080								2,500			
Start	11/17/2020				11/15/2020		11/19/2020		11/17/2020		11/16/2020	
Complete	4/2/2021				4/30/2021		4/30/2021		4/20/2021		4/21/2021	

Different from submitted bid form \$ (193,400.00)
\$ (193,400.00)

Units	CM Mitchell Submitted		
1	\$ 5,000.00	\$ 5,000.00	
205000	\$ 27.65	\$ 5,576,000.00	\$ 27.20
1	\$ 20,000.00	\$ 20,000.00	
		\$ 5,601,000.00	

ARTICLE 5 – BASIS OF BID

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

Item No.	Description	Estimated Quantity	Unit	Unit Cost	Total Cost
001	Mobilization & Demobilization	1	L.S.	\$ 5000.00	\$ 5000.00
002	Haul & Placement of Dune Fill	205,000	C.Y.	\$ 27.65	\$ 5,576,000.00
003	Payment & Performance Bonds	1	L.S.	\$ 20,000.00	\$ 20,000.00

Bidder acknowledges that (1) each Bid Unit Price includes an amount considered by Bidder to be adequate to cover Contractor's overhead and profit for each separately identified item, and (2) estimated quantities are not guaranteed, and are solely for the purpose of comparison of Bids, and final payment for all unit price Bid items will be based on actual quantities, determined as provided in the Contract Documents. See Paragraph 5.02 for additional quantity information. Contractor shall confirm all required quantities.

Total Base Bid Price \$ 5,601,000.00

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, October 1, 2020 6:30 P.M.

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

I. Call to Order

Mayor McDermon called the Meeting to order.

II. Invocation

Mayor Pro Tem Benson led the attendees in an invocation.

III. Pledge of Allegiance

Mayor McDermon led the attendees in the Pledge.

IV. Approval of Agenda

Alderman Leonard recommended moving New Business item A. Municipal Service District ("MSD") Explanation ahead of Mr. Carter's financial presentation.

Alderman Grant recommended tabling New Business item B. Holly Ridge Proposed Annexation until more information is available.

Mayor McDermon recommended adding a Clerk Report.

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

V. Open Forum

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

2008 Loggerhead Court
North Topsail Beach, NC 28460

ntbnc.org

Phone (910) 328-1349
Toll Free: (800) 687-7092
Fax (910) 328-4508

NTB is an equal opportunity provider and employer.

The Clerk presented the submitted comments. They are attached to these minutes.

VI. Public Presentations and Hearings

A. Coastal Engineer Update

Mr. Fran Way of ATM Consulting presented a report to the Board. More specifically, he discussed:

- Category B Truck Haul Bid: Mr. Way and Mr. Edes have been communicating with the winning bidder, CM Mitchell Construction Company, to finalize the terms of the contract. Mr. Way believes the project is about six weeks from its start date. The contractor is currently stockpiling sand in preparation. When asked by Mayor Pro Tem Benson about the discrepancy between the FEMA approved budget and the actual budget, Mr. Way indicated that so long as the Town completed the competitive bid process, FEMA will honor its commitment for its percentage of the project. Lastly, Mayor Pro Tem Benson asked about the approximate \$1.5 million of State funding available to the Town for dune restoration. Mr. Way will coordinate with Finance Officer Elliott to apply the money to the project.
- Phase 5 Category G: Regulators are concerned about the offshore borrow area. There is an alternative site, but now that the truck haul bid is below \$30 per yard, Mr. Way suggested that selecting a truck haul method might be the better method. Mr. Way will instruct the contractor to push sand under existing structures, such as stairs, but he does recommend removing less permanent structures, such as sand fencing.
- Onslow County Beach Access 4: Mr. Way is working with staff to address the issue.
- US Army Corps of Engineers Pipeline Dredge: Mr. Way stated that this is a federal project. The Town is assisting as needed, but the project will not cost the Town anything. It is projected to start around Villa Capriani and extend north.
- Monthly Report for the Board: By request, Mr. Way will provide a written report. Alderman Leonard suggested this be in the form of a brief PowerPoint- perhaps two slides would suffice to organize the information.

B. Municipal Service District “MSD”

Town Attorney Edes began by providing a definition and the requirements to form a MSD. Mr. Edes then explained that the Town would need to compose an explanation as to why the district has a particular need and the Town's plan to provide for that need. The Town would then call for a hearing and potentially approve via resolution. If approved, the district and its special tax rate would not go into effect until next fiscal year. The Town previously established a MSD in this district, but that usage has expired so the process must start from the beginning.

Mr. Edes also noted that there are still some taxing restrictions within a MSD, such as a ceiling on how much can be taxed. Another restriction is that each MSD must have only one rate. If the Board wanted to tax at different rates, it must create multiple districts.

Mr. Carter added that the original intent of these districts was downtown development. He noted that a MSD must be in place before special obligation bonds can be issued.

C. Town Financial Presentation

Mr. Doug Carter, President and Managing Director DEC Associates, Inc. began by presenting the attached presentation.

Alderman Grant asked Mr. Carter if the proposed method is similar to a bridge loan with FEMA's pledge for reimbursement serving as the loan's collateral. He also asked about interest rates.

Mr. Carter responded that the interest rates would be low on this type of loan because the collateral is a pledge from the U.S. Government.

Alderman Grant stated that he is not necessarily against the approach, but he does want it to be clear that there will be an expense, the interest rate, to this approach.

Mr. Carter agreed. With the Town's ongoing plan to address re-nourishment needs, it is likely that the Town will have overlapping projects and expenses. Mr. Carter stated that as these projects come into focus with specific cost details, his firm will work those figures into the financial modeling.

Mr. Carter continued with his presentation and ended by reiterating that his projections are estimates. In the future, more projects or revenue shortfalls could shift the financial models. He suggested that one big question before the Board is whether \$3 million additional revenue per year will be sufficient.

The Board discussed the aspects of two separate models: raising taxes town-wide and raising taxes in a municipal service district (“MSD”). Occupancy tax revenues can only be used for tourism, and beach nourishment is a type of tourism expenditure. Revenue generated by a MSD tax can only be expended for the services tied to the justification for the tax. Tax revenue generated by a town-wide property tax increase does not have the same restrictions. As for parking revenues, how they can be expended depends on the circumstances.

Mayor Pro Tem Benson asked for clarification that the financial projections are only for initial construction, not re-nourishment cycles.

Mr. Carter confirmed the Mayor Pro Tem’s understanding. The projections are based on a goal to pay off debt service to the USDA and Army Corps of Engineers before any re-nourishment cycles.

Mayor Pro Tem asked if the Town pursues a MSD tax, would those homeowners be relieved of the Town-wide beach tax that is currently set at fifteen cents. If they are paying for their own sand, will they be paying for other phases’ sand as well?

Mr. Edes confirmed that all citizens would continue to pay the same town-wide tax rate; the MSD may have an additional rate.

Mayor Pro Tem Benson voiced a concern that if a MSD is created to pay for Phase 5 sand, will all phases eventually become a MSD to pay for their individual projects? If so, there are areas of Town that have a lower tax base and will have a difficult time meeting their needs.

Mr. Carter added that the Town pledged to the Local Government Commission to levy \$.15 town-wide until the USDA loan is retired. After that loan is paid-off, the Board could revisit.

Alderman Meyer asked about a situation in which the beach needs renourishment but the federal government does not have the funding.

Mayor McDermon responded that to the best of her recollection, the Army Corps of Engineers stated on a conference call that no unit of government will be held to a renourishment project if it does not have the funding. However, this response has not yet been reduced to writing.

Alderman Leonard stated that if North Topsail Beach received all of its occupancy tax from Onslow County, like Surf City and Topsail Beach do from Pender County, that would be a significant shift in these financial scenarios. He called for property owners and residents to contact the County Commission and voice these concerns.

Alderman Grant added that if the County will not return the Town's occupancy tax, perhaps as an alternative, it will support the Town's request to the Legislature to increase its occupancy tax.

Mayor Pro Tem supported Alderman Leonard's assertion. He added that the Town generates about \$6 million in property tax for the County each year. Other than use of the library in Sneads Ferry, the citizens of North Topsail receive virtually no services from the County. North Topsail Beach generates approximately \$7 million in revenue from property and occupancy taxes combined. The County has only offered the Town \$50,000 this year in assistance.

Alderman Leonard addressed the Board by asserting that the next step is to give direction to DEC. He believes the Board needs financial modeling for multiple, possibly three, MSD's. The Board should direct DEC as to how these districts should be divided so that the Board can explore funding options.

Mayor McDermon suggested that perhaps a financial workshop would be helpful.

Alderman Leonard added that the Town owes a decision to a few people, specifically the United States Army Corps of Engineers and the Town of Surf City.

Mr. Carter will need feedback from staff, the tax assessor's office and the Board to establish the parameters of the model. He cautioned that this process would take more than two weeks.

Alderman Grant understood that this type of modeling can take time, but rather than try to provide exact figures, he thinks rounded numbers or ranges will suffice for now. This will at least give the Board a starting place for discussion.

Mr. Carter provided a list of baseline data he needed to start the process.

Mayor Pro Tem Benson suggested, for the sake of time, that DEC's analysis treat all of Phase 5 as one MSD. The Board agreed by consensus.

The Mayor thanked Mr. Carter for his work and for attending the Board's meeting.

D. Public Hearing- Case SD-20-01

Alderman Leonard made a motion to open the public hearing. Alderman Grant seconded. The Motion passed unanimously, 5-0.

Planning Director Hill presented the staff report, which is attached.

Mayor McDermon called for questions.

Mayor Pro Tem Benson inquired about the bridge in the drawing. More specifically, he asked what purpose it served. Are there wetlands under the bridge?

Mr. John Pierce, a surveyor who represents the property owners, answered the question. The bridge is not on the property in question. The road washed out during a prior hurricane, and the bridge was part of the reconstruction of the road.

Planning Director Hill added that the wetlands were delineated and have been reviewed by the Division of Coastal Management and NCDOT for driveway placement.

Mayor Pro Tem Benson also asked about the driveway's location on the southernmost property. He asked if the driveway is in the right of way.

Mr. Pierce confirmed that the driveway stays on the applicant's property.

Mayor Pro Tem also asked about the multi-purpose path. There are future plans to expand the multi-purpose path to this area. Are there any conflicts with the Town's future plan and the property owner's plan as presented? Since the driveway stays on the property, he does not have an objection on this point.

Mayor Pro Tem also asked about parking space for the northern most unit.

Director Hill explained that the Town is not issuing permits yet; the plan is not at that stage. The application before the Board is simply dividing 2.44 acres so that the developer can proceed with application for duplex development.

Town Attorney Edes explained that there will be a review process for topics such as driveways when there is a development plan submitted.

Alderman Leonard made a motion to close the public hearing. Alderman Grant seconded. The Motion passed unanimously, 5-0.

Alderman Leonard made a motion to approve as presented. Alderman Meyer seconded. The Motion passed unanimously, 5-0.

E. Special Use Permit- Case SUP-20-05

Mayor McDermon recused herself and asked Mayor Pro Tem Benson to direct the discussion.

Mr. Edes announced that this is a quasi-judicial hearing. He instructed that the Board's decision must be based on the evidence presented at the hearing.

Town Attorney Edes asked the Board if anyone had made a site visit. Mayor Pro Tem answered in the affirmative. The Town Attorney asked if the Mayor Pro Tem made the site visit for the purpose of assessing the application. Mayor Pro Tem answered in the negative and stated he drives by it during his commute. Mr. Edes asked if he would be able to make his decision based solely on the information presented during the hearing. Mayor Pro Tem affirmed.

Mr. Edes then asked if anyone had ex parte contact. No one indicated that they had.

The Town Attorney then asked if any member of the Board has a close or familiar relationship with the applicant. No one indicated as such.

The Town Attorney asked if anyone has any reason as to why he or she cannot be fair and impartial? No indication.

Director Hill presented her report, which is attached. She also introduced Ms. Lori Morris, who participated via Zoom and represented the applicant.

Director Hill asked that her staff report be entered into the official record. Mr. Edes asked if the applicant had any objection; she did not. Mayor Pro Tem Benson labeled the staff report as Exhibit A.

The Town Attorney caught what he believed to be a typo. He asked Director Hill if in "response to standards" the last paragraph should read: special use plan is consistent. The word "not" was a typo. The applicant agreed to the correction.

Planning Director Hill concluded her presentation. No one indicated an interest to provide a comment during the hearing.

Town Attorney Edes stated that if evidence shows criteria has been met, the Board is required to issue the special use permit. Before the Board is uncontested evidence that all three criteria have been met.

Ms. Morris added that the proposed subdivision plan will only have one shared driveway, which will help traffic on New River Inlet Road. When asked by the Town Attorney, Ms. Morris responded that the owner does not take issue with a shared driveway being a condition of approval.

Mayor Pro Tem Benson asked if there were any other question. His colleagues did not have questions, but he had some that he wanted to present. Mayor Pro Tem Benson first asked about the north side of Onslow County Beach Access. What is the relationship between the driveway and the Onslow County Beach Access directly across the street? Are they directly across from one another?

Attorney Edes reminded the Board that if the uncontested evidence from staff demonstrates that the criteria has been met, the Board must approve. The Board is entitled to ask questions if it believes criteria has not been met.

Mayor Pro Tem asked about the CAMA-approved setbacks.

Director Hill responded that yes, CAMA did approve the initial application. CAMA will also review for approval the development application. Before the Board tonight is akin to "permission to try."

Attorney Edes asked Ms. Morris if she had any questions or anything to add. She indicated that she did not.

Alderman Peters asked if the driveway has met all fire regulations. Mr. Edes responded that before it is constructed, it will have to go through that review process. Alderman Peters also asked if the criteria for parking spaces has been met. Director Hill answered that the initial application does meet the standards. This will also be reviewed during the development application process.

Alderman Leonard asked the Town Attorney to state the question before the Board.

Attorney Edes responded that the Board is to determine if the application and evidence presented meet the three criteria. It is uncontested that it does meet the criteria. In that case, approval is mandated.

Alderman Leonard made a motion to close the hearing. Alderman Grant seconded. The Motion passed unanimously, 5-0.

Mr. Edes recommended a condition on the application; there may only be one driveway and it must be shared.

Alderman Peters made a motion to approve the application with the condition recommended by the Town Attorney. Alderman Grant seconded. The Motion passed unanimously, 5-0.

F. Proposed Amendment- to remove requirement for Certification of Final Construction

Alderman Leonard made a motion to open the hearing. Alderman Grant seconded. The Motion passed unanimously, 5-0.

Planning Director Hill presented the staff report, which is attached. The current text is unenforceable and came about based on a misinterpretation of the North Carolina Building Code. The Planning Board's recommendation to the Board of Aldermen is to revert back to the original language before Department of Public Safety advised the Town to change. It is important to note that the Department also agrees this was a misunderstanding.

Alderman Peters asked if the Planning Board considered incorporating "may" instead of the "shall" language.

Director Hill responded that the former text allows for a "may" situation. There have been incidents in which that option has helped Town staff with their review. For example, if a design is atypical, a statement from the owner's engineer that the structure is compliant is helpful for staff.

Alderman Leonard made a motion to close. Alderman Grant seconded. The Motion passed unanimously, 5-0.

Alderman Peters made a motion to approve the recommendation from the planning officer to revert back to the former text as presented in Ms. Hill's staff report. Alderman Grant seconded. The Motion passed unanimously, 5-0.

VII. Clerk Report

The Mayor asked the Clerk to deliver a brief report in the absence of a manager's report.

Alderman Peters asked staff to follow-up with information regarding the insurance coverage on town hall. Town staff received funds from the carrier for the damage incurred during Hurricane Florence and will resubmit that information to the Board. Alderman Peters also asked that if coverage was not sufficient, staff consider consulting with the carrier to determine what limits are best.

Mayor Pro Tem Benson asked if a town sign was included in the bid packets to reconstruct townhall. Staff does not believe that is considered in the request for bids. Mayor Pro Tem believes this is an important piece that is missing in Town and should be addressed. Town staff is to follow-up.

Alderman Meyer asked about the pothole in front of the County's access. NCDOT is aware of the issue but has not yet addressed it. In the meantime, Public Works Director Anders is filling the hole with gravel.

VIII. Consent Agenda

- A. Approval of Minutes ([September 3, 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. [MOTV Tax Return](#)
- E. [Budget Amendment](#)
- F. [Ratify Proclamation](#)

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

IX. Continuing Business

A. Drone Ordinance

Alderman Meyer asked Chief Younginer for an update.

Chief Younginer reported that the proposed ordinance would be tough to enforce. If someone is using a drone to break a law, such as a peeping tom, the police can enforce through existing law and ordinances.

Mayor McDermon asked for the Police Chief's opinion.

Chief Younginer reported that he has only had one drone call since he has been with North Topsail Beach Police Department. It is his preference to monitor. If drones become an issue, then explore an ordinance.

Mr. Edes asked Chief Younginer to research other groups, such as the League of Municipalities, for their guidance.

X. New Business

~~A. Municipal Service District (“MSD”) Explanation~~ _____ (Town Attorney Edes)

~~B. Holly Ridge Proposed Annexation~~ _____ (Town Attorney Edes)

C. Revisit Board Schedule

Mayor McDermon wanted to put this on the Board’s radar. She did not ask for an answer but asked that everyone consider what measures need to be in place to hold meetings open to the public’s physical attendance. Where should the Board hold its meetings? How does the Board limit attendance? What space can accommodate social distancing?

D. NCBIWA Conference

Alderman Leonard presented information about the conference. It will be a combination of in-person and virtual.

Alderman Leonard made a motion to remain a gold level conference sponsor. Alderman Grant seconded. The Motion passed unanimously, 5-0.

XI. Attorney’s Report

Mr. Edes did not have a report.

XII. Mayor’s Report

Mayor McDermon thanked everyone for their attendance. She is pleased that things are moving in the right direction.

XIII. Aldermen’s Report

Alderman Peters did not have a report.

Alderman Meyer recently attended an elected officials luncheon at Camp Lejeune. It was a great way to meet other officials in the area, learn more about

Camp Lejeune and inter-governmental support agreements. Alderman Meyer is still working on a spring event. She believes that will occur in May.

Mayor Pro Tem Benson also attended the luncheon at Camp Lejeune. He tried to receive an endorsement for the New River Management Plan; he specifically asked about the authorized depth in the Inlet, which is comparatively low. He hopes that support will come from his conversations. Additionally, Mayor Pro Tem Benson recently joined the Coastal Federation's project to reduce marine debris. The project hoped to remove 35 tons of debris; they were able to remove 115 tons.

Alderman Grant thanked everyone for attending.

Alderman Leonard thanked everyone who watched the meeting. In honor of 9/11, it was a pleasure to spend time with North Carolina's finest fire department- North Topsail Beach Fire Department. He wished a speedy recovery to the Town Manager. Lastly, he met with a boy scout at town hall to help him with a project. The young man and his troop may help with a beach cleanup.

~~XIV. 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~~

Alderman Grant made a motion to remove the item. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

XV. Adjournment

Alderman Leonard 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: 11/ /2020

Laura Oxley

From: Carol Talbot <ctalbot@verizon.net>
Sent: Thursday, October 1, 2020 10:56 AM
To: Laura Oxley
Cc: 'Carol Talbot'; tony.dorr@verizon.net
Subject: Street Lighting Comment Request for BOA October meeting today

Dear BOA:

We have observed that multiple street lights on Island Drive in front of our house (3038) shine between the houses and across to the dunes and beach. The lights are installed at levels that shine into 3rd story windows.

We have many endangered sea turtles that nest on NTB multiple times during the year. They can become disoriented by light pollution which interferes with nesting and hatching. <https://www.seaturtlehospital.org/nesting-program.html>

We would like to request that street lighting on ALL ocean front public roadways on NTB be lowered. Lowering the street lights is a first step and ensuring that they point down and are shielded is another consideration for turtle nesting and hatching. A BOA collaboration with JOEMC for all NTB modifications of lighting would be greatly appreciated and further enhance our town as a "Turtle Sanctuary".

"Lower Lights – The most visible lights (from a beach standpoint) are lights mounted high on buildings or poles. In many cases, simply lowering the height of the light may solve the problem. Lowering and directing light to precisely where it is needed can also be more aesthetically pleasing, more functional, and more cost-efficient from an energy usage standpoint." <https://www.widecast.org/conservation/threats-and-solutions/beachfront-lighting/>

Thank you for your consideration, time, and efforts with this matter.

Carol L. Talbot, Ph.D.
Anton Dorr

Want to Know More?"

[National Light Pollution Guidelines for Wildlife Including Marine Turtles, Seabirds and Migratory Shorebirds](#) (Commonwealth of Australia, 2019)

[Florida Fish and Wildlife Conservation Commission, Florida Marine Turtle Program \(including “Marine Turtles and Lights”\)](#)

[FFWCC/USFWS, Wildlife Lighting Certification Program](#)

[International Dark-Sky Association \(including approved fixtures\)](#)

[Starry Night Lights \(including approved fixtures\)](#)

[VOLT Turtle Safe Lighting](#)

<https://www.widecast.org/conservation/threats-and-solutions/beachfront-lighting/>

<https://andrewsmaurer.wordpress.ncsu.edu/2018/07/03/sea-turtle-friendly-street-lights/>

<https://www.darksky.org/our-work/sea-turtle-conservation/>

https://www.oceanicsociety.org/projects/sea-turtle-conservation?utm_term=are%20sea%20turtles%20endangered&utm_campaign=Ocean+Wildlife+Projects&utm_source=adwords&utm_medium=ppc&hsa_acc=8843096923&hsa_cam=2081572761&hsa_grp=74963043325&hsa_ad=374582813941&hsa_src=g&hsa_tgt=kwd-296976790929&hsa_kw=are%20sea%20turtles%20endangered&hsa_mt=b&hsa_net=adwords&hsa_ver=3&gclid=EAIaIQobChMIqOv3ucCT7AIVB4TIC3aigVHEAAYBCAAEgISj_D_BwE

Laura Oxley

From: Jeremy Grove <grove1205@gmail.com>
Sent: Wednesday, September 30, 2020 11:44 PM
To: Laura Oxley
Subject: Statement on federal project

Requesting this be read at open forum:

Jeremy Grove

2210 New River Inlet Rd

"I have been following this federal project closely and have serious concerns. The area receiving the project had an engineered beach done in 2014 protecting them from three named storms of which that cost was shared amongst all of us as one town. Meanwhile phase 1 has had no support since 2012 and is in much more dire need. At Topsail Reef we have always been involved with the town and have been self preservationists never asking for anything in return. As a community I believe we represent the best of what this town has to offer and the sense of community that people love when they come to North Topsail Beach. Now we are in a time of need. I fear having extensive knowledge of our town budget that entering into this project will leave us in a situation of having no funds to protect the rest of the town in need of protection. We have been in this fight for 15 years now and the groin or other more recent army corps projects have not materialized. If this project is to move forward it needs to be funded by the owners in the project area just as the Reef owners paid for their protection with emotional, physical and financial tolls over the last decade."

Sent from my iPhone

Laura Oxley

From: Lou Gagliano <ljgags@aol.com>
Sent: Wednesday, September 30, 2020 12:26 PM
To: joannmcdermonntb@gmail.com; grantntb@yahoo.com; susan.meyerntb@gmail.com; tom.leonardNTB@gmail.com; RPeters2000@msn.com; mike.bensonntb@gmail.com
Cc: Kelly Musico Gay; Laura Oxley
Subject: Village of Stump Sound Resolution- Favorable Action on Army Corp Beach Project
Attachments: Village_Beach Final_Resolution.pdf

Mayor McDermon and Members of the Board of Alderman

The attached resolution has been signed by 87 out of our 117 (in excess of 80% favorable participation) owners at the Village of Stump Sound North Topsail Beach. These owners overwhelmingly support and request that the Board of Aldermen favorably vote and provide the required funds for North Topsail Beach portion of the proposed Army Corps \$237 Million 10 mile project. To further attest to this favorable response, these signatures were obtained from these 87 owners **in seven (7) days!**

We recognize that only 4 of the 10 miles are in North Topsail Beach with the other 6 in Surf City, but this does not lessen the importance to us as property owners. Again, we recognize the funding needed to participate needs consideration but opportunities to stabilize our dunes, beaches and property values with only roughly 20% of local funds required do not often occur and may never occur again if we do not move forward.

We ask the Aldermen to favorably respond on a proposal that has strong and positive implications for our community. It is our hope that this important project be moved on as soon as possible and discussed at the October 1, 2020 Aldermen meeting.

Thanks!

Lou Gagliano
ljgags@aol.com
114 N. Permuda Wynd
North Topsail Beach, NC

203 247-1736 cell phone

Laura Oxley

From: MCKEE <dmckee@optonline.net>
Sent: Wednesday, September 30, 2020 12:03 PM
To: Laura Oxley
Subject: Re: NTB Beach Nourishment Project

Dave and Sue McKee

155 Old Village Ln.

North Topsail, NC 28460

Greetings,

I am a homeowner in the Village of Stump Sound and I'm very concerned that we might miss the opportunity to get Federal funding for the Beach Nourishment project that has been proposed.

I think the ability to get this projects funds will help protect Topsail Island. We have experienced a hurricane that has hit either directly or indirectly each year for the past three years. Hurricanes Florence, Dorian and Isaias have caused severe or significant damage to our Island. Our Town hall is still damaged from Florence, three years ago. Many of us recall the damage done in the past from Fran, Michael and Bertha that caused extreme damage to our Island.

As we just watched Hurricane Sally hit the gulf coast, we are reminded that this was the 8th named hurricane to make landfall this year (a record). The sand added late last year and earlier this year has nearly all washed away. We all watched the resent extreme high tides that damaged more properties and eroded even more of the waterfront.

Our beach is very important to our businesses, homeowner's, renters and our economy. Many people flock here to enjoy this spectacular unique place. It would be a shame not to protect it and turn down this money.

If we fail to fund this endeavor, the town will experience higher costs from future storms that would probably out pace any additional taxes from the Nourishment plan. Failing to fund this may actually endanger lives.

As tax payers and voters, we would like you to approve this project to help protect us all.

I have also communicated with Senator Thom Tillis encouraging his assistance in this matter.

Thank you,

Dave and Sue McKee



Town of North Topsail Beach

Beach Nourishment Update – USDA Loan Payoff and
2020 Corps Project

October 1, 2020

Beach Nourishment Update and Moving Forward

- NTB phase 5 initial construction in 2015
 - USDA Rural Development Loan – \$16.815 million
 - 30-year debt amortization
 - Use of special obligation bonds as mode of loan
 - USDA funded the loan at end of project – required bank loan to fund construction period costs
 - Construction period bank loan required Local Government Commission(LGC) approval
 - As part of LGC approval, NTB signed Prepayment Agreement with LGC requiring early payment of USDA loan – if Beach Fund FB exceeds \$5 million, annually, all excess must pre-pay USDA principal
 - Likely FY21 will see Beach Fund over \$5 million FB

Beach Nourishment Update and Moving Forward

- Use of Beach Fund revenues for payment of proposed U.S. Army Corps of Engineers (Corps) nourishment project cost and loan would require LGC review and sign off
 - Current revenues, defined by LGC agreement, could provide for USDA payoff in FY25 or FY26 (estimated)
 - Corps advises that new project, if approved by NTB, would begin in FY22
 - Overlap in debt service of USDA and Corps would require new revenues for at least overlap period
- DEC and NTB staff continue work on revised Beach Fund financial model to define USDA payoff date and new revenue needs if Corps project is approved

Estimate of USDA Payoff

- 2021 Beach Fund should reach \$5 million FB when FEMA expenditures are reimbursed - approx. \$1.2 million expected
- Annual Beach Fund revenues, costs and excess (estimate 2021)

Property taxes	\$1,300,000
Occupancy taxes	\$1,200,000
Sales taxes	<u>\$600,000</u>
Total	\$3,100,000
Expenses (d/s, other)	- <u>\$1,100,000</u>
Estimate - excess available	\$2,000,000

Estimate of USDA Payoff

- Pay off calculation in FY25 & FY26 (estimated)
Principal Outstanding: FY25 \$13.2 million, FY26 \$12.7 million
 - USDA reserve balance \$4,572,000
 - Accumulated excess (FY22-25) \$8,000,000
- Many variables could change payoff calculation
 - Economy and pandemic recovery or another downturn
 - Corps project? Interim cost before loan if project is approved
 - Without Corps project – need to renourish phase V
 - Other storms, beach damage, other related cost
 - Others
- Work with staff should bring more clarity to payoff projection in next several weeks

Corps Nourishment Project

- NTB initial project investment share – current estimate \$16.5 million*
- Amortization of this amount and future renourishment projects – method to provide for stable dedicated revenues
 - Amortize initial invest. over 7 yrs (23-29) – annual d/s approx. \$2.9 million
 - Renourishment project cost – Corps est. 2027 - \$10.9 million NTB share
- Potential methods to raise approx. \$3.0 million in new revenue
 - Raise Occupancy Tax – requires discussion and agreement with Onslow County and Act of N.C. Legislature and study of revenue potential
 - Parking Fees – study of implementation, fee level and amount of revenue potential
 - Municipal Service District Property Taxes – study of current districts, alignment changes, if any, distribution of Corps project d/s and other costs to each district, values in districts and resulting tax levy
 - Town-wide Property Tax – study to come along with other revenues
- Significant work before funding method of Corps project is determined

Final Observations

- Upon payoff of USDA Loan the revenues of the Beach Fund, approx. \$3 million, MAY be adequate to pay Corps project d/s
- Overlapping additional revenue needs, approx. \$3 million, for estimated period of FY23-26, assuming Corps project is approved, could be lowered/eliminated after payoff of USDA

OR WILL OTHER BEACH NEEDS REQUIRE SOME ADDITIONAL REVENUE?

- Higher Corps renourishment project cost
- Other NTB beach nourishment phase project costs (d/s or other)
- Revenue shortfalls – economy, legislative change or other occurrences
- Others

Further Updates to NTB will be provided as we move forward

STAFF REPORT CONTACT INFORMATION

Deborah J. Hill MPA AICP CFM CZO Planning Director

910.581.3008

dhill@ntbnc.org

DOCKET/CASE/APPLICATION NUMBER
CASE SD-20-01

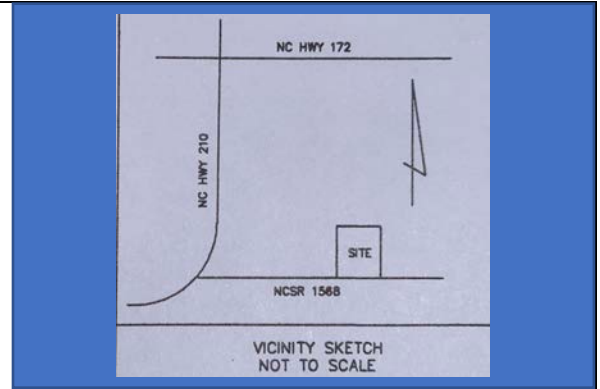
APPLICANT/PROPERTY OWNER
John L. Pierce & Associates, P.A. on behalf of
Dabbs Brothers, LLC

PUBLIC HEARING DATE
October 1, 2020 6:30 pm

PROPERTY ADDRESS/LOCATION
New River Inlet Road Tax Map # 775-1.2

BRIEF SUMMARY OF REQUEST

Pursuant to § 2.06.05 (A), Dabbs Brothers, LLC is seeking to subdivide a 2.44-acre parcel, zoned R-5, creating 2 lots, each 1.22 acres (53,260.68 square feet and 53,069.15 square feet).



VICINITY FROM SKETCH PLAN FOR ISLAND WALK SUBDIVISION PREPARED FOR DABBS BROTHERS LLC BY JOHN L. PIERCE & ASSOCIATES, P.A. DATED JUNE 2, 2020

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-5	VACANT	NW CUR-8 Sailview NE R-5 Villa Capriani parking lot SE R-5 Single Family, Emerald Dunes SW R-5 Single Family	VACANT	2.44 acres

PLANNING BOARD RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

COMPATIBILITY with the COMPREHENSIVE PLAN

Future Land Use Map 13B classifies the property as High Density Residential.

PROPERTY HISTORY

The property is within CBRS L06 and is not eligible for federal flood insurance. The property is within an AE Flood Zone; Base Flood Elevation 12 feet.

COMPATIBILITY with the ZONING ORDINANCE

Plat meets final requirements for a proposed subdivision pursuant to § 2.06.05 (C). Both lots meet the minimum dimensional requirements for R-5 zoning district.

The plat has been reviewed by the Technical Review Committee and is recommended for approval.

- Pluris has reviewed the proposed subdivision and issued a Sewer Approval Letter Permit No. WQ0041499 dated March 23, 2020 for for the construction and operation upon certification of approximately 425 linear feet of 8-inch gravity sewer to serve two duplex buildings with up to 16 total bedrooms as part of the Dabbs Brothers Duplexes project.
- ONWASA has reviewed and recommends approval. The Utility Certificate for water is unnecessary as there will be no new infrastructure to dedicate or provide a warranty for nor will ONWASA need to accept the dedication.
- NCDOT has confirmed verification of the Coastal Wetlands AEC adjacent to these Outstanding Resource Waters. USACoE has verified the Section 404 Wetlands.
- The plat meets NCDOT requirements and is recommended for approval. Lots will be accessible by a proposed access road from New River Inlet Road.

ATTACHMENTS

PLAT

APPLICATION FORM

RESPONSE TO STANDARDS



Town of North Topsail Beach

SUBDIVISION & SITE PLAN APPLICATION

Date: _____

CASE NO. SD- _____ - _____

Check #: _____

Receipt #- _____

Name of Subdivision: Island Walk Subdivision

Location: (Road name & SR number) NCSR 1568 (New River Inlet Road)

Subdivisions/PUDs

- Sketch \$300
- Preliminary \$300
- Final ~~\$150~~ ~~\$200~~ W

R = REVIEW BODY; D = DECISION-MAKING BODY; A = APPEALS BODY; H = PUBLIC HEARING REQUIRED;
N = NEWSPAPER NOTICE; M = MAILED NOTICE; P = POSTED NOTICE

Subdivision of Land (reference: Sec. 2.06.05; Sec. 6.01)
Planned Unit Developments (Sec. 2.06.03; Sec. 6.02)

REVIEW, DECISION-MAKING

PUBLIC NOTICE REQUIRED

Sketch plan

STAFF

PB

BOA

Preliminary

D/H*

M,P

Final

D/H*

M,P

Exemptions

\$50.00

Site Plans

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

Tax Parcel ID: 775-1.2

Smallest lot: 1.22 Acres

Total acreage: 2.44 Acres

Average lot size: 1.22 Acres

Number of lots 2

Zoning District: R-5

Infrastructure:

Water Supply: ONWASA well community system

Sewer Type: Pluris septic community system

Streets: public private

Surveyor/Engineer: John L. Pierce & Associates P.A.

Address P.O. Box 1685 Jacksonville, NC 28541

Phone (910) 346-9800

Email address bettyb@jlpnc.com

Developer Dabbs Brothers LLC

Address 4020 Oleander Drive, Wilmington NC 28403

Phone Fax (910) 620-0686

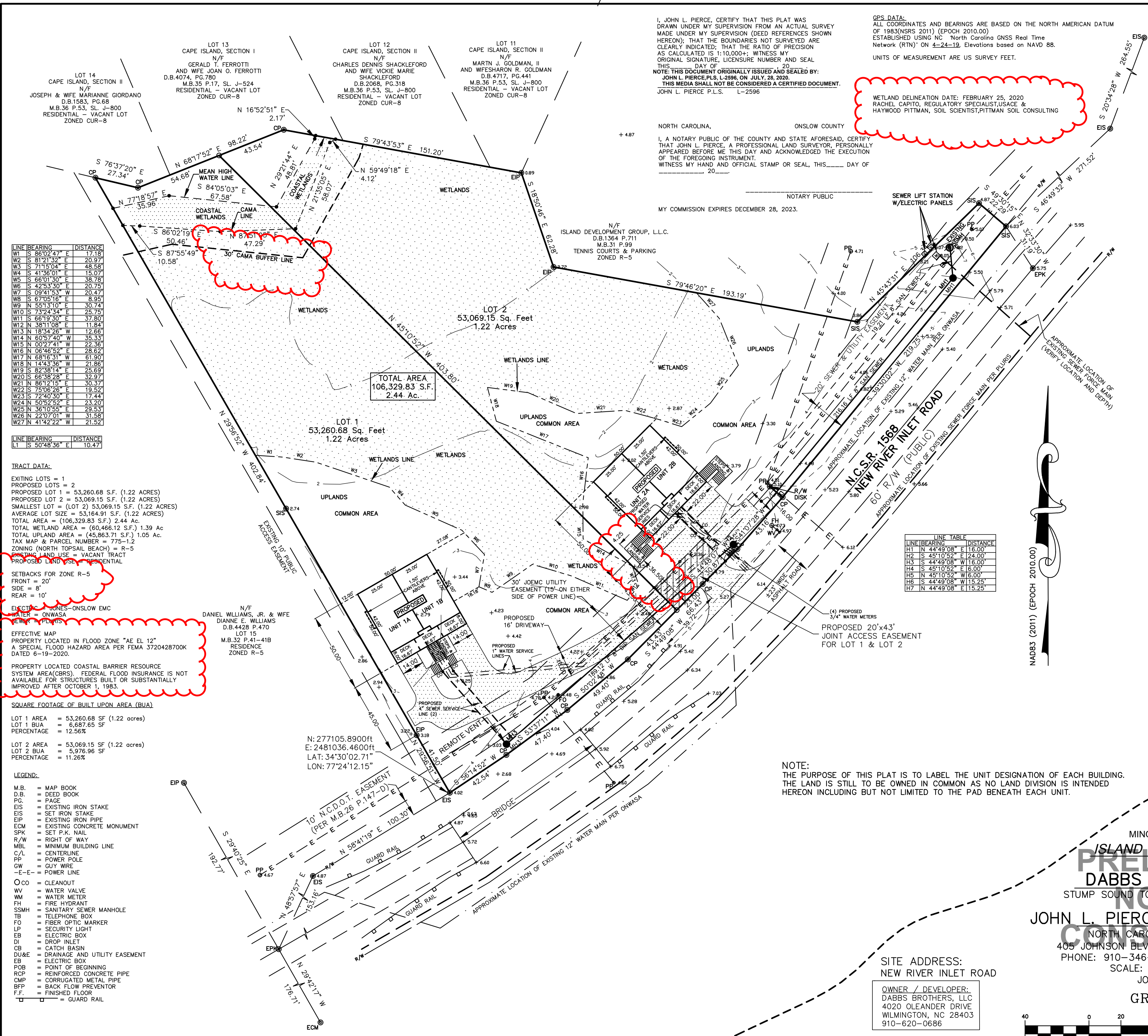
Email address ducey@dabbsbrothers.com

Property Owner Dabbs Brothers LLC

Address 4020 Oleander Drive, Wilmington NC 28403

Phone Fax (910) 620-0686

Email address Ducey@dabbsbrothers.com



LINK BEARING	DISTANCE
W1 S 86°02'47" E	17.18
W2 S 81°21'32" E	20.97
W3 S 71°15'04" E	48.58
W4 S 41°36'01" E	13.07
W5 S 66°01'30" E	38.78
W6 S 42°53'30" E	20.75
W7 S 09°41'53" W	20.47
W8 S 67°05'16" E	8.95
W9 N 53°13'01" E	30.74
W10 S 73°24'34" E	25.75
W11 S 66°19'30" E	37.80
W12 N 38°11'08" E	11.84
W13 N 18°34'26" W	12.68
W14 N 60°57'40" W	35.33
W15 N 00°27'41" W	22.36
W16 N 06°46'52" E	28.62
W17 N 68°16'31" W	61.90
W18 N 14°43'36" W	21.86
W19 S 82°38'14" E	25.69
W20 S 66°38'28" E	32.97
W21 N 86°12'15" E	30.37
W22 S 75°06'26" E	19.52
W23 S 72°40'30" E	17.44
W24 N 50°52'52" E	23.20
W25 N 36°10'55" E	29.53
W26 N 22°07'01" W	31.58
W27 N 41°42'22" W	21.52

LINE BEARING	DISTANCE
L1 S 50°48'36" E	10.47

TRACT DATA:
 EXITING LOTS = 1
 PROPOSED LOTS = 2
 PROPOSED LOT 1 = 53,260.68 S.F. (1.22 ACRES)
 PROPOSED LOT 2 = 53,069.15 S.F. (1.22 ACRES)
 SMALLEST LOT = (LOT 2) 53,069.15 S.F. (1.22 ACRES)
 AVERAGE LOT SIZE = 53,164.91 S.F. (1.22 ACRES)
 TOTAL AREA = (106,329.83 S.F.) 2.44 Ac.
 TOTAL WETLAND AREA = (60,466.12 S.F.) 1.39 Ac
 TOTAL UPLAND AREA = (45,863.71 S.F.) 1.05 Ac.
 TAX MAP & PARCEL NUMBER = 775-1.2
 ZONING (NORTH TOPSAIL BEACH) = R-5
 PROPOSED LAND USE = VACANT TRACT
 PROPOSED LAND USE = RESIDENTIAL

SETBACKS FOR ZONE R-5
 FRONT = 20'
 SIDE = 8'
 REAR = 10'

ELECTRIC - ONWASA-ONSLAW EMC
 WATER = ONWASA
 SEWER = PLUNKS

EFFECTIVE MAP
 PROPERTY LOCATED IN FLOOD ZONE "AE EL 12"
 A SPECIAL FLOOD HAZARD AREA PER FEMA 3720428700K
 DATED 6-19-2020.

PROPERTY LOCATED COASTAL BARRIER RESOURCE
 SYSTEM AREA (CBRS). FEDERAL FLOOD INSURANCE IS NOT
 AVAILABLE FOR STRUCTURES BUILT OR SUBSTANTIALLY
 IMPROVED AFTER OCTOBER 1, 1983.

SQUARE FOOTAGE OF BUILT UPON AREA (BUA)

LOT 1 AREA	= 53,260.68 SF (1.22 acres)
LOT 1 BUA	= 6,687.65 SF
PERCENTAGE	= 12.56%
LOT 2 AREA	= 53,069.15 SF (1.22 acres)
LOT 2 BUA	= 5,976.96 SF
PERCENTAGE	= 11.26%

LEGEND:
 M.B. = MAP BOOK
 D.B. = DEED BOOK
 P.G. = PAGE
 EIS = EXISTING IRON STAKE
 EIS = SET IRON STAKE
 EIP = EXISTING IRON PIPE
 ECM = EXISTING CONCRETE MONUMENT
 SPK = SET P.K. NAIL
 R/W = RIGHT OF WAY
 MBL = MINIMUM BUILDING LINE
 C/L = CENTERLINE
 PP = POWER POLE
 GW = GUY WIRE
 -E-E = POWER LINE

CO = CLEANOUT
 WV = WATER VALVE
 WM = WATER METER
 FH = FIRE HYDRANT
 SSMH = SANITARY SEWER MANHOLE
 TB = TELEPHONE BOX
 FO = FIBER OPTIC MARKER
 LP = SECURITY LIGHT
 EB = ELECTRIC BOX
 DI = DROP INLET
 CB = CATCH BASIN
 DU&E = DRAINAGE AND UTILITY EASEMENT
 EB = ELECTRIC BOX
 POB = POINT OF BEGINNING
 RCP = REINFORCED CONCRETE PIPE
 CMP = CORRUGATED METAL PIPE
 BFP = BACK FLOW PREVENTOR
 F.F. = FINISHED FLOOR
 □ = GUARD RAIL

REFERENCES:
 D.B.4989, PG.155
 M.B.35, PG. 149, SL. J-656
 D.B.1474 P.211 (TRACT II)
 M.B.31 P.99
 M.B.26 P.147-D

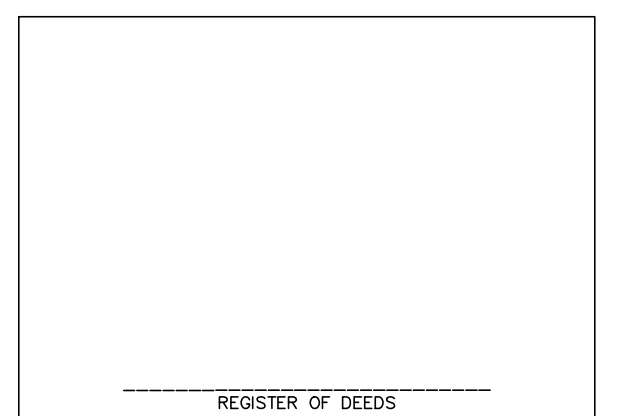
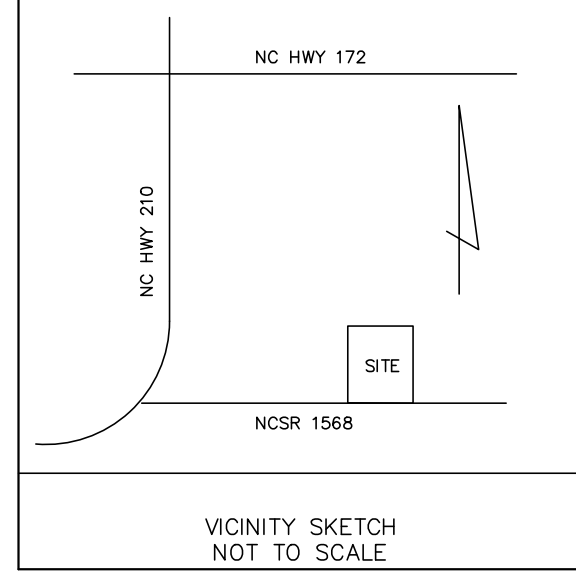
I, JOHN L. PIERCE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED REFERENCES SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS DAY OF _____ 20____.
NOTE: THIS DOCUMENT ORIGINALLY ISSUED AND SEALED BY: JOHN L. PIERCE, PLS., L-2596, ON JULY 28, 2020. THIS MEDIA SHALL NOT BE CONSIDERED A CERTIFIED DOCUMENT. JOHN L. PIERCE P.L.S. L-2596

GPS DATA:
 ALL COORDINATES AND BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD83) (EPOCH 2010.00) ESTABLISHED USING NC North Carolina GNSS Real Time Network (RTN) ON 4-24-19. Elevations based on NAVD 88. UNITS OF MEASUREMENT ARE US SURVEY FEET.

NORTH CAROLINA, ONSLOW COUNTY
 I, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT JOHN L. PIERCE, A PROFESSIONAL LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL, THIS _____ DAY OF _____ 20____.

NOTARY PUBLIC
 MY COMMISSION EXPIRES DECEMBER 28, 2023.

WETLAND DELINEATION DATE: FEBRUARY 25, 2020
 RACHEL CAPITO, REGULATORY SPECIALIST, USACE & HAYWOOD PITTMAN, SOIL SCIENTIST, PITTMAN SOIL CONSULTING



LINE BEARING	DISTANCE
H1 N 44°49'08" E	116.00'
H2 S 45°10'52" E	24.00'
H3 S 44°49'08" W	116.00'
H4 S 45°10'52" E	6.00'
H5 N 45°10'52" W	6.00'
H6 S 44°49'08" W	115.25'
H7 N 44°49'08" E	115.25'

NOTE:
 THE PURPOSE OF THIS PLAT IS TO LABEL THE UNIT DESIGNATION OF EACH BUILDING. THE LAND IS STILL TO BE OWNED IN COMMON AS NO LAND DIVISION IS INTENDED HEREON INCLUDING BUT NOT LIMITED TO THE PAD BENEATH EACH UNIT.

NAD83 (2011) (EPOCH 2010.00)



(IN FEET)
 1 inch = 40 ft.

FINAL PLAT
 MINOR SUBDIVISION FOR
ISLAND WALK SUBDIVISION
 PREPARED FOR
DABBS BROTHERS, LLC
 STUMP SOUND TOWNSHIP, ONSLOW COUNTY, NC
 PREPARED BY
JOHN L. PIERCE & ASSOCIATES, P.A.
 NORTH CAROLINA LICENSE No. C-1888
 405 JOHNSON BLVD. JACKSONVILLE, NC 28540
 PHONE: 910-346-9800 DATE: JULY 28, 2020
 SCALE: 1"=40' F.B.925, PG.6
 JOB # 2019-19526
GRAPHIC SCALE

SITE ADDRESS:
 NEW RIVER INLET ROAD
OWNER / DEVELOPER:
 DABBS BROTHERS, LLC
 4020 OLEANDER DRIVE
 WILMINGTON, NC 28403
 910-620-0686

EFFECTIVE 6-19-20
 ZONE AE (EL 12)
 ZONE VE (EL 13)
 EFFECTIVE 6-19-20
 ZONE VE (EL 13)
 ZONE VE (EL 15)

CERTIFICATE OF OWNERSHIP AND DEDICATION OF STREETS AND RIGHT-OF-WAY

THE UNDERSIGNED HEREBY ACKNOWLEDGE(S) THIS PLAT AND ALLOTMENT TO BE (HIS, HER, THEIR) FREE ACT AND DEED, AND HEREBY DEDICATE(S) TO PUBLIC USE AS STREETS, PLAYGROUNDS, PARKS, OPEN SPACES, AND EASEMENTS FOREVER ALL AREAS SO SHOWN OR INDICATED ON SAID PLAT.

THIS ____ DAY OF _____, 2020.

(NAME OF OWNER)

BY: _____

TITLE: _____

OWNER'S CERTIFICATION AS TO SEWER SERVICE

I CERTIFY (I) THAT I AM THE OWNER OF THE LANDS SHOWN ON THIS MAP AND OF ALL THE SEWER SERVICE INFRASTRUCTURE LOCATED ON SUCH LANDS, (II) THAT ALL REQUIRED SEWER SERVICE IMPROVEMENTS HAVE BEEN CONSTRUCTED WITHIN THE STREETS AND/OR UTILITY EASEMENTS SHOWN ON THIS MAP IN ACCORDANCE WITH PLANS AND SPECIFICATIONS APPROVED BY THE SEWER SERVICE PROVIDER BELOW, (III) THAT SUCH SEWER SERVICE IMPROVEMENTS ARE HEREBY DEDICATED AND CONVEYED TO THE SEWER SERVICE PROVIDER, FREE OF LIENS AND ENCUMBRANCES, (IV) THAT THE SEWER SERVICE PROVIDER IS HEREBY GRANTED A PERPETUAL EASEMENT OVER ALL STREETS AND UTILITY EASEMENTS SHOWN ON THIS MAP, AND (V) THAT THE UNDERSIGNED WARRANTS TO THE SEWER SERVICE PROVIDER FOR A PERIOD OF 18 MONTHS FROM THE DATE OF THIS CERTIFICATION THAT SUCH IMPROVEMENTS ARE FREE FROM DEFECTS IN MATERIALS AND WORKMANSHIP.

THIS ____ DAY OF _____, 2020

(NAME OF OWNER)

BY: _____

TITLE: _____

CERTIFICATE AS TO SEWER UTILITIES AND DEDICATION

I HEREBY CERTIFY THAT THE PLANS AND SPECIFICATIONS FOR THE SEWER SERVICE IMPROVEMENTS FOR ISLAND WALK SUBDIVISION HAVE BEEN REVIEWED BY THE SEWER SERVICE PROVIDER, THAT SUCH SEWER SERVICE IMPROVEMENTS HAVE BEEN CONSTRUCTED, AND THAT THE SEWER SERVICE PROVIDER HEREBY ACCEPTS THE DEDICATION OF THE SEWER SERVICE IMPROVEMENTS ALONG WITH ASSOCIATED EASEMENTS.

THIS ____ DAY OF _____, 2020.

(NAME OF SEWER SERVICE PROVIDER)

BY: _____

PRINT NAME: _____

TITLE: _____

OWNER'S CERTIFICATION AS TO WATER SERVICE

I CERTIFY (I) THAT I AM THE OWNER OF THE LANDS SHOWN ON THIS MAP AND OF ALL THE WATER AND/OR SEWER INFRASTRUCTURE LOCATED ON SUCH LANDS, (II) THAT ALL REQUIRED WATER AND/OR SEWER IMPROVEMENTS HAVE BEEN CONSTRUCTED WITHIN THE STREETS AND/OR UTILITY EASEMENTS SHOWN ON THIS MAP IN ACCORDANCE WITH PLANS AND SPECIFICATIONS APPROVED BY ONSLOW WATER AND SEWER AUTHORITY ("ONWASA"), (III) THAT ALL SUCH WATER AND/OR SEWER IMPROVEMENTS ARE HEREBY DEDICATED AND CONVEYED TO ONWASA, FREE OF LIENS AND ENCUMBRANCES, (IV) THAT ONWASA IS HEREBY GRANTED A PERPETUAL EASEMENT OVER ALL STREETS AND UTILITY EASEMENTS SHOWN ON THIS MAP, AND (V) THAT THE UNDERSIGNED WARRANTS TO ONWASA FOR A PERIOD OF 18 MONTHS FROM THE DATE OF THIS CERTIFICATION THAT SUCH IMPROVEMENTS ARE FREE FROM DEFECTS IN MATERIALS AND WORKMANSHIP.

THIS ____ DAY OF _____, 2020

(NAME OF OWNER)

BY: _____

TITLE: _____

CERTIFICATE AS TO WATER UTILITIES AND DEDICATION

I HEREBY CERTIFY THAT THE PLANS AND SPECIFICATIONS FOR THE WATER AND/OR SEWER IMPROVEMENTS FOR SUBDIVISION HAVE BEEN REVIEWED AND APPROVED BY ONSLOW WATER AND SEWER AUTHORITY THAT SUCH WATER AND/OR SEWER IMPROVEMENTS HAVE BEEN CONSTRUCTED, AND THAT ONSLOW WATER AND SEWER AUTHORITY HEREBY ACCEPTS THE DEDICATION OF THE WATER AND/OR SEWER IMPROVEMENTS ALONG WITH ASSOCIATED EASEMENTS.

THIS ____ DAY OF _____, 2020

ONSLOW WATER AND SEWER AUTHORITY

BY: _____

PRINT NAME: _____

TITLE: _____

APPROVED

APPROVED BY THE BOARD OF ALDERMEN OF THE TOWN OF NORTH TOPSAIL BEACH, NORTH CAROLINA, EFFECTIVE ON THE ____ DAY OF _____, 2020

MAYOR, TOWN OF NORTH TOPSAIL BEACH

AEC STANDARDS

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

PLANNING DIRECTOR

REFERENCES:
D.B.4989, PG.155
M.B.35, PG. 149, SL. J-656
D.B.1474 P.211 (TRACT II)
M.B.31 P.99
M.B.26 P.147-D

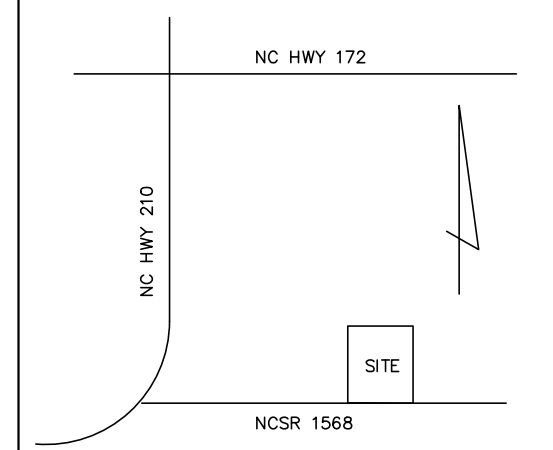
I, JOHN L. PIERCE, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED REFERENCES SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000+; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL THIS ____ DAY OF _____, 2020.
NOTE: THIS DOCUMENT ORIGINALLY ISSUED AND SEALED BY: JOHN L. PIERCE, P.L.S., L-2596, ON JULY 28, 2020. THIS MEDIA SHALL NOT BE CONSIDERED A CERTIFIED DOCUMENT.
JOHN L. PIERCE P.L.S. L-2596

GPS DATA:
ALL COORDINATES AND BEARINGS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD 83) (EPOCH 2010.00) ESTABLISHED USING NC "North Carolina GNSS Real Time Network (RTN)" ON 4-24-19. Elevations based on NAVD 88.
UNITS OF MEASUREMENT ARE US SURVEY FEET.

I, JOHN L. PIERCE, PROFESSIONAL LAND SURVEYOR NO. 2596, CERTIFY TO ONE OR MORE OF THE FOLLOWING AS INDICATED:

- A. THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND;
- B. THAT THIS PLAT IS OF A SURVEY THAT IS LOCATED IN SUCH PORTION OF A COUNTY OR MUNICIPALITY THAT IS UNREGULATED AS TO AN ORDINANCE THAT REGULATES PARCELS OF LAND;
- C. ANY ONE OF THE FOLLOWING:
1--THAT THIS PLAT IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;
2--THAT THIS PLAT IS OF AN EXISTING BUILDING OR OTHER STRUCTURE, OR NATURAL FEATURE, SUCH AS A WATERCOURSE; OR 3--THAT THIS PLAT IS OF A CONTROL SURVEY.
- D. THAT THIS PLAT IS OF A SURVEY OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY OR OTHER EXCEPTION TO THE DEFINITION OF SUBDIVISION;
- E. THAT THE INFORMATION AVAILABLE TO THIS SURVEYOR IS SUCH THAT I AM UNABLE TO MAKE A DETERMINATION TO THE BEST OF MY PROFESSIONAL ABILITY AS TO PROVISIONS CONTAINED IN (A) THROUGH (D) ABOVE.

JOHN L. PIERCE, PROFESSIONAL LAND SURVEYOR NO. 2596



VICINITY SKETCH
NOT TO SCALE

FINAL PLAT
MINOR SUBDIVISION FOR
ISLAND WALK SUBDIVISION
PREPARED FOR
DABBS BROTHERS, LLC
STUMP SOLD TO OWNERSHIP OF SLOTT COUNTY, NC
PREPARED BY
JOHN L. PIERCE & ASSOCIATES, P.A.
NORTH CAROLINA LICENSE No. 1-888
405 JOHNSON BLVD. JACKSONVILLE, NC 28540
PHONE: 910-346-9800 DATE: JULY 28, 2020
SCALE: 1"=40' F.B.925, PG.6
JOB # 2019-19526

SITE ADDRESS:
NEW RIVER INLET ROAD

OWNER / DEVELOPER:
DABBS BROTHERS, LLC
4020 OLEANDER DRIVE
WILMINGTON, NC 28403
910-620-0686



(IN FEET)
1 inch = 40 ft.

STAFF REPORT CONTACT INFORMATION

Deborah J. Hill MPA AICP CFM CZO Planning Director

910.328.1349 ext 27

dhill@ntbnc.org

DOCKET/CASE/APPLICATION NUMBER
CASE SUP-20-05APPLICANT/PROPERTY OWNER
CAPITAL ASSET PROPERTIES/NEIL REALTY CO INCPUBLIC HEARING DATE
OCT 1, 2020 630PMPROPERTY ADDRESS/LOCATION
New River Inlet Road
L4 SHIP WATCH VILLAS Tax Map # 779E-4**BRIEF SUMMARY OF REQUEST**

Pursuant to § 2.06.05 (A), Capital Asset Properties/Neil Realty Co Inc is seeking a special use permit to construct 3-unit townhouses.



Source: Special Use Plan Shipwatch Villas Lot 4 Parker & Associates

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-8	Vacant	North & East: Onslow County BEACH ACCESS 1 (R-20) South: Atlantic Ocean West: Shipwatch Villas Townhomes (R-8)	None	1.1 acres
APPROVE		PLANNING BOARD RECOMMENDATION APPROVE WITH CONDITIONS		DENY

COMPATIBILITY with the COMPREHENSIVE PLAN

Future Land Use Map classifies the property as High Density Residential

PROPERTY HISTORY

ONWASA water and Pluris sewer service are available. The property is within CBRS L06 and is not eligible for federal flood insurance. The property is within the AE Special Hazard Flood Zone, Base Flood Elevation 11 feet, FIRM 3720429800K effective 6/19/2020. Ocean Hazard Area of Environmental Concern.

COMPATIBILITY with the UDO

Proposed lot meets the minimum dimensional requirements 3-unit townhomes in R-8 zoning district (i.e., 8,000 sq. ft. plus 8,000 sq. ft. for each unit over 2. See Response to Standards for deficiencies with § 2.06.06 and § 4.03.03

ATTACHMENTS

SITE PLAN**APPLICATION FORM****RESPONSE TO STANDARDS**

RESPONSE TO STANDARDS

I. Findings: In granting the permit, the Board of Aldermen *shall* make a written decision that identifies the key facts of the case and applies these facts to the following standards. The Board must find that all of these conditions exist, or the application will be denied.

A. The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare;

Statement by Planning Director: Special Use Plan is consistent with § 4.03.03 TOWNHOUSE DEVELOPMENT (See attached for detail).

B. The use or development complies with all required regulations and standards of this Ordinance and with all other applicable regulations;

Statement by Planning Director:

Proposed lot meets the minimum dimensional requirements 3-unit townhomes in R-8 zoning district (i.e., 8,000 sq. ft. plus 8,000 sq. ft. for each unit over 2).

Special Use Plan states that the proposal is in an Area of Environmental Concern. The property is within the Ocean Hazard Area AEC.

C. The use or development conforms to the plans for the land use and development of Town of North Topsail Beach as embodied in this Zoning Ordinance and in the Town of North Topsail Beach CAMA Land Use Plan.

Statement by Planning Director:

CAMA Land Use Plan: Future Land Use Map classifies the property as High Density Residential.

Proposed lot meets the minimum dimensional requirements 3-unit townhomes in R-8 zoning district (i.e., 8,000 sq. ft. plus 8,000 sq. ft. for each unit over 2).

Special Use Plan not consistent with § 4.03.03 TOWNHOUSE DEVELOPMENT. Has been reviewed by NC Division of Coastal Management and NTB Fire Department.

Plot plan to be submitted as preliminary in accordance with § 2.06.05(B), final 2.06.05(C), which must include lighting plan and maintenance plan/agreement.



Town of North Topsail Beach
SPECIAL USE PERMIT (SUP) APPLICATION
 (A Pre-submittal conference must be held prior to submission)

Hearing Information (Staff Only)

Case Number:	Date/Time received:	Application verified by:
\$350 non-refundable filing fee & \$150 deposit subject to Cancellation Policy*	Check #:	Receipt #:
Deadline for Legal Ad:	Scheduled for Planning Board on:	at 6:30 p.m.
Deadline for Legal Ad:	Scheduled for Board of Aldermen on:	at 6:30 p.m.

About this Application

ONLY COMPLETE APPLICATIONS CAN BE ACCEPTED

Only the Special Uses, as specified in the various districts (reference: UDO Table 4-1 Use Table), may be permitted after review by the Planning Board and approval by the Board of Aldermen.

Submittal: Applications are due by noon on the submittal deadline date. Deadlines are discussed at the pre-submittal meeting. Applications should be submitted in-person, and fees are due at time of submittal.

The application is a form of written testimony, and used both to show how Ordinance considerations are addressed and to provide evidence that the required findings for approval can be made. In addition to the application materials, the applicant may provide any other written, drawn or photographed material to support his/her request and as permitted by the Planning Board and/or Board of Aldermen, as applicable. Any such additional material submitted will become part of the application, and as such cannot be returned.

Attendance at the hearing is required. Applicants may represent themselves or may be represented by someone appropriate for quasi-judicial public hearings. The applicant has the **burden of proof** and must provide sufficient evidence in order for the required findings to be made. The public hearing will allow the applicant, proponents, opponents and anyone else the opportunity to testify in regards to the request. An application may be approved, approved with conditions, continued for more information, or denied.

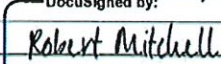
Contact Information: If you have any questions, please contact the Planning Director at (910) 328-1349 ext. 27 between 8:00 a.m. and 5:00 p.m. on weekdays or email at dhill@ntbnc.org.

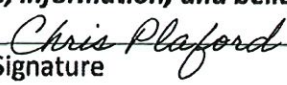
***Cancellation Policy:** All cancellations must be received at least 48 hours before the start of the Public Hearing and refunds are subject to a \$150 cancellation fee. Cancellations must be received in writing by e-mail (kate@ntbnc.org), fax (910-328-4508 ATTN: Kate Winzler), or by U.S. mail (2008 LOGGERHEAD CT, N TOPSAIL BEACH NC 28460-9286 - ATTN: Kate Winzler.) No refunds will be made for requests received after that time. Please allow two weeks for processing.

Application Requirements	Applicant Initials	Staff Initials
Pre-submittal meeting		
Filing fee		DH
SITE PLAN or PLOT PLAN, as determined at the pre-submittal meeting.		
Completed application and responses: ORIGINAL signatures required.		
Any additional supporting documents		

Case # _____

Property Information	
Site Address: 1568 Old NC 210	Parcel #: 779E-4
Zoning District(s) : R-8	Plat Book/Page #: 22/57
Overlay District(s): Cobra	Date Plat Filed: 12/28/1983
Current Use: Undeveloped	Deed Book/Page #: 643/202
Flood Zone: AE	Date Deed Recorded: 2/10/1983

Property Owner: <i>The application must either be signed by the property owner or a written, signed statement must be provided by the property owner giving consent to the request.</i>	
Name(s): Neil Realty Co, Inc.	
Contact Person: Vickie Moore	Telephone: (252) 747-7894
Address: P.O. Box 6159	Fax:
City/State/ZIP: Kingston, NC 28501	Email:
<i>DocuSigned by:</i> 	7/28/2020 3:23 PM EDT
Owner Signature	Date

Applicant	
Name(s): Capital Asset Properties	
Contact Person: Chris Plaford	Telephone: (910) 821-0060
Address: 7522 Dunbar Road	Fax:
City/State/ZIP: Wilmington, NC 28411	Email:
<i>I certify that all of the information presented by me in this application is accurate to the best of my knowledge, information, and belief.</i>	
	7/28/20
Applicant Signature	Date

Agent (if different than applicant)	
Name: Parker and Associates	
Contact Person: Kimberly H. Whaley	Telephone: (910) 455-2414
Address: 306 New Bridge Street	Fax: N/A
City/State/ZIP: Jacksonville, NC 28540	Email: drafting@parkerjacksonville.com

Case # _____

Complete and respond to the following with an attachment (suggested) or in the space provided:

Applicant's Name: I, _____, do hereby petition the Town of North Topsail Beach for a SPECIAL USE permit to allow the following:

I. **Findings:** In granting the permit, the Board of Aldermen *shall* make a written decision that identifies the key facts of the case and applies these facts to the following standards. The Board must find that all of these conditions exist, or the application will be denied.

A. *The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare; Statement by Applicant:*

This site is zoned R-8. The adjoining property on the west is zoned R-8 with existing townhomes, to the O.C. Public Access zoned R-20, to the North (across New River Inlet Rd) are existing Townhomes zoned R-8 and O.C. Public Access Parking Area zoned R-20.

B. *The use or development complies with all required regulations and standards of this Ordinance and with all other applicable regulations; Statement by Applicant:*

Proposal for this site is to subdivide the site into 2 lots with a shared driveway access. On one Lot the plan shows 3 Townhomes with a parking area & parking under the units. The proposed plan complies with the regulations and standards of North Topsail Beach.

C. *The use or development conforms to the plans for the land use and development of Town of North Topsail Beach as embodied in this Zoning Ordinance and in the Town of North Topsail Beach CAMA Land Use Plan. Statement by Applicant:*

CAMA Land Use Plan identifies the site and adjoining properties as High Density Residential. The zoning for this site is R-8 zone the proposed townhouse plan meets both the CAMA Land Use and Zoning Requirements.

Approved by the Board of Aldermen of the Town of North Topsail Beach, North Carolina, effective on the _____ day of _____, 20__

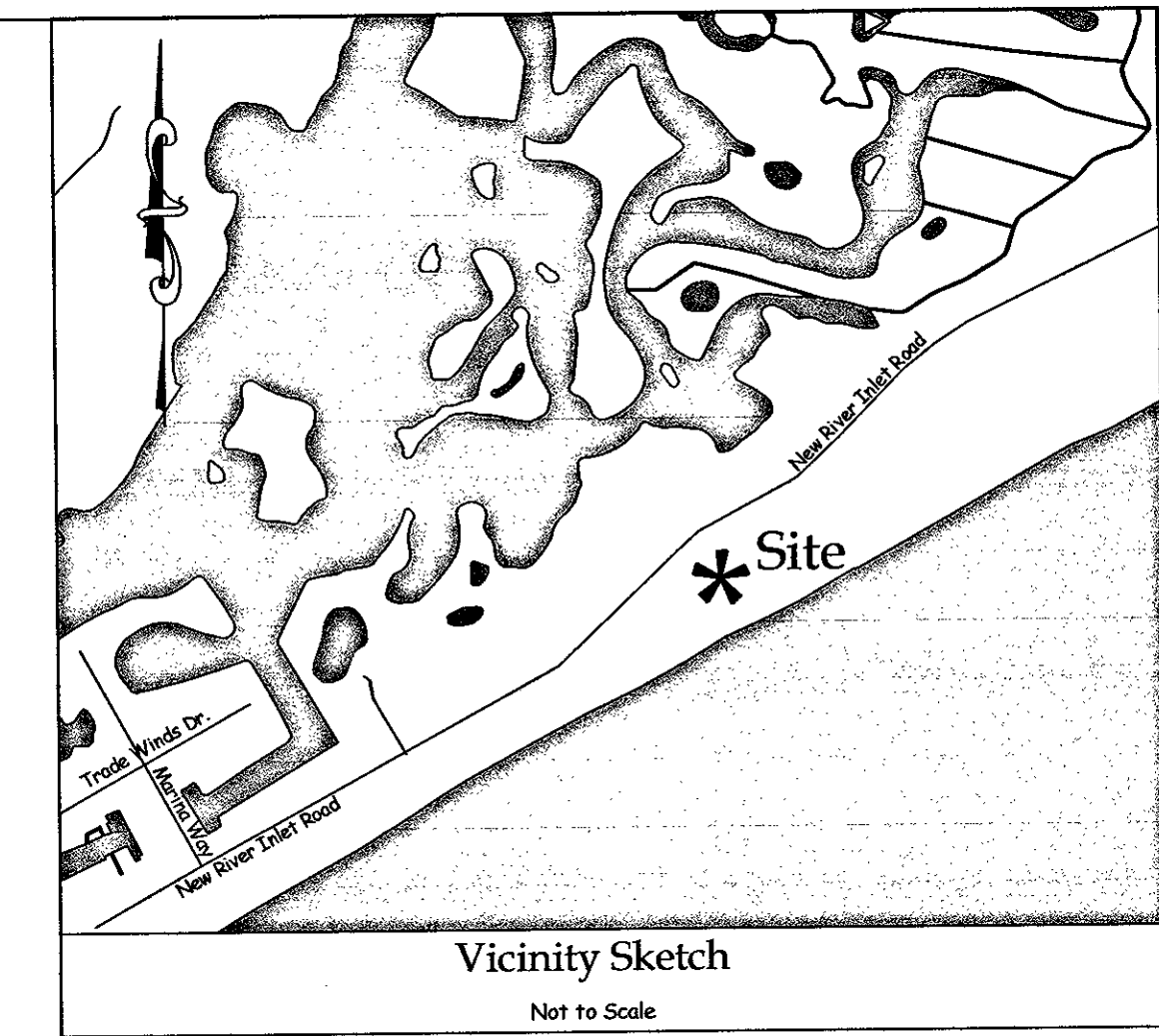
Mayor, Town of North Topsail Beach

This subdivision conforms to the standards of the North Carolina Coastal Area Management Act of 1974, being G.S. 113A-100 et seq., and portions of the subdivision located within an Area of Environmental Concern is duly Noted.

Planning Director

Legend:

- B6 - Below Ground
COMP. - Coordinate Geometry Calc. Point
D.B. - Deed Book
ebx - Existing Electric Box
egw - Existing Guy Wire
Elev. - Elevation
eop - Edge of Pavement
epb - Existing Phone Box
epp - Existing Power Pole
ex - Existing
FLSNV - First Line of Stable Vegetation
GL - Ground Level
inv. - Invert
IPF - Iron Pipe Found
M.B. - Map Book
Pg. - Page
R/W - Right-of-way
() - Survey Data
ohpl - Overhead Powerline
x 6.32 - Existing Spot Elevation
NAVD '83 DATUM
2 - Unit Designation



Vicinity Sketch

Not to Scale

Tract Data:

Table with 2 columns: Tract Name and Value. Includes Total Acreage (1.1 Ac.), Percentage of Site Devoted (78%), Number of Units Existing (0), Number of Units Proposed (3), etc.

Tax Map 779 E Parcel 4
PIN: 429814236446
Ref.: D.B. 643, Pg. 202
M.B. 22, Pg. 57

Setbacks

Table with 2 columns: Setback Type and Minimum Value. Includes Front Setback (20 feet), Corner Side Setback (15 feet), Rear Setback (10 feet), Side Setback (8 feet).

Building Data

Table with 2 columns: Building Feature and Value. Includes Max. Building Height (48 feet), Proposed Max. Height (35 feet), Existing Building Square Footage (0 S.F.), Total Building Square Footage (2,688 S.F.), etc.

Parking Data:

Table with 2 columns: Parking Requirement and Value. Includes Parking Required (2 spaces per dwelling unit), Existing Parking (0 Spaces), Total Parking (9 Spaces).

Notes:

- 1. Total development area is totally cleared.
2. All easements to be public drainage & utility easements at dimensions shown, unless otherwise noted.
3. There are Areas of Environmental Concern (AEC) as defined by Coastal Area Management Act (CAMA) on this site.
4. There are no Wetlands on this site.
5. Flood lines drawn from a best fit of an electronic overlay of the digital flood map FIRM (CPN 370366 4298 K (Town of North Topsail Beach) Effective June 19, 2020.
6. Topography shown is from an actual survey performed by Parker & Associates, Inc. dated June 2020.
7. Adjoining property information per Onslow County Tax Records.
8. For additional details, see specifications and additional plans.
9. All distances are horizontal ground, U.S. Survey Feet.
10. No Register of Deed search search done by, or furnished to surveyor in regarding Deed or Covenant Restrictions.
11. Elevations per NAVD '88 Datum.
12. No USGS or NCGS monuments within 2000' of site.
13. Setbacks are subject to change and should follow correct zoning setbacks requirements.
14. Solid Waste to be Roll Out Container.
15. Lighting plan to be by others. All utilities shall be underground.
16. Open Spaces to be maintained by and to be conveyed to Home Owners Association.

Note:

Contractor shall insure that he and all his workers (contractors, subcontractors and other site personnel) do not damage construction stakes or other measures used in laying out the project whether by the Engineer or another entity including those under the employ of the contractor. Contractor shall cause his workers to observe and verify to the fullest extent practicable that stakes, other measures and grades are, or appear to be, accurate and correct, and immediately, but prior to any associated work, notify the staking entity of any potential conflict, error or question regarding the work. The Engineer shall not be responsible if all of the above measures are not strictly adhered to. The Engineer shall not be responsible where due to damage, his staking can not be verified. For critical or costly components of the work, where the contractor believes that staking may not be preserved, the contractor shall request the staking entity to place staking in an area where its preservation can be insured.

Special Use Plan

Ship Watch Villas Lot 4

Stump Sound Twp., Onslow Co., North Carolina

Developer: Capital Asset Properties

7522 Dunbar Road
Wilmington, NC 28411
(910) 821-0060

DATE: 7/28/2020

SCALE: 1"=20'

GRAPHIC SCALE: 1"=20'



PARKER & ASSOCIATES, INC.

Engineers - Surveyors - Planners
Jacksonville, North Carolina
P.O. Box 974 - 306 New Bridge Street - 28540
Phone (910) 455-2414 - www.Parker-Jacksonville.com
N.C. Firm License Number: F-0108





Town of North Topsail Beach
Board of Aldermen

PUBLIC HEARING

Date: 10/01/2020

Issue:	Proposed Amendment to § 7.04 (B) (1) (d) (iii) (1); § 7.04 (B) (3) (f) and § 7.05 (G) (9), removing requirement for Certification of Final Construction
Department:	Planning
Presented by:	Deborah J. Hill, MPA AICP CZO CFM - Planning Director
Presentation:	Yes

BACKGROUND

I initially did not include the Certification of Final Construction in the draft, but Dan Brubaker, NC Department of Public Safety/State Coordinator responded:

The “SHALL” is straight from the NC Building Code: R322.3.6 Construction Documents. It was put in there to make the ordinance consistent with the NC Building Code.”... It’s optional because it’s not in the NFIP regs, but the State Building Code. The ordinance will be NFIP-compliant whether or not the language is in there. However, in order to be consistent with the NC Building Code, it needs to be in there. It still needs to be followed regardless.

R322.3.6 Construction documents. The construction documents shall include documentation that is prepared and sealed by a registered design professional that the design and methods of construction **to be used** meet the applicable criteria of this section.

Exception: Piers and docks meeting the requirements of Section R327.

That section does not say inspect and certify the actual construction. After adoption of the Flood Ordinance, the application of requiring a Certification of Finished Construction by the design professional proved to be convoluted. It is impractical and would add unnecessary costs to construction to have a design professional duplicate the inspections currently performed by both the Building Inspector and Floodplain Administrator.

RECOMMENDATION

The Planning Board recommends that the Board of Aldermen conducts a public hearing and approve the amendments to **§ 7.04 (B) (1) (d) (iii) (1); § 7.04 (B) (3) (f) and § 7.05 (G) (9), replacing**

“In addition, prior to the Certificate of Compliance/Occupancy issuance, a registered professional engineer or architect shall certify the finished construction is compliant with the design, specifications and plans for VE Zone construction.”

With former text:

“Prior to the certificate of compliance/occupancy issuance, the Floodplain Administrator may require that a registered professional engineer or architect certify the finished construction is compliant with the design, specifications and plans for VE Zone construction.”

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 Special Meeting Minutes Wednesday, October 21, 2020

Present: Mayor McDermon; Mayor Pro Tem Benson; Aldermen Grant, Leonard, Meyer and Peters; Town Manager Gilbride; Finance Officer Elliott; Town Clerk Oxley; Town Attorney Edes; Financial Consultants, Mr. Doug and Mr. Andrew Carter

I. Call to Order

Mayor McDermon called the meeting to order at 12:38 PM. The Mayor welcomed Mr. Doug and Mr. Andrew Carter.

II. Approval of Agenda

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

III. Financial Presentation & Discussion

Mr. Doug Carter, President and Managing Director of DEC Associates, began the discussion with a summary of prior discussions. He estimates that the Town will be able to pay off the USDA loan in 2026. The Corps project will likely begin in 2022, which means four years of overlap between the two debt obligations. As a reminder, not only is the Town considering the finances for initial construction but also re-nourishment projects that will follow. The advisors' financial analysis is based on project cost projections; hopefully, the Corps' estimates are higher than the actual costs.

The bottom-line question: how does the Town raise money for an additional \$3 million per year? The Board directed DEC to consider the following revenue streams for their review: occupancy tax, paid parking and property taxes. DEC now presents the results of their firm's findings.

Alderman Leonard asked about the precedent for towns that were financially unable to participate in renourishments and how the Corps handled it. The Town Attorney will research.

The Board discussed that some of their concerns have been addressed in conference calls with the Army Corps of Engineers, but those answers have not yet been included in the proposed contract.

Alderman Leonard stated that he was an elected official when the Board decided to proceed with the Phase 5- USDA project. At that time, the Town did not know if or when the Corps' project would occur. The USDA Project was in place before three named storms. Alderman Leonard saw firsthand how the project protected property.

Alderman Grant explained that some people do not understand the research and regulatory process required in this process. The Board, advisors and staff have devoted a lot of time to this project; he does not like the perception that nothing is being accomplished.

Mr. Andrew Carter presented the firm's findings, which are attached. He began by discussing the assumptions that went into the modeling. Mr. Doug Carter added that the parking revenue projections are based on current costs with the lease; if the Town's lease expenses increased, the net gain would decrease. The presented numbers are not recommended policy statements from DEC. The matrix is a starting point for the Board to discuss.

Mayor Pro Tem Benson led with questions. He sees an imbalance in the length of shoreline and the proposed debt. He asked if DEC recommended the MSD approach and if they could address the imbalance.

Mr. Doug Carter responded that the firm is an advocate for researching a variety of resources. With other clients, it is not uncommon for the final solution to have pieces of multiple scenarios incorporated. The firm is not presenting any one solution as the Board's best approach.

Mayor McDermon expressed that the next step is to give direction to DEC as to what additional numbers or scenarios are needed. She asked the Board if they wanted different modeling.

Alderman Grant responded that he would like to see different splits: 50/50, 60/40 and 70/30 between the Town as a whole and the MSD. He also liked Alderman Leonard's suggestion to create two MSDs within Phase 5. NC HWY 210 can serve as the dividing line, so that homes ocean-side of the highway are in one MSD and homes that are inlet-side are the other MSD. Alderman Grant also asked that the projections be graphed.

Alderman Leonard added to the suggestions made by Alderman Grant by asking for a scenario in which only the MSDs pay for the cost of the project. In this scenario, NC HWY 210 splits Phase 5 into two districts. He would like to see different financial splits between these two districts.

Alderman Peters liked Alderman Leonard's suggestion of splitting the cost within Phase 5.

Mayor Pro Tem Benson stated that because of the imbalance of property tax value within the different phases, the Board should consider the implications of future projects. In Phase 5, there should be one MSD, not split between ocean and sound sides. Also, to address imbalance issue, Mayor Pro Tem recommended the split should be based on the percent of property tax value in that phase, which would be 40% absorbed by the MSD and 60% from the Town. Later down the road, when properties are removed from CBRA, he wants an equitable situation for all owners.

Alderman Meyer stated that the current Board does not know what future Boards, projects or federal funding will hold. She suggested to her colleagues to focus on the current project and not be as concerned with future projects. She did not have any additional scenarios to add to the list.

Mayor McDermon only requested that the 50/50 split continue to be considered. She then led a discussion on occupancy tax. Mayor Pro Tem Benson expressed a concern that the increase in occupancy tax may not come into fruition.

Alderman Leonard understands that it is a long process that may end in a "no," but the Board should try.

Mayor Pro Tem addressed occupancy tax and paid parking revenues. He asked if the extra revenue generated is obligated to the Town's USDA loan debt.

Mr. Doug Carter agrees that the Mayor Pro Tem's concern is valid. Mr. Carter believes this project can be kept distinctly separate and presented as such to the LGC.

Mr. Edes read from the Town's Agreement with the LGC. He believes the contract gives room for negotiations.

Mayor McDermon thanked the advisors for their work. The Mayor also asked if any of her colleagues feel uncomfortable with the way the Town is approaching new revenue streams to afford "the federal project." No one indicated a concern.

IV. Tasks to be Completed

Mayor McDermon led the discussion by reviewing the list of tasks provided by the financial advisors.

Mayor McDermon called on Alderman Leonard to provide additional information on the paid parking project. Alderman Leonard explained that he and the Town Manager have been discussing and working through the issues. One issue that the Board will need to address at a later date is off-street parking. He believes that paid parking can roll out by spring.

The Town Attorney will identify the issues with the loan documents and work with Mr. Carter to determine what the Town needs in writing.

Mr. Carter suggested that if the Board decides to sign the PPA soon, he believes the signature needs to have a condition that the Town's participation is subject to LGC approval.

Alderman Grant stated that it seems the Board supports the project, contingent upon securing the needed revenues.

Mayor McDermon asked the financial advisors to approach the LGC with a cursory explanation of the Town's situation and see how much advanced notice they will need for a meeting.

Mayor McDermon asked staff to release the financial materials to the public for their review; she requested that Town Manager Gilbride write an explanation to help navigate the public through the information. The Town Attorney added that the manager's introduction should also explain that the financial advisors' work product is not a recommendation.

V. Adjournment

Alderman Peters made a motion to adjourn. Alderman Grant seconded. The Motion passed unanimously, 5-0.

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Town of North Topsail Beach
Board of Alderman Meeting
October 21, 2020
Needed Actions for USACE (Corps) Nourishment Project



Background: In previous discussions with staff and the Board of Alderman a number of actions have been discussed or mentioned as potentially needed. Based upon discussion with Town (NTB) staff we present the following list of actions and potential time frame for completion as a means to begin discussion of a calendar of future events. Additionally, the actions will outline the breadth and depth of the process necessary to move forward with final approval of a tri-party Project Partnership Agreement (PPA).

Potential Needed Actions:

- 1) Defining the Municipal Service Districts (MSDs) and values in each within NTB.
- 2) Determining the NTB revenue impacts and how quickly parking fees and Occupancy Tax (OT) can be implemented. Parking land leases, County involvement and agreement and N.C. legislative action are parts of the implementation/approval process.
- 3) Negotiating additional terms and changes to current terms inside the PPA with the Corps, NTB and Surf City (SC). Current document does not give/provide adequate financial and other protections or clarity for NTB. To name one as example - Joint and Several clause - deal breaker? Separate projects - solution?
- 4) Loan document development, consistent with N.C. financing statutes, to define loan terms, collateral and other essential items to enter a loan with NTB and Corps (SC?).
- 5) Finalize an NTB financial/affordability model for the Corps project and other needed capital improvements that defines total revenue needs and affordability.
- 6) Meeting with the Local Government Commission (LGC) for update on financial model results and compliance with the NTB/LGC USDA Prepayment Agreement. Given the potential overlap of the USDA loan and a loan with the Corps, a financial plan outlining how the two project debt service payments will operate in tandem and blended affordability will be part of the update.
- 7) Determining other NTB capital needs, including est. cost, timing and revenue source.
- 8) A number of others are likely as the process proceeds.

Potential Time Frame;

- 1) A number of the previous actions can proceed in tandem. 1,2,3,4, 5,7 as examples.
- 2) Numbers 3 and 4 could take weeks to complete, given this is the first Corps loan offered from the regional office and infrequent use nationally.
- 3) Number 2 will consume significant time related to parking land lease(s) and the County approval process and need to move to legislative action for any change to the Occupancy Tax.
- 4) Number 6 would occur once the progress of 1 through 5 have provided reliable potential for occurrence of each of them or alternatives exist that provide equivalent outcomes.

- 5) Removing legislative action need, total process could be a number of weeks. Assumes Corp document changes can occur. If SC signs the PPA and NTB becomes partners by use of an interlocal agreement timing could be shortened.

North Topsail Beach
October 21, 2020
Meeting on USACE Beach Project - Financial Metrics



Key Assumptions:			
Town's Project Cost	\$	16,500,000	
Estimated D/S	\$	3,000,000	/yr for 7 years
Renourishment Cost	\$	10,900,000	+ every 5-7yrs
Parking Revenue (est)	\$	550,000	
1% OT Revenue (est)	\$	350,000	
Valuation	\$	1,000,000,000	Town-wide 1¢ = \$100,000
	\$	410,000,000	Phase 5 MSD 1¢ = \$41,000
Theoretical Split		Phase 5 MSD	Town
		50%	50%

Revenue Matrix							
	Parking	New 1% Occ. Tax	Phase 5 MSD PT	¢ needed	Townwide PT	¢ needed	Total Revenue
Scenario 1 - All Sources							
Only Phase 5 MSD	\$ 550,000	\$ 350,000	\$ 2,100,000	51	\$ -	0	\$ 3,000,000
50%/50% split	\$ 550,000	\$ 350,000	\$ 1,050,000	26	\$ 1,050,000	11	\$ 3,000,000
Scenario 2 - Parking & PT							
Only Phase 5 MSD	\$ 550,000	\$ -	\$ 2,450,000	60	\$ -	0	\$ 3,000,000
50%/50% split	\$ 550,000	\$ -	\$ 1,225,000	30	\$ 1,225,000	12	\$ 3,000,000
Scenario 3 - OT & PT							
Only Phase 5 MSD	\$ -	\$ 350,000	\$ 2,650,000	65	\$ -	0	\$ 3,000,000
50%/50% split	\$ -	\$ 350,000	\$ 1,325,000	32	\$ 1,325,000	13	\$ 3,000,000

Scenario 4 - PT Only										
Only Phase 5 MSD	\$	-	\$	-	\$ 3,000,000	73	\$	-	0	\$ 3,000,000
50%/50% split	\$	-	\$	-	\$ 1,500,000	37	\$	1,500,000	15	\$ 3,000,000

Tax Rate Matrix						
	Current Town PT	Current County PT	Phase 5 MSD PT	New Town PT	Total Levy (in MSD)	Total Levy (out MSD)
Scenario 1						
Only Phase 5 MSD	41	71	51	0	163	112
50%/50% split	41	71	26	11	148	123
Scenario 2						
Only Phase 5 MSD	41	71	60	0	172	112
50%/50% split	41	71	30	12	154	124
Scenario 3						
Only Phase 5 MSD	41	71	65	0	177	112
50%/50% split	41	71	32	13	158	125
Scenario 4						
Only Phase 5 MSD	41	71	73	0	185	112
50%/50% split	41	71	37	15	164	127

* Every \$100,000 = @1¢ Town Wide @2.5¢ Phase 5 MSD



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 Special Meeting Minutes Saturday, October 31, 2020 9:30 A.M.

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

I. Call to Order

Mayor McDermon called the Meeting to order.

II. Approval of Agenda

Alderman Peters made a motion to approve the Agenda. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

Alderman Leonard made a motion to enter closed session for the purpose stated on the Agenda. Alderman Grant seconded. The Motion passed unanimously, 5-0.

III. 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

Alderman Leonard made a motion to return to open session. Alderman Grant seconded. The Motion passed unanimously, 5-0.

IV. Public Comment

The Clerk announced those who signed up to provide comment. The following individuals provided input on the federal project:

- Mr. Steve Kozlowski of 1524 Wahoo Street

- Mr. Joseph Vohfwinkel of 457 Ocean Drive
- Ms. Gay Jenkins of 214 and 216 Bayview Drive
- Mr. John Owens of 3606 Island Drive

V. Financial Presentation & Discussion

Mr. Doug Carter, President and Managing Director of DEC Associates, participated remotely. He presented different financial scenarios as directed by the Board. Those materials are attached.

Alderman Grant asked that future projections appear on a graph. Mayor Pro Tem Benson asked for an additional scenario, one in which the proposed federal project expenditure is divided 40% towards the MSD and 60% towards a town-wide tax. Mr. Carter suggested to the Board that determining tighter parameters will help with the presentation of scenarios, because too many scenarios makes the information difficult to digest. He supports exploring all options, but he cautioned against relying too heavily on scenarios that are unlikely.

Alderman Leonard expressed concern that some of the revenues will take time to put in place. Mr. Carter expressed that an important initial step is to have a local delegation support an increase in occupancy tax. Without strong local support, it becomes increasingly difficult.

Mr. Carter provided an update on his conversations with the Local Government Commission ("LGC"). He explained the Town's current debt obligations and timeframes on retiring that debt. He also explained the revenue options the Town is exploring. The LGC understands that this is a unique opportunity, and they welcome a meeting with the Town. He believes the Town could have a meeting with the LGC in the next few weeks to formally present.

The LGC will want to analyze the worst-case scenario, meaning a scenario in which the Town can only pay for the project through an increase in property taxes.

VI. Call for Vote on the Joint Army Corps of Engineers, North Topsail Beach and Surf City Project

Mayor McDermon asked if any of the aldermen would like to make a motion.

Alderman Leonard made a motion to authorize the Town Attorney to inform the United States Army Corps of Engineers that North Topsail Beach intends to move forward with the project and will sign the PPA at the appropriate time. Mayor Pro Tem Benson seconded.

Alderman Grant stated his support with the caveat that the Town receives the necessary approvals, such as the approval of the LGC. Town Attorney Edes

added that he will memorialize his conversation with the Army Corps of Engineers' attorney.

The Mayor called for a vote on the motion. The Motion passed unanimously, 5-0.

VII. Adjournment

Alderman Leonard 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: 11/ /2020

North Topsail Beach
October 27, 2020
USACE Beach Project - Financial Metrics

Version 2



Key Assumptions:				
Town's Project Cost	\$	16,500,000		
Estimated D/S	\$	3,000,000	/yr for 7 years	
Renourishment Cost	\$	10,900,000	+ every 5-7yrs	
Parking Revenue (est)	\$	550,000		
1% OT Revenue (est)	\$	350,000		
	\$	1,000,000,000	Town-wide	1¢ = \$100,000
Valuations	\$	412,000,000	All Phase 5 MSD	1¢ = \$41,200
	\$	232,000,000	Phase 5 MSD - Oceanside	1¢ = \$23,200
	\$	180,000,000	Phase 5 MSD - Soundside	1¢ = \$18,000
		<u>Phase 5 MSD</u>	<u>Town</u>	
Theoretical Split		50%	50%	

	Parking	New Occ. Tax	Phase 5 MSD - Phase 5 MSD - Phase 5 MSD - Phase 5 MSD -				Townwide PT	Townwide ¢ needed	Total Revenue
			Oceanside PT	Oceanside ¢ needed	Soundside PT	Soundside ¢ needed			
Scenario 1 - All Sources									
1a - Phase 5 MSD (50/50); 1% OT	\$ 550,000	\$ 350,000	\$ 1,050,000	45	\$ 1,050,000	58	\$ -	0	\$ 3,000,000
1b - Phase 5 MSD (50/50); 2% OT	\$ 550,000	\$ 700,000	\$ 875,000	38	\$ 875,000	49	\$ -	0	\$ 3,000,000
1c - Phase 5 MSD (50/50); 3% OT	\$ 550,000	\$ 1,050,000	\$ 700,000	30	\$ 700,000	39	\$ -	0	\$ 3,000,000
1d - Phase 5 MSD (50/50); 1% OT; Split Townwide	\$ 550,000	\$ 350,000	\$ 525,000	23	\$ 525,000	29	\$ 1,050,000	11	\$ 3,000,000
1e - Phase 5 MSD (50/50); 2% OT; Split Townwide	\$ 550,000	\$ 700,000	\$ 437,500	19	\$ 437,500	24	\$ 875,000	9	\$ 3,000,000
1f - Phase 5 MSD (50/50); 3% OT; Split Townwide	\$ 550,000	\$ 1,050,000	\$ 350,000	15	\$ 350,000	19	\$ 700,000	7	\$ 3,000,000
1g - Phase 5 MSD (70/30); 1% OT	\$ 550,000	\$ 350,000	\$ 1,470,000	63	\$ 630,000	35	\$ -	0	\$ 3,000,000
1h - Phase 5 MSD (70/30); 2% OT	\$ 550,000	\$ 700,000	\$ 1,225,000	53	\$ 525,000	29	\$ -	0	\$ 3,000,000
1i - Phase 5 MSD (70/30); 3% OT	\$ 550,000	\$ 1,050,000	\$ 980,000	42	\$ 420,000	23	\$ -	0	\$ 3,000,000
1j - Phase 5 MSD (70/30); 1% OT; Split Townwide	\$ 550,000	\$ 350,000	\$ 735,000	32	\$ 315,000	18	\$ 1,050,000	11	\$ 3,000,000
1k - Phase 5 MSD (70/30); 2% OT; Split Townwide	\$ 550,000	\$ 700,000	\$ 612,500	26	\$ 262,500	15	\$ 875,000	9	\$ 3,000,000
1l - Phase 5 MSD (70/30); 3% OT; Split Townwide	\$ 550,000	\$ 1,050,000	\$ 490,000	21	\$ 210,000	12	\$ 700,000	7	\$ 3,000,000
1m - Phase 5 MSD (60/40); 1% OT	\$ 550,000	\$ 350,000	\$ 1,260,000	54	\$ 840,000	47	\$ -	0	\$ 3,000,000
1n - Phase 5 MSD (60/40); 2% OT	\$ 550,000	\$ 700,000	\$ 1,050,000	45	\$ 700,000	39	\$ -	0	\$ 3,000,000
1o - Phase 5 MSD (60/40); 3% OT	\$ 550,000	\$ 1,050,000	\$ 840,000	36	\$ 560,000	31	\$ -	0	\$ 3,000,000
1p - Phase 5 MSD (60/40); 1% OT; Split Townwide	\$ 550,000	\$ 350,000	\$ 630,000	27	\$ 420,000	23	\$ 1,050,000	11	\$ 3,000,000
1q - Phase 5 MSD (60/40); 2% OT; Split Townwide	\$ 550,000	\$ 700,000	\$ 525,000	23	\$ 350,000	19	\$ 875,000	9	\$ 3,000,000
1r - Phase 5 MSD (60/40); 3% OT; Split Townwide	\$ 550,000	\$ 1,050,000	\$ 420,000	18	\$ 280,000	16	\$ 700,000	7	\$ 3,000,000

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, November 5, 2020 6:30 P.M.

Present: 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 Leonard 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 approve the agenda. Alderman Leonard seconded for discussion.

Mayor McDermon suggested adding a topic, the proposed Holly Ridge Annexation Agreement, under New Business. Alderman Grant made the motion.

Mayor Pro Tem Benson made a motion to approve as modified. Alderman Grant seconded. The Motion passed unanimously, 5-0.

V. Manager's Report

Town Manager Gilbride delivered the Manager's report, which is attached.

Mayor Pro Tem Benson asked about the liability issues in the proposed revetment contract. Mr. Gilbride reported that he asked for an indemnification. He has not received a response.

Alderman Grant asked about the Onslow County parking area. Mayor McDermon noted that ocean-side construction is stalled until mid-November. Alderman Leonard noted that the current state of the access is a concern especially considering the upcoming high tides.

VI. Open Forum

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

The Clerk read comments from: 1) Mrs. Rebecca Dickson of 113 Barton Bay Court and 2) Mr. Tom and Ms. Liz Beckingham of 1896 New River Inlet Rd.

VII. Public Presentations and Hearings

A. Status Update and Possible Presentation of Bids

Mr. Jim Stumbo of Stewart, Cooper and Newell delivered the results of the bids. The Town received five bids. The lowest apparent bidder was Atlantic Contracting with a total base bid of \$1,027,000 base bid. The bids are good for sixty days.

Mayor McDermon asked staff to reach out to FEMA about more funding. She also suggested a private adjuster.

Alderman Leonard asked Mr. Stumbo if he was surprised. Mr. Stumbo responded that he was not. The figures are in alignment with today's construction costs.

Mayor Pro Tem Benson asked about a metal roof. Mr. Stumbo said it is an alternate bid option.

Alderman Grant asked if Stumbo recommended all alternates. Mr. Stumbo responded in the affirmative.

Mayor McDermon stated her intent to move quickly to a decision, but she also asked staff to research the funding issues before the Board takes action.

Alderman Grant asked if the Board could give staff the authority to enter into the contract so long as the Town Manager and Finance Officer confirm the funds are available.

Mayor Pro Tem Benson disagreed. He encouraged the Board to explore external funding before proceeding.

Alderman Grant stated that the Town has put this out for bid twice. The engineer reports that the bids are reasonable.

By consensus, the Board directed the Town Attorney and Town Manager to hire an independent adjuster.

B. Coastal Engineer Update

Mr. Fran Way of ATM Consulting presented his monthly report (see attached).

Alderman Meyer asked about easements. Mr. Edes confirmed the easements were obtained.

Mayor Pro Tem Benson asked if a particular borrow area is affected by the Audubon lawsuit. Mr. Way responded that the borrow area is far enough offshore to be outside of CBRA and not impacted by the lawsuit.

Mayor Pro Tem Benson asked about the details of the category b truck haul. In particular, the Mayor Pro Tem asked Mr. Way if a staging location had been selected. Mr. Way responded that a few parking lots and other areas, such as Goldsboro Lane, have been selected.

Mayor Pro Tem Benson received questions from homeowners about stairs in the project area. Should the stairs be removed prior to the restoration work? He noted that the contractors who managed the Hurricane Matthew project did an excellent job working around these structures. Mr. Way agreed that the contractors can work around the stairs and other structures.

Mayor Pro Tem asked about the pros and cons of a truck haul versus a dredge project. Mr. Way replied that the truck haul bids were financially competitive. While dredges can work faster, truck hauls have advantages too. At this time, the truck haul is the most efficient option.

VIII. Consent Agenda

- A.** Approval of Minutes ([October 1, 2020](#); [October 21, 2020](#); [October 31, 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. MOTV Tax Return
- E. Surplus Vehicle
- F. Budget Amendment

Alderman Grant made a motion to approve the Consent Agenda as presented. Alderman Leonard second. The Motion passed unanimously, 5-0.

IX. Continuing Business

A. Revenue/Federal Project Discussion

1. 1% Occupancy Tax
2. 3% Occupancy Tax
3. Paid Parking

Alderman Grant asked about the proposed legislation that would allow North Topsail Beach to collect an additional 1% of occupancy tax.

Mr. Edes provided some guidance. He will research the status of the bill and whether a sunset provision exists. He will also provide guidance as to how the Town can move forward in enforcement.

Regarding paid parking, Alderman Grant asked if the Town could place kiosks and implement soon. Alderman Grant acknowledged concerns about parking at the south end of Town, but he also asked if the Town could move forward while it continues to work through the issues.

Town Manager Gilbride stated that he is trying to avoid the overhead costs of six kiosks. The current plan calls for the Town to purchase, not lease, the machines and retain the maintenance liability. He does not know that these suggestions in the plan are necessary. Mr. Gilbride also explained that there are a few more questions to work through, such as paid parking for golfcarts, kiosk locations and alternative options.

Mayor McDermon asked staff to formulate a plan to move forward.

B. CAMA Land Use Plan

Planning Director Hill presented to the Board (attached memo). Ms. Hill worked with Consultant Landin Holland to review the requested revisions. The Planning Board reviewed and recommended the presented plan for Board approval.

Alderman Leonard made a motion to approve. Alderman Grant seconded.

Mayor Pro Tem Benson commended Planning Director Hill, the Planning Board and Mr. Holland for the revisions; he thanked them for their work.

The Mayor called for a vote. The Motion passed unanimously, 5-0.

C. Planning Director's Recommendation for Osprey Request

Planning Director Hill presented her report (attached).

Mayor McDermon asked whose responsibility it is to work with the private lot owners regarding parking. Ms. Hill stated that she would like to work with the HOA to notify private property owners.

Mayor McDermon asked if the HOA will pay the expense of moving or shortening the boardwalk. Ms. Hill stated that this can be a condition of approval.

Ms. Hill added that the Planning Board also recommended "golf cart only" signage, which may not be in the presented report.

Alderman Grant suggested that the Town Attorney contact the homeowners, in writing, to explain the conditions of approval and potential liabilities. It was also recommended that Planning Director Hill write a letter to property owners and ask the HOA president to sign.

Alderman Peters explained that there are two separate community groups and both should be consulted.

There was a consensus.

X. New Business

A. NC Coastal Community Resiliency

Mayor Pro Tem Benson introduced Ms. India Mackinson, who presented remotely. Ms. Mackinson presented the attached.

Mayor Pro Tem Benson suggested to the Board that the next steps would be a core leadership team comprised of staff, elected officials and other stakeholders.

Mayor McDermon suggested that the group be expanded to an island-wide effort.

Mayor Pro Tem Benson offered to speak to the Chairman of the TISPC.

B. Ordinances Driving on the Beach

Mayor McDermon introduced the item. Mr. Edes stated that, outside of bona fide commercial fisherman, the Town can regulate driving on the beach.

After discussion, Mr. Edes recommended that staff edit the current ordinance and bring back before the Board for their approval.

C. Board's Meeting Schedule

Mayor McDermon introduced the item. She stated that this item does not require action. She wanted to initiate discussion.

Alderman Meyer stated that COVID numbers are increasing. Mayor Pro Tem Benson recommended keeping the meetings closed to the public for now and revisit reopening next calendar year.

D. TISPC 2021 Goals

Mayor Pro Tem Benson presented the work product of the Town's TISPC representatives' goals.

He asked that if anyone has additional goals, please let the Mayor Pro Tem or Alderman Leonard know by November 15th.

Alderman Leonard commented that the big change from last year is the incorporation of a state-level goal of financing a terminal groin project.

E. Annexation Request from Holly Ridge

Mr. Edes presented the topic. Holly Ridge is proceeding with a voluntary annexation for property near the North Topsail Beach. The property is technically closer to North Topsail Beach limits than Holly Ridge. Given

the location of the property, Mr. Edes doubts the Town would have any interest in it now or in the future. He recommends the Board consent to the annexation.

The owners' representative spoke. The property is a 97 acres plat that is currently zoned rural agriculture. The owners want to develop the land, and they would like for it to be in city limits. Holly Ridge is the most convenient municipality.

Mr. Edes clarified that the land is closer to North Topsail Beach on a map, but to access it directly from North Topsail Beach, the Town would need a bridge.

XI. Attorney's Report

During the special meeting on Halloween, The Board of Aldermen instructed the Town Attorney to notify the Army Corps of Engineers of its intention to sign the PPA, contingent upon LGC approval.

XII. Mayor's Report

The Mayor reported that the Town has been working through a financial plan with DEC. The simple, magic answer does not exist. The Board is holding a series of work sessions to determine the most viable options.

XIII. Aldermen's Report

Alderman Peters thanked his colleagues and staff for their hard work. He is encouraged that the Town is pursuing bids for town hall restoration.

Alderman Meyer thanked everyone who watched the meeting. She also thanked Town staff. She wished everyone a Happy Thanksgiving. Even though 2020 has been crazy, we have many things to appreciate. She also wished a Happy Veterans' Day to those who served.

Mayor Pro Tem Benson and Town Manager Gilbride met with a state representative in Topsail Beach. They wanted the representative to see firsthand the issues the Island is facing. Mayor Pro Tem specifically asked the representative about the State's share for the federal project. The Mayor Pro Tem and the Town Manager were told that the request had not yet been approved, but he will continue to renew the requests by placing them in the budget.

Alderman Leonard expressed his appreciation for those who joined the meeting. There are a lot of moving parts with the federal project. The Board is committed to doing what is right. He wished everyone a Happy Thanksgiving. He also

wished the world's finest fighting force a Happy Birthday. He also wished all of the veterans a Happy Veterans Day; he especially noted those on staff and board members who served. Alderman Leonard announced that the NCBIWA's conference is coming up on Monday and Tuesday. On a more somber note, he took time to honor the service and sacrifice of Gunnery Sgt. Boatman, who died on November 4, 2005 from wounds sustained from improvised explosive device.

Alderman Grant thanked everyone for attending. He did not have a report, as he thought it was more appropriate to close on Alderman Leonard's comments.

XIV. Adjournment

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

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 12/03/2020



Manager's Report – November 5, 2020 Board Meeting

USACOE Federal Project

Please see my October 9th Activity Report for Background

The difficulty facing the governing body in North Topsail Beach has been how to finance our participation in the project. The Board of Aldermen recognize that although the project will address only the southern four miles of town, the Corps of Engineers' project would be a tremendous benefit to the entire town.

The staff, board, and consultants have worked tirelessly to determine whether or not the Town can develop a strategy to put us in a position to move forward with confidence. At a meeting of the Board of Aldermen held yesterday Mr. Doug Carter of DEC Associates presented the Board with financial scenarios to consider as options to move forward. The plan addresses new revenues, such as Paid Parking receipts and increased occupancy taxes, as well as the inevitable increases in Property Tax.

DEC Associates prepared a matrix for the Board's consideration (which I will attached to the end of this report) that offered several scenarios and illustrated the tax implications of various alternatives. Simply put, the Town must generate an additional \$3,000,000 per year in new revenues to pay the initial project cost of Corps of Engineers beach work, and accumulate funds to pay for the periodic beach renourishment required by the Corps over the 50 year life of the project.

DEC was asked to provide the board, as a starting point for discussion, four scenarios – one taking into consideration parking, occupancy tax, and property tax, one using only parking and property tax, one using only 1% occupancy tax and property tax, and one using only property tax. Each was shown with the project area (Municipal Service District – Phase 5) bearing the full cost, and with that cost being shared 50% Town Wide, 50% Municipal Service District.

By way of illustration, Scenario #1 shows that with all revenue sources considered and only the MSD paying the costs, a \$0.51 per \$100 of valuation tax increase would be required for each home in the MSD. An alternative cost sharing proposal is also provided in this scenario that shows that with the 50/50 split, MSD residents would see a \$0.26 increase, while the rest of North

Topsail Beach residents as a whole would see an increase \$0.11. If you look at Scenario #4, financing with just property tax, the MSD would see an increase of \$0.73 per \$100 of valuation.

The tax rate matrix at the bottom simply shows the effect of each scenario on the residents' total tax bill.

It should be noted that these percentages were simply intended to start a discussion, and no decision has been made – in fact, the Board has requested DEC to come up with several additional scenarios (60/40, 70/30, etc ... and a split MSD) to review prior to making any decision. It should also be noted that DEC has not, and does not, make any recommendation on the mechanism. That is a policy decision for the Board of Aldermen.

North Topsail Beach
October 21, 2020
Meeting on USACE Beach Project - Financial Metrics



Key Assumptions:			
Town's Project Cost	\$	16,500,000	
Estimated D/S	\$	3,000,000	/yr for 7 years
Renourishment Cost	\$	10,900,000	+ every 5-7yrs
Parking Revenue (est)	\$	550,000	
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Valuation	\$	1,000,000,000	Town-wide 1¢ = \$100,000
	\$	410,000,000	Phase 5 MSD 1¢ = \$41,000
Theoretical Split		Phase 5 MSD	Town
		50%	50%

Revenue Matrix								
	Parking	New 1% Occ. Tax	Phase 5 MSD PT	¢ needed	Townwide PT	¢ needed	Total Revenue	
Scenario 1 - All Sources								
Only Phase 5 MSD	\$ 550,000	\$ 350,000	\$ 2,100,000	51	\$ -	0	\$ 3,000,000	
50%/50% split	\$ 550,000	\$ 350,000	\$ 1,050,000	26	\$ 1,050,000	11	\$ 3,000,000	
Scenario 2 - Parking & PT								
Only Phase 5 MSD	\$ 550,000	\$ -	\$ 2,450,000	60	\$ -	0	\$ 3,000,000	
50%/50% split	\$ 550,000	\$ -	\$ 1,225,000	30	\$ 1,225,000	12	\$ 3,000,000	
Scenario 3 - OT & PT								
Only Phase 5 MSD	\$ -	\$ 350,000	\$ 2,650,000	65	\$ -	0	\$ 3,000,000	
50%/50% split	\$ -	\$ 350,000	\$ 1,325,000	32	\$ 1,325,000	13	\$ 3,000,000	
Scenario 4 - PT Only								
Only Phase 5 MSD	\$ -	\$ -	\$ 3,000,000	73	\$ -	0	\$ 3,000,000	
50%/50% split	\$ -	\$ -	\$ 1,500,000	37	\$ 1,500,000	15	\$ 3,000,000	

Tax Rate Matrix						
	Current Town PT	Current County PT	Phase 5 MSD PT	New Town PT	Total Levy (in MSD)	Total Levy (out MSD)
Scenario 1						
Only Phase 5 MSD	41	71	51	0	163	112
50%/50% split	41	71	26	11	148	123
Scenario 2						
Only Phase 5 MSD	41	71	60	0	172	112
50%/50% split	41	71	30	12	154	124
Scenario 3						
Only Phase 5 MSD	41	71	65	0	177	112
50%/50% split	41	71	32	13	158	125
Scenario 4						
Only Phase 5 MSD	41	71	73	0	185	112
50%/50% split	41	71	37	15	164	127

* Every \$100,000 = @1¢ Town Wide @2.5¢ Phase 5 MSD



There remain additional concerns with some of the language in the Project Partnership Agreement with the Corps of Engineers which the town attorney will address with the Corps

personnel. While the Corps is clearly not willing to make substantive changes to the PPA, it may be possible to clarify certain items with an addendum to the agreement.

The Board of Aldermen will review additional scenarios to be provided by DEC Associates with an eye toward a final vote on the project prior to month end.

Capital Improvement/Fire Station

While DEC Associates has been focused on the financing alternatives for the Federal Project, the additional capital requirements of North Topsail Beach remain an important part of their charge. Financing “hard assets” may be less problematic than the financing of sand.

Revetment

The sandbag revetment repair project has been stalled waiting for the project engineer to assemble a bid package that would comply with North Carolina purchasing regulations. Early this week the engineer communicated some of the challenges he’s faced with assembling this package, but he expects to have this completed shortly at which point it will be presented to the Revetment Committee and subsequently put out for bid.

Town Park Repairs

We continue to monitor the effects of salt water overwash from the County beach access across the street on the new sod; hopefully the damage and discoloration seen after recent flooding is temporary and the grass will bounce back. The installation of a cover for the sprinkler system pumping equipment, and training on the adjustment of the sprinkler heads, should be completed this week.

Town Hall

A bid opening was conducted Tuesday, Oct 13 @ 2:00 PM, however only two bids were submitted due to multiple contractors experiencing difficulty meeting bonding requirements. As two bids are insufficient, neither was opened, the project has been readvertised, and a second bid opening has been scheduled for 10/29.

Florence Project

Agreements for the project are being finalized, and the truck haul is expected to begin before year end once final FEMA review is completed and the project approved. This project will restore the dunes lost with Hurricane Florence from approximately the Myrtle Ave beach crossing north to the Topsail Reef Condominiums. A second phase will restore the engineered beach in Phase 5 during the 2020 – 2021 sand nourishment window.

Annexation

The original charter for the Town of North Topsail Beach specifically prohibits the Town from annexing any properties across the Intracoastal Waterway, voluntarily or otherwise. As there has been some interest expressed in voluntary annexation, I have asked the Town Attorney to advise on how we can go about effecting a change in the charter to lift this restriction.

Beach Access #2

Restoration of Beach Access #2 was completed, and shortly thereafter offshore storm effects rendered the access unusable. One of the advantages of the Hatteras Ramp used here is that it can be removed or retracted easily, and this has been done. With the arrival of Autumn we will likely not fully restore the access until after the Florence truck haul project is completed.

Onslow County

Following the high tides and storm surge caused by an offshore hurricane last month we have been particularly attentive to the issue of high tides washing through the County property, over the street and flooding the recently restored Town Park. Construction materials are also washed onto and across New River Inlet Road.

The project itself involves the restoration of the Onslow County concession building and beach access due to damage sustained in September of 2018 with Hurricane Florence. In a meeting attended by Mayor McDermon, Commissioner Bright, Commissioner Royce Bennett, County Managers and me on May 4th of this year the two projects – the County Access and our Town Park Restoration – were discussed. We explained that our target completion date for the park was (at the time) July 4th Weekend. County personnel indicated that their project would be completed at the end of July. This target was also referenced by Director of Parks and Recreation Janis Steele in the Journal News on June 5, 2019.

While it is not for me to evaluate the county's contractor, work proceeded at a snail's pace, local permits were never obtained, local input on the proposed project design was never solicited, work was performed outside the scope of the CAMA permit, and no effort was made to mitigate damage to the dune protecting the county structure, the parking lot, New River Inlet Road, or the newly repaired town park.

With the forecast last week of unusually high "King Tides" for the weekend we again made efforts to protect our park investment by pushing to be allowed to build a protective berm, much as we did (without permission) in advance of Hurricane Isaias. The county refused to allow us to take any action due to concerns that any effort to do so would jeopardize their FEMA reimbursement.

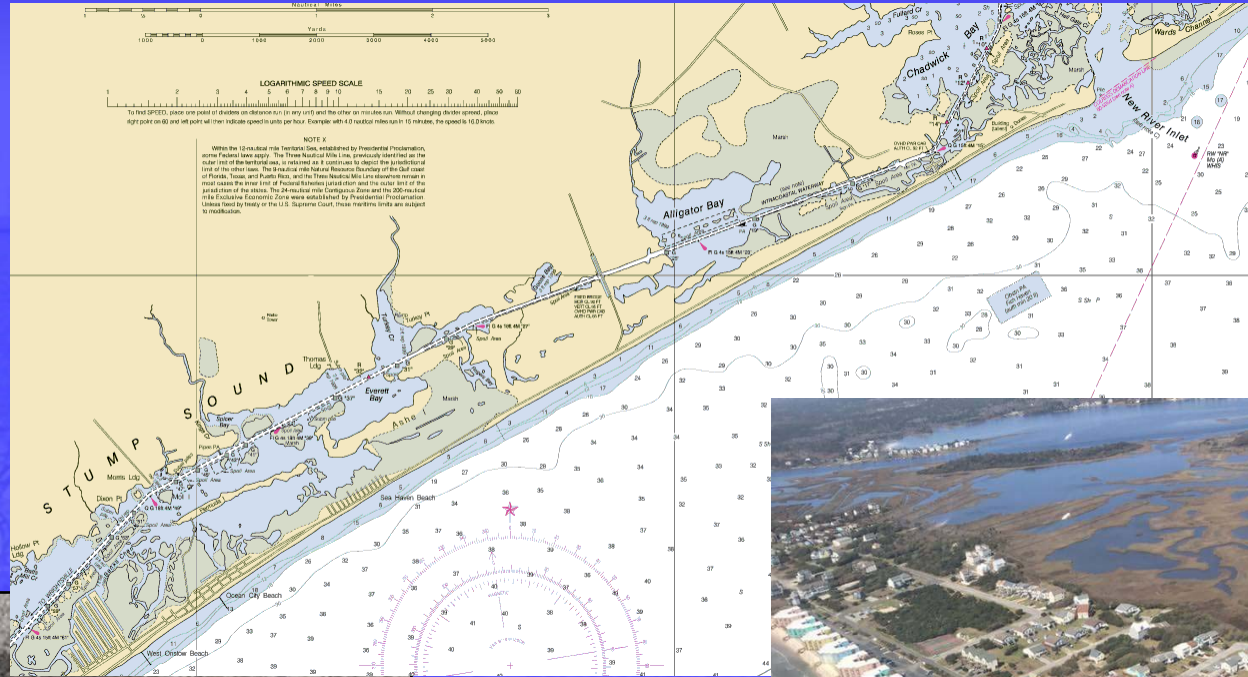
Town personnel contacted both CAMA and FEMA personnel in an effort to resolve the impasse. FEMA personnel indicated that while creating a berm by pushing the parking lot (as in Isaias) might jeopardize reimbursement, pushing from the beach would not. CAMA indicated they could give us a permit to do so, but only with the permission of the property owner, Onslow County.

NTB had a bulldozer on the beach ready to push this berm immediately upon receipt of the permission; despite our best efforts we could not get a response from the county, the bulldozer was withdrawn, and we crossed our fingers hoping for the best. As luck would have it the tides did not reach a level where flooding occurred.

Corps of Engineers: ICW Crossing and Channel to Jacksonville Dredging Inlet Dredge

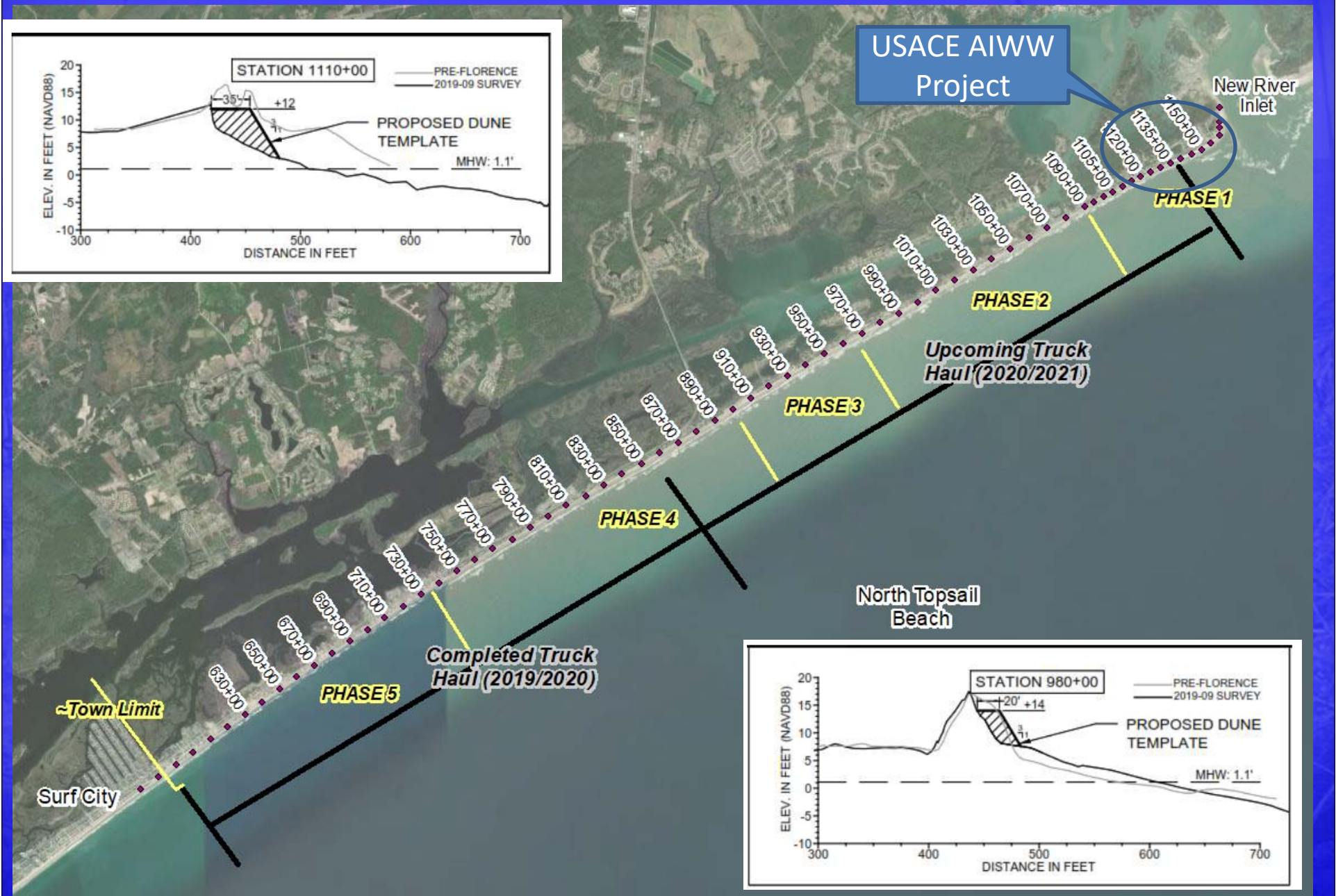
Originally scheduled for the 2019-2020 environmental window, the dredge contractor was unable to complete the contract with the Corps. The contract remains open and active, with the contractor obligated to complete the project during the 2020-2021 environmental window. During a conference call/WEBEX meeting two weeks ago the dredge schedule showed the project to take place between November 16, 2020 and April 30th, 2021, though the dredge contractor has some discretion in scheduling; Alderman Benson has asked for a more specific date for the commencement of dredging activities and the placement of sand on the north end beach. The expected volume of sand to be placed is 250,000 cu yds. We have not yet received an update on the schedule.

Topsail Beach Coastal Update – November 2020



Marina, Coastal, Environmental
& Water Resources Engineers

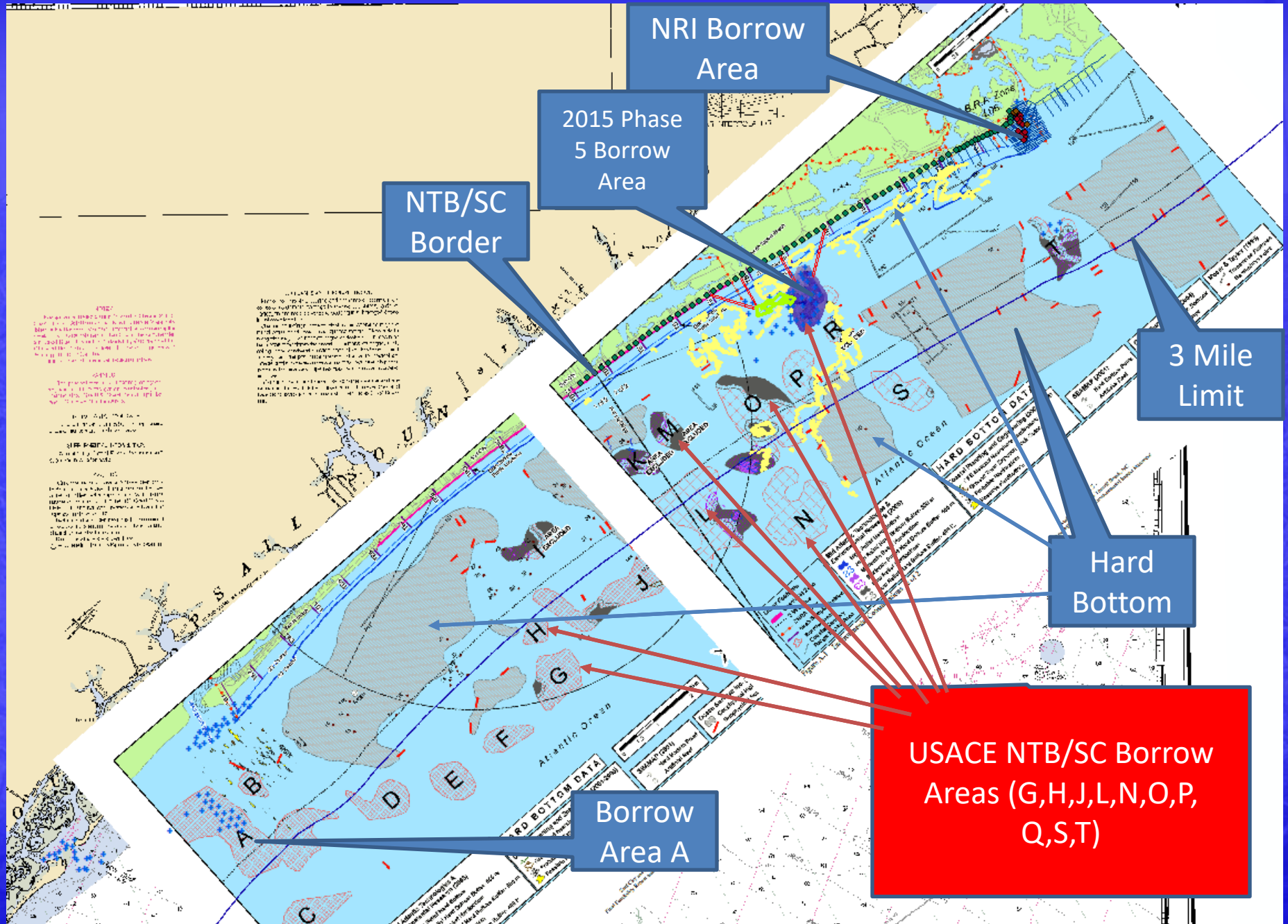
Truck Haul and USACE AIWW Project



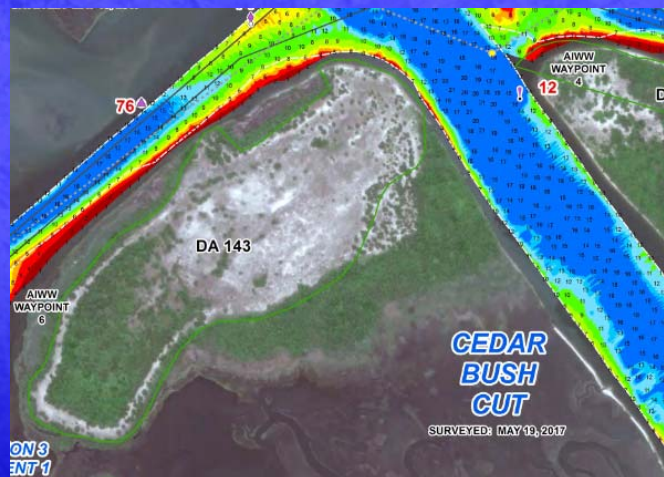
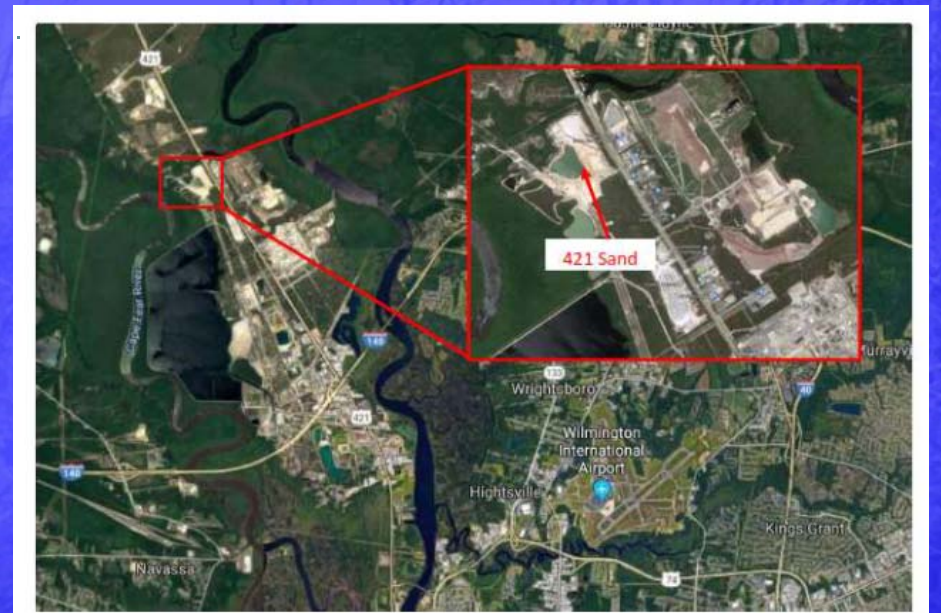
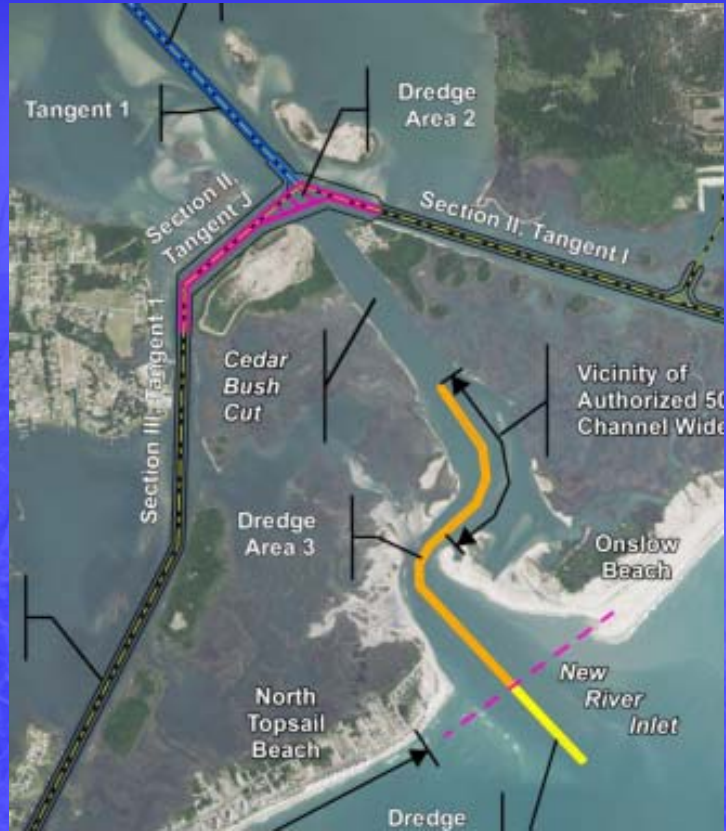
FEMA Florence Cat G (Engineered Beach) and Cat B (Dune on "Natural" Beach)



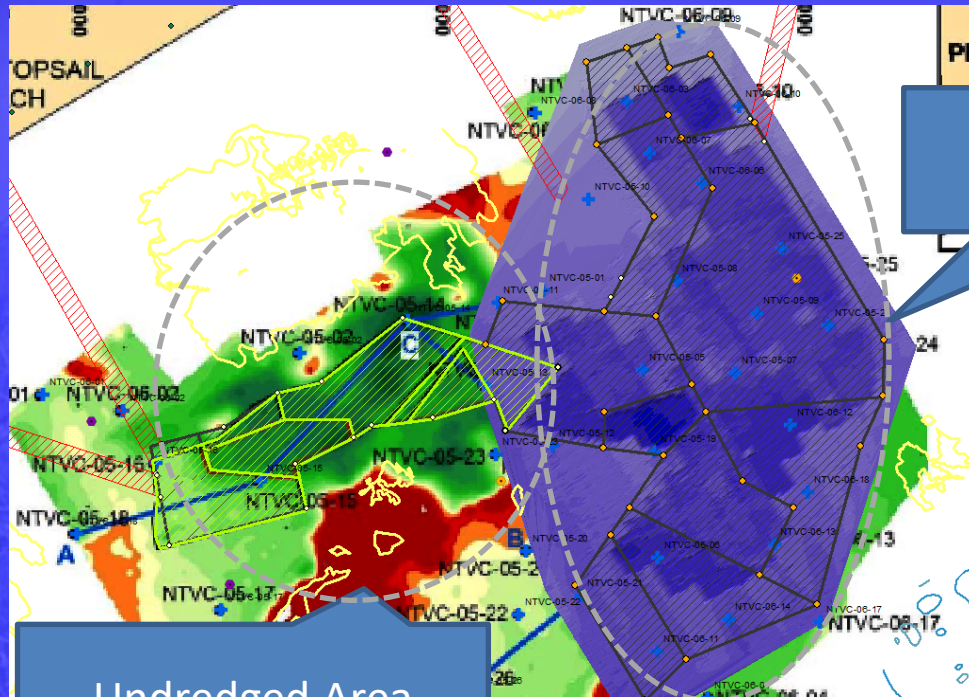
Offshore Sand Sources



Upland and Inshore Sand Sources



2015 Offshore Borrow Area



Dredged Area

Undredged Area

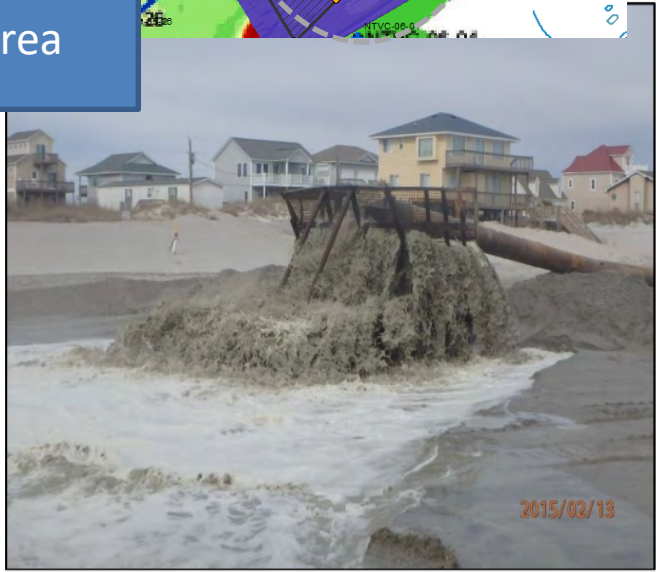
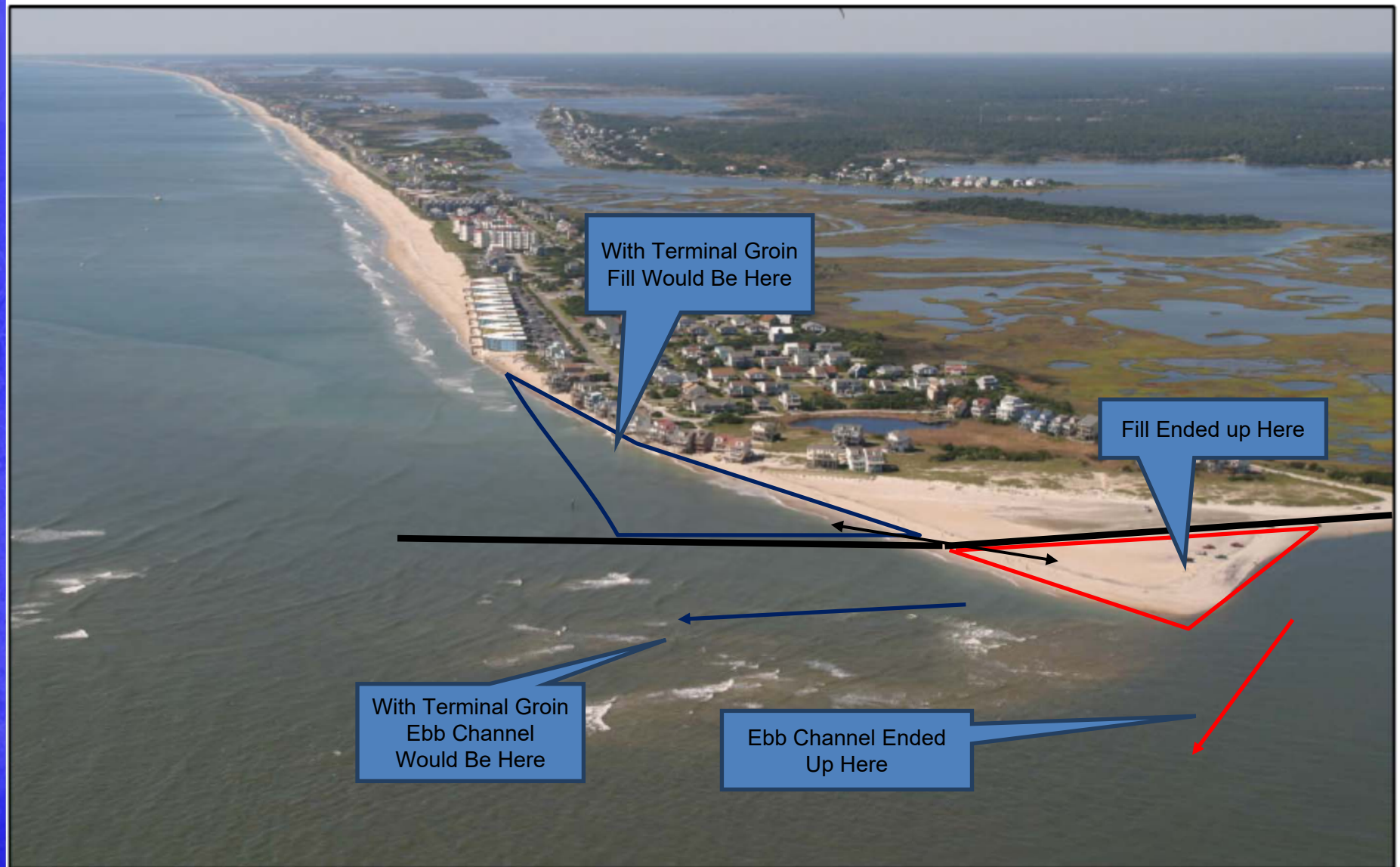


Figure 35. Rock box installed during dredging operations.



Photo 2. The rock picker was dragged behind a tractor along the beach fill area to remove rocks between Sta. 755+00 to 750+00.

New River Inlet Management EIS



(Aerial Photo dated Oct. 5 2014, Provided by Dr. William Cleary)

Beach Projects

- Dune Truck Haul Phases 1-4: To occur this winter in permitted window of November 16 to April 30.
- USACE New River Inlet/AIWW Dredging: To occur this winter. USACE anticipates November-December 2020 timeframe.
- Hurricane Florence Category G: To occur next winter (2021/2022).
- New River Inlet Management EIS: Timeline is controlled by the USACE.



Town of North Topsail Beach
Board of Aldermen

Agenda Item:	IX. Continuing Business Item A
Date:	11 05 20

Issue: CAMA Land Use Plan

Department: Planning

Prepared by: Deborah J. Hill MPA AICP CFM CZO

Presentation: Yes

BACKGROUND The Board of Aldermen held a special meeting on July 21, 2020 and reviewed the draft CAMA Land Use Plan. Planning Director Hill and Mr. Landin Holland of Holland Consulting Planners presented. Mr. Holland explained that the Town cannot yet approve. Today is only a discussion.

Alderman Leonard suggested a sentence about post WWII Ocean City. Regarding the section concerning the Labor Force, he suggested information about Camp Lejeune. Alderman Grant agreed with Alderman Leonard's additions.

Mayor Pro Tem Benson had a few concerns with the Plan. It should recognize the importance of land use policies and coastal resiliency. Essentially, when the infrastructure or plan is in place with consideration for resiliency measures such as fortified roofs or restoring dunes, the community is more prepared to recover. Mayor Pro Tem Benson recommended adding the language in the introduction.

Mayor Pro Tem Benson's second concern is the conservation of coastal wetlands. He would like a strong policy statement about conservation of coastal wetlands. He also recommended that a Conservation D policy statement be added to prevent rezoning by future Boards.

Alderman Grant would like the Town Attorney's advice before making decisions that place any restrictions on privately owned property. He also has reservations about tying the hands of future Boards.

Alderman Meyer had concerns that some of the Mayor Pro Tem's comments were too restrictive.

Mayor Pro Tem Benson asked the consultants to create another GIS layer to clarify low-density residential.

Mayor McDermon expressed a concern about taking the document too far. She believed there is merit in keeping the document broad.

Mayor Pro Tem Benson also wanted Conservation D areas marked on the map. His goal is to protect the coastal wetlands.

Planning Director Hill explained that "wetlands" is not synonymous with "conservation." She appreciates the Mayor Pro Tem's concerns, but the Division of

Coastal Management and the Army Corps of Engineers are the permitting authorities, which is an extensive permitting process.

Mayor Pro Tem Benson believes that the multi-use imagery on page 65 is out of date. He also suggested that the map's key may need modification. Mr. Holland will try to find a better replacement.

Alderman Peters asked how the Town can become a higher priority for DOT. Planning Director Hill suggested participating in the JUMPO.

The Mayor Pro Tem stated that the Inlet Hazard Area process has been delayed because of COVID-19, but he believes changes will occur and an update may be needed in the future.

Mayor Pro Tem Benson asked that page 77 have an addition to include coastal resiliency as a bullet point.

Alderman Meyer asked Mayor Pro Tem if he has a definition of "coastal resiliency" to add to the Plan. She believes some of these ideas already covered by zoning and building code.

Mayor Pro Tem Benson raised some concerns for potential contradictions. For example, at one point, the Plan states that it does not support marinas or boat ramps, but later, it supports access to estuary areas. He recommended deleting the "boat ramp" section.

Planning Director Hill responded that the statements do not necessarily conflict.

Other Board members discussed the potential conflict. Planning Director Hill responded that she understands the confusion and will work to clarify.

Mayor Pro Tem referenced page 85 and asked if it was meant to imply the Town is no longer allowing condominiums.

Planning Director Hill stated that it is possible to have a condo development, but the building height and setbacks requirements would be tough to overcome.

Mayor Pro Tem Benson proposed that the Planning Director and Planning Consultant review his edits, make suggestions and present to the Board.

Mayor McDermon asked for objections to the Mayor Pro Tem's proposal. No one objected.

Mayor McDermon asked if it would be appropriate to send the suggestions back to the Planning Board.

Mr. Landin Holland and the Planning Director have reviewed and discussed the Board's comments. Mr. Landin Holland has updated the CAMA Land Use Plan, which is currently available on the Town's Planning Department web page.

RECOMMENDATION that the Planning Board recommend that the Board of Aldermen adopt the CAMA Land Use Plan as presented.

ATTACHMENT [DRAFT 2020 CAMA Land Use Plan](https://www.ntbnc.org/planning) available online at <https://www.ntbnc.org/planning>



Town of North Topsail Beach
Planning Board

Agenda	IX. Continuing
Item:	Business
	Item B
Date:	11 05 20

Issue: BOA 9/3 Directive, NCDOT Response & Planning Director's Recommendation

Department: Planning

Prepared by: Deborah J. Hill MPA AICP CFM CZO

Presentation: Yes

BACKGROUND On September 3, after denying Osprey's request to sublease the Jeffries lot, the Board sent the New River Inlet Road speed limit to the Planning Board.

On September 10, the Planning Board directed staff to consult with NCDOT. The Planning Director has completed efforts on both the Planning Board's directive to consult with NCDOT to conduct a review of the speed limit on New River Inlet Road, as well as exploring alternatives to HOA members parking carts on private property at 402 New River Inlet, currently vacant.

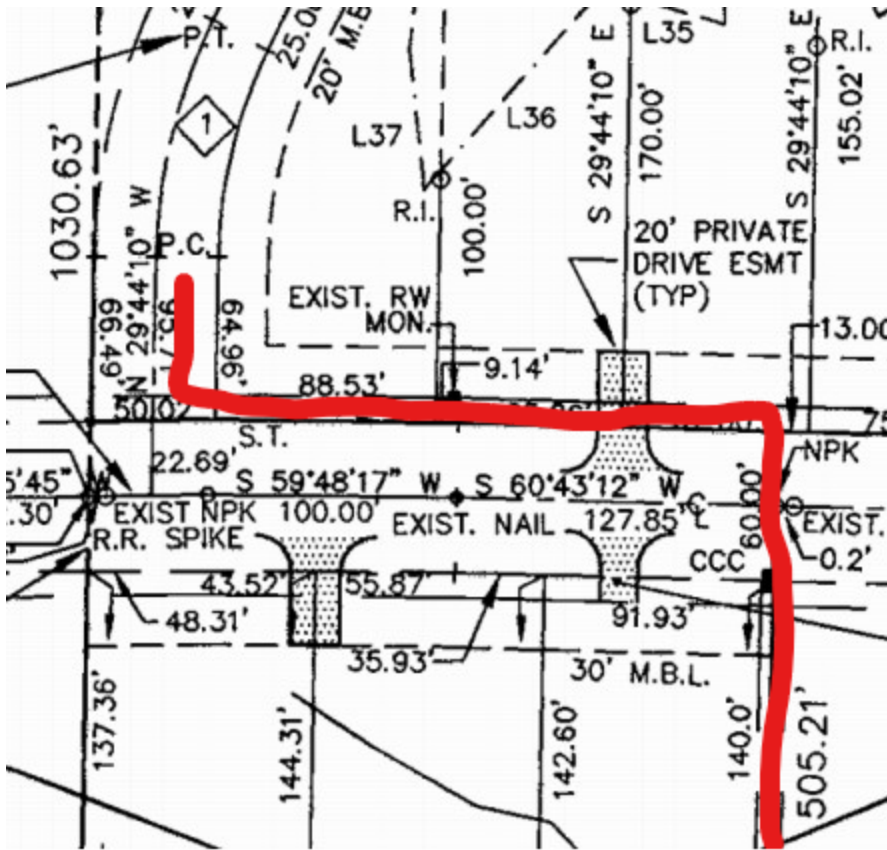
The District Engineer's response was that the town *could request that* the speed limit be reduced. He did indicate that NCDOT does not have 'a dog in that fight' with regards to carts traveling along – but outside of - the 10-foot easement running on the soundside parallel to the New River Inlet right-of-way. The recent New River Inlet traffic count analysis and video revealed that there is not currently any queuing other than momentary delays less than 10-15 seconds.

Reducing the speed limit to 35 mph would permit street legal golf carts along New River Inlet Road, which could possibly exasperate the congestion issue with cars queuing behind golf carts, as observed in Surf City. The enforcement of a seasonal 35 mph speed limit is challenging and not recommended.

With regards to Osprey homeowners, golf carts and beach access, the 10-foot public beach access with walkway was part of the recorded Chrystal Shores subdivision plat. Golf carts are typically 4 feet wide and 8 feet long. The golf carts could travel north on the 10 ft easement (which is +/- 17 ft from the roadway) and cross directly onto the 10 foot wide public beach access w/walk and line up one behind the other with 6 feet to spare for pedestrians.

Staff has inquired if Osprey would be willing to install post and rope along the 10-foot easement along the Osprey side of New River Inlet Road. This would keep the carts safely out of the right of way. Staff recommends that the Town install post and rope on the oceanside public easement for BA 32.

Osprey



BA 32

RECOMMENDATION that the Planning Board recommends to the Board of Aldermen that if the Osprey HOA is willing to install post and rope on the Osprey side 10-foot easement, that the Town install post and rope on the BA-32 10-foot easement and allow for cart parking parallel to the walkway within the public easement.

ATTACHMENT None.



Town of North Topsail Beach
Planning Board

Agenda	IX. Continuing
Item:	Business
	Item B
Date:	11 05 20

Issue: BOA 9/3 Directive, NCDOT Response & Planning Director's Recommendation

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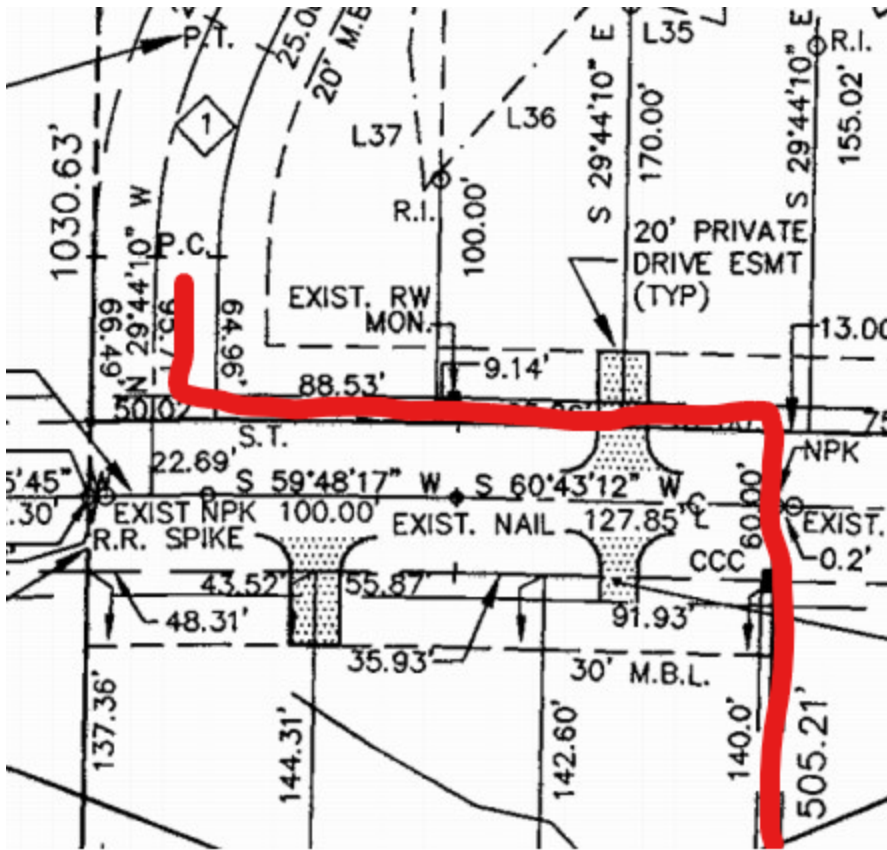
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Reducing the speed limit to 35 mph would permit street legal golf carts along New River Inlet Road, which could possibly exasperate the congestion issue with cars queuing behind golf carts, as observed in Surf City. The enforcement of a seasonal 35 mph speed limit is challenging and not recommended.

With regards to Osprey homeowners, golf carts and beach access, the 10-foot public beach access with walkway was part of the recorded Chrystal Shores subdivision plat. Golf carts are typically 4 feet wide and 8 feet long. The golf carts could travel north on the 10 ft easement (which is +/- 17 ft from the roadway) and cross directly onto the 10 foot wide public beach access w/walk and line up one behind the other with 6 feet to spare for pedestrians.

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Osprey



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ATTACHMENT None.

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 Special Meeting Minutes Monday, November 23, 2020 1:00 P.M.

Present: Mayor McDermon; Mayor Pro Tem Benson; Aldermen Grant, Leonard Meyer; Town Manager Gilbride; Finance Officer Elliott; Town Clerk Oxley

By Teleconference: Financial Consultants Doug and Andrew Carter; Town Attorney Edes

Absent: Alderman Peters

I. Call to Order

Mayor McDermon called the meeting to order at 1:02 PM.

II. Approval of Agenda

Alderman Grant made a motion to approve the Agenda. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 4-0.

III. Presentation of Financial Metrics & Discussion

Mr. Doug Carter, President and Managing Director of DEC Associates, began by providing an overview. Mr. Andrew Carter of DEC presented the updated financial data.

Mr. Doug Carter reminded the Board that there will be an overlap period in which the USDA loan will not be retired, and the debt service on the USACE project will also be due. He believes this could occur for four fiscal years.

The Board discussed whether property taxes can be reduced after the USDA loan is retired. The Aldermen cited concerns with the fluctuating cost of the Federal Project, other capital needs and the costs to property owners.

Alderman Grant asked the Town Attorney about the bill that would allow the Town to collect an additional 1% occupancy tax. Mr. Edes reported that the bill did not pass into law. The only way the Town can increase its occupancy tax collection is by local act.

When asked about the Local Government Commission (or "LGC") presentation, Mr. Doug Carter explained that his firm can represent multiple options, but without permission from the Legislature, DEC will also have to present the "no new revenue" option, meaning a scenario in which the Town can only fund the project through an increase in property tax. Mr. Doug Carter also added that the LGC will not tell the Town how to proceed, but it will listen to the presented options and make an assessment.

The Board had questions about Municipal Service Districts (or "MSD"). Mr. Edes explained that the PPA would need to be signed before July first in order to establish and enforce higher taxes in the district in the next fiscal year.

Mr. Doug Carter reminded the Board that the presented metrics are grounded in project cost projections. If the cost changes, the analysis would also change.

Mayor McDermon asked the Board to provide feedback to DEC as to what additional scenarios should be presented.

Mr. Doug Carter reminded the Board that the Town has approximately \$1 million in USDA debt obligations each year. Until FY 2026, the beach fund is exclusively for USDA loan repayment.

IV. Adjournment

Alderman Leonard made a motion to adjourn. Alderman Grant seconded. The Motion passed unanimously, 4-0.

Joann McDermon
Mayor

ATTEST:

Laura Oxley, JD, MPA
Town Clerk

Approved: 12/03/2020

North Topsail Beach
November 17, 2020
USACE Beach Project - Financial Metrics

Version 4

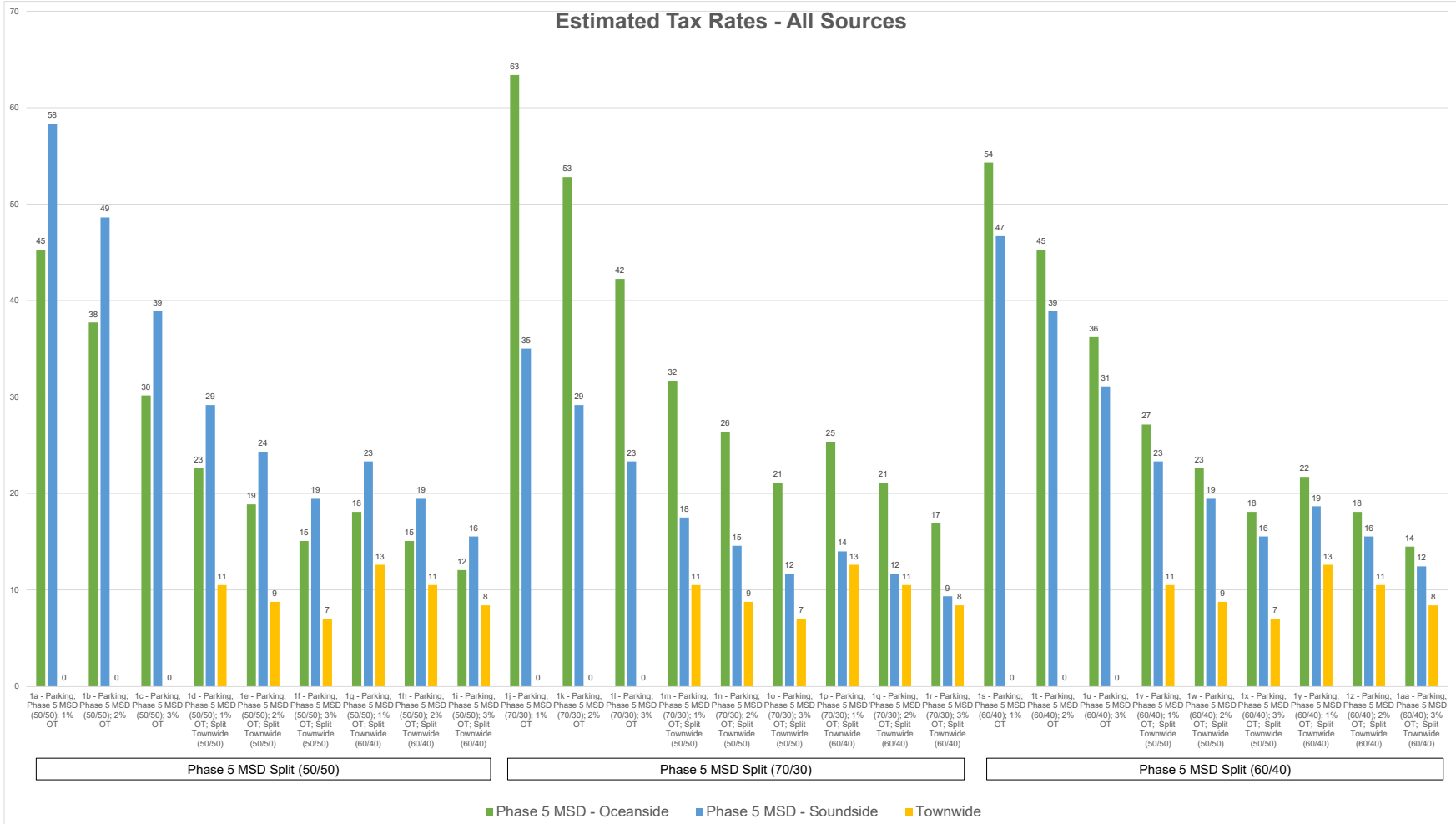


Key Assumptions:			
Town's Project Cost	\$	16,500,000	
Estimated D/S	\$	3,000,000	/yr for 7 years
Renourishment Cost	\$	10,900,000	+ every 5-7yrs
Parking Revenue (est)	\$	550,000	
1% OT Revenue (est)	\$	350,000	
	\$	1,000,000,000	Town-wide 1¢ = \$100,000
	\$	412,000,000	All Phase 5 MSD 1¢ = \$41,200
	\$	232,000,000	Phase 5 MSD - Oceanside 1¢ = \$23,200
	\$	180,000,000	Phase 5 MSD - Soundside 1¢ = \$18,000

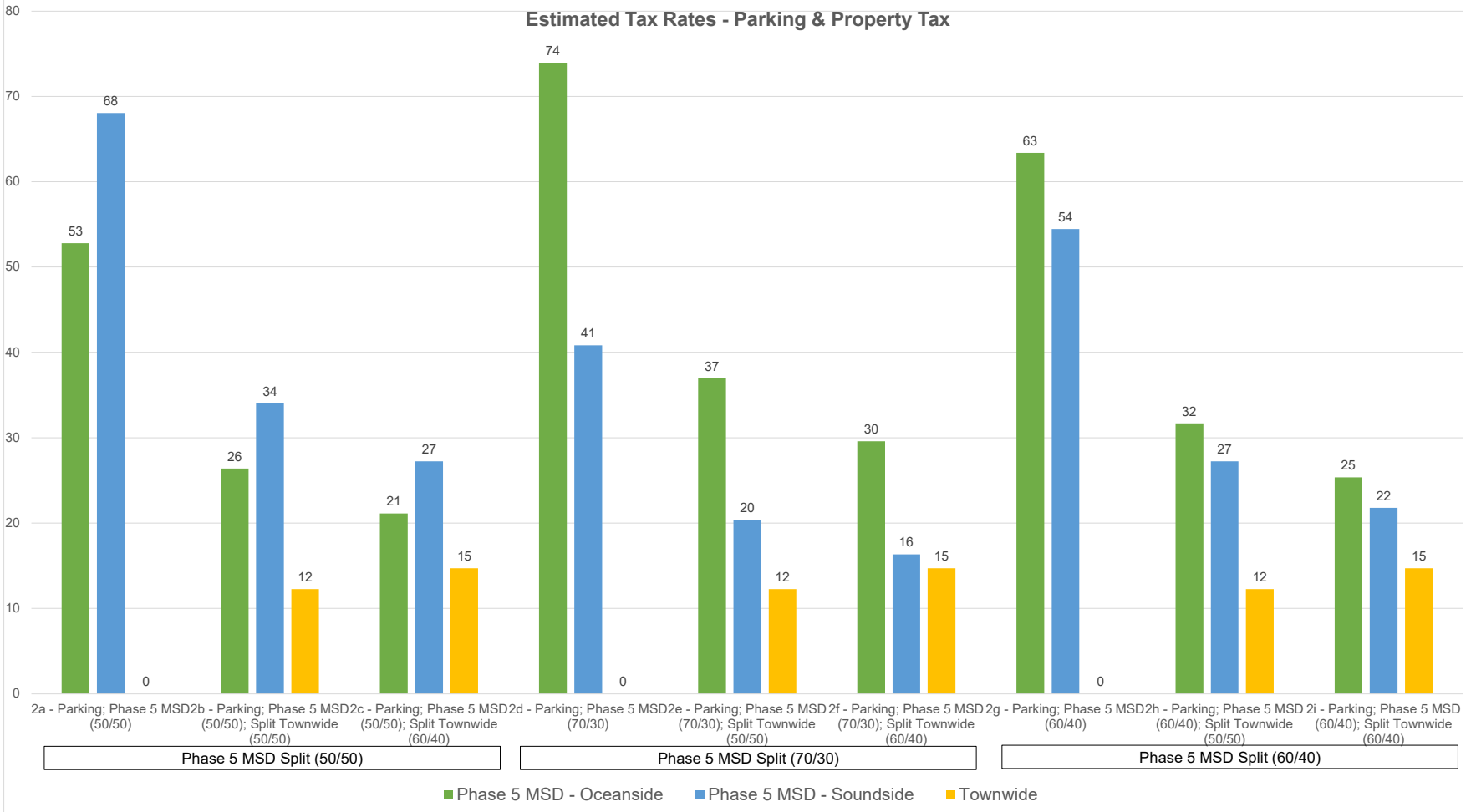
Revenue Matrix	Parking	New Occ. Tax	Phase 5 MSD - Phase 5 MSD - Phase 5 MSD - Phase 5 MSD -				Townwide PT	Townwide ¢ needed	Total Revenue
			Oceanside PT	Oceanside ¢ needed	Soundside PT	Soundside ¢ needed			
Scenario 1 - All Sources									
1a - Parking; Phase 5 MSD (50/50); 1% OT	\$ 550,000	\$ 350,000	\$ 1,050,000	45	\$ 1,050,000	58	\$ -	0	\$ 3,000,000
1b - Parking; Phase 5 MSD (50/50); 2% OT	\$ 550,000	\$ 700,000	\$ 875,000	38	\$ 875,000	49	\$ -	0	\$ 3,000,000
1c - Parking; Phase 5 MSD (50/50); 3% OT	\$ 550,000	\$ 1,050,000	\$ 700,000	30	\$ 700,000	39	\$ -	0	\$ 3,000,000
1d - Parking; Phase 5 MSD (50/50); 1% OT; Split Townwide (50/50)	\$ 550,000	\$ 350,000	\$ 525,000	23	\$ 525,000	29	\$ 1,050,000	11	\$ 3,000,000
1e - Parking; Phase 5 MSD (50/50); 2% OT; Split Townwide (50/50)	\$ 550,000	\$ 700,000	\$ 437,500	19	\$ 437,500	24	\$ 875,000	9	\$ 3,000,000
1f - Parking; Phase 5 MSD (50/50); 3% OT; Split Townwide (50/50)	\$ 550,000	\$ 1,050,000	\$ 350,000	15	\$ 350,000	19	\$ 700,000	7	\$ 3,000,000
1g - Parking; Phase 5 MSD (50/50); 1% OT; Split Townwide (60/40)	\$ 550,000	\$ 350,000	\$ 420,000	18	\$ 420,000	23	\$ 1,260,000	13	\$ 3,000,000
1h - Parking; Phase 5 MSD (50/50); 2% OT; Split Townwide (60/40)	\$ 550,000	\$ 700,000	\$ 350,000	15	\$ 350,000	19	\$ 1,050,000	11	\$ 3,000,000
1i - Parking; Phase 5 MSD (50/50); 3% OT; Split Townwide (60/40)	\$ 550,000	\$ 1,050,000	\$ 280,000	12	\$ 280,000	16	\$ 840,000	8	\$ 3,000,000
1j - Parking; Phase 5 MSD (70/30); 1% OT	\$ 550,000	\$ 350,000	\$ 1,470,000	63	\$ 630,000	35	\$ -	0	\$ 3,000,000
1k - Parking; Phase 5 MSD (70/30); 2% OT	\$ 550,000	\$ 700,000	\$ 1,225,000	53	\$ 525,000	29	\$ -	0	\$ 3,000,000
1l - Parking; Phase 5 MSD (70/30); 3% OT	\$ 550,000	\$ 1,050,000	\$ 980,000	42	\$ 420,000	23	\$ -	0	\$ 3,000,000
1m - Parking; Phase 5 MSD (70/30); 1% OT; Split Townwide (50/50)	\$ 550,000	\$ 350,000	\$ 735,000	32	\$ 315,000	18	\$ 1,050,000	11	\$ 3,000,000
1n - Parking; Phase 5 MSD (70/30); 2% OT; Split Townwide (50/50)	\$ 550,000	\$ 700,000	\$ 612,500	26	\$ 262,500	15	\$ 875,000	9	\$ 3,000,000
1o - Parking; Phase 5 MSD (70/30); 3% OT; Split Townwide (50/50)	\$ 550,000	\$ 1,050,000	\$ 490,000	21	\$ 210,000	12	\$ 700,000	7	\$ 3,000,000
1p - Parking; Phase 5 MSD (70/30); 1% OT; Split Townwide (60/40)	\$ 550,000	\$ 350,000	\$ 588,000	25	\$ 252,000	14	\$ 1,260,000	13	\$ 3,000,000
1q - Parking; Phase 5 MSD (70/30); 2% OT; Split Townwide (60/40)	\$ 550,000	\$ 700,000	\$ 490,000	21	\$ 210,000	12	\$ 1,050,000	11	\$ 3,000,000
1r - Parking; Phase 5 MSD (70/30); 3% OT; Split Townwide (60/40)	\$ 550,000	\$ 1,050,000	\$ 392,000	17	\$ 168,000	9	\$ 840,000	8	\$ 3,000,000
1s - Parking; Phase 5 MSD (60/40); 1% OT	\$ 550,000	\$ 350,000	\$ 1,260,000	54	\$ 840,000	47	\$ -	0	\$ 3,000,000
1t - Parking; Phase 5 MSD (60/40); 2% OT	\$ 550,000	\$ 700,000	\$ 1,050,000	45	\$ 700,000	39	\$ -	0	\$ 3,000,000
1u - Parking; Phase 5 MSD (60/40); 3% OT	\$ 550,000	\$ 1,050,000	\$ 840,000	36	\$ 560,000	31	\$ -	0	\$ 3,000,000
1v - Parking; Phase 5 MSD (60/40); 1% OT; Split Townwide (50/50)	\$ 550,000	\$ 350,000	\$ 630,000	27	\$ 420,000	23	\$ 1,050,000	11	\$ 3,000,000
1w - Parking; Phase 5 MSD (60/40); 2% OT; Split Townwide (50/50)	\$ 550,000	\$ 700,000	\$ 525,000	23	\$ 350,000	19	\$ 875,000	9	\$ 3,000,000
1x - Parking; Phase 5 MSD (60/40); 3% OT; Split Townwide (50/50)	\$ 550,000	\$ 1,050,000	\$ 420,000	18	\$ 280,000	16	\$ 700,000	7	\$ 3,000,000
1y - Parking; Phase 5 MSD (60/40); 1% OT; Split Townwide (60/40)	\$ 550,000	\$ 350,000	\$ 504,000	22	\$ 336,000	19	\$ 1,260,000	13	\$ 3,000,000
1z - Parking; Phase 5 MSD (60/40); 2% OT; Split Townwide (60/40)	\$ 550,000	\$ 700,000	\$ 420,000	18	\$ 280,000	16	\$ 1,050,000	11	\$ 3,000,000
1aa - Parking; Phase 5 MSD (60/40); 3% OT; Split Townwide (60/40)	\$ 550,000	\$ 1,050,000	\$ 336,000	14	\$ 224,000	12	\$ 840,000	8	\$ 3,000,000
Scenario 2 - Parking & Property Tax									
2a - Parking; Phase 5 MSD (50/50)	\$ 550,000	\$ -	\$ 1,225,000	53	\$ 1,225,000	68	\$ -	0	\$ 3,000,000

2b - Parking; Phase 5 MSD (50/50); Split Townwide (50/50)	\$	550,000	\$	-	\$	612,500	26	\$	612,500	34	\$	1,225,000	12	\$	3,000,000
2c - Parking; Phase 5 MSD (50/50); Split Townwide (60/40)	\$	550,000	\$	-	\$	490,000	21	\$	490,000	27	\$	1,470,000	15	\$	3,000,000
2d - Parking; Phase 5 MSD (70/30)	\$	550,000	\$	-	\$	1,715,000	74	\$	735,000	41	\$	-	0	\$	3,000,000
2e - Parking; Phase 5 MSD (70/30); Split Townwide (50/50)	\$	550,000	\$	-	\$	857,500	37	\$	367,500	20	\$	1,225,000	12	\$	3,000,000
2f - Parking; Phase 5 MSD (70/30); Split Townwide (60/40)	\$	550,000	\$	-	\$	686,000	30	\$	294,000	16	\$	1,470,000	15	\$	3,000,000
2g - Parking; Phase 5 MSD (60/40)	\$	550,000	\$	-	\$	1,470,000	63	\$	980,000	54	\$	0	0	\$	3,000,000
2h - Parking; Phase 5 MSD (60/40); Split Townwide (50/50)	\$	550,000	\$	-	\$	735,000	32	\$	490,000	27	\$	1,225,000	12	\$	3,000,000
2i - Parking; Phase 5 MSD (60/40); Split Townwide (60/40)	\$	550,000	\$	-	\$	588,000	25	\$	392,000	22	\$	1,470,000	15	\$	3,000,000
Scenario 3 - Property Tax Only															
3a - Phase 5 MSD (50/50)	\$	-	\$	-	\$	1,500,000	65	\$	1,500,000	83	\$	-	0	\$	3,000,000
3b - Phase 5 MSD (50/50); Split Townwide (50/50)	\$	-	\$	-	\$	750,000	32	\$	750,000	42	\$	1,500,000	15	\$	3,000,000
3c - Phase 5 MSD (50/50); Split Townwide (60/40)	\$	-	\$	-	\$	600,000	26	\$	600,000	33	\$	1,800,000	18	\$	3,000,000
3d - Phase 5 MSD (70/30)	\$	-	\$	-	\$	2,100,000	91	\$	900,000	50	\$	-	0	\$	3,000,000
3e - Phase 5 MSD (70/30); Split Townwide (50/50)	\$	-	\$	-	\$	1,050,000	45	\$	450,000	25	\$	1,500,000	15	\$	3,000,000
3f - Phase 5 MSD (70/30); Split Townwide (60/40)	\$	-	\$	-	\$	840,000	36	\$	360,000	20	\$	1,800,000	18	\$	3,000,000
3g - Phase 5 MSD (60/40)	\$	-	\$	-	\$	1,800,000	78	\$	1,200,000	67	\$	0	0	\$	3,000,000
3h - Phase 5 MSD (60/40); Split Townwide (50/50)	\$	-	\$	-	\$	900,000	39	\$	600,000	33	\$	1,500,000	15	\$	3,000,000
3i - Phase 5 MSD (60/40); Split Townwide (60/40)	\$	-	\$	-	\$	720,000	31	\$	480,000	27	\$	1,800,000	18	\$	3,000,000

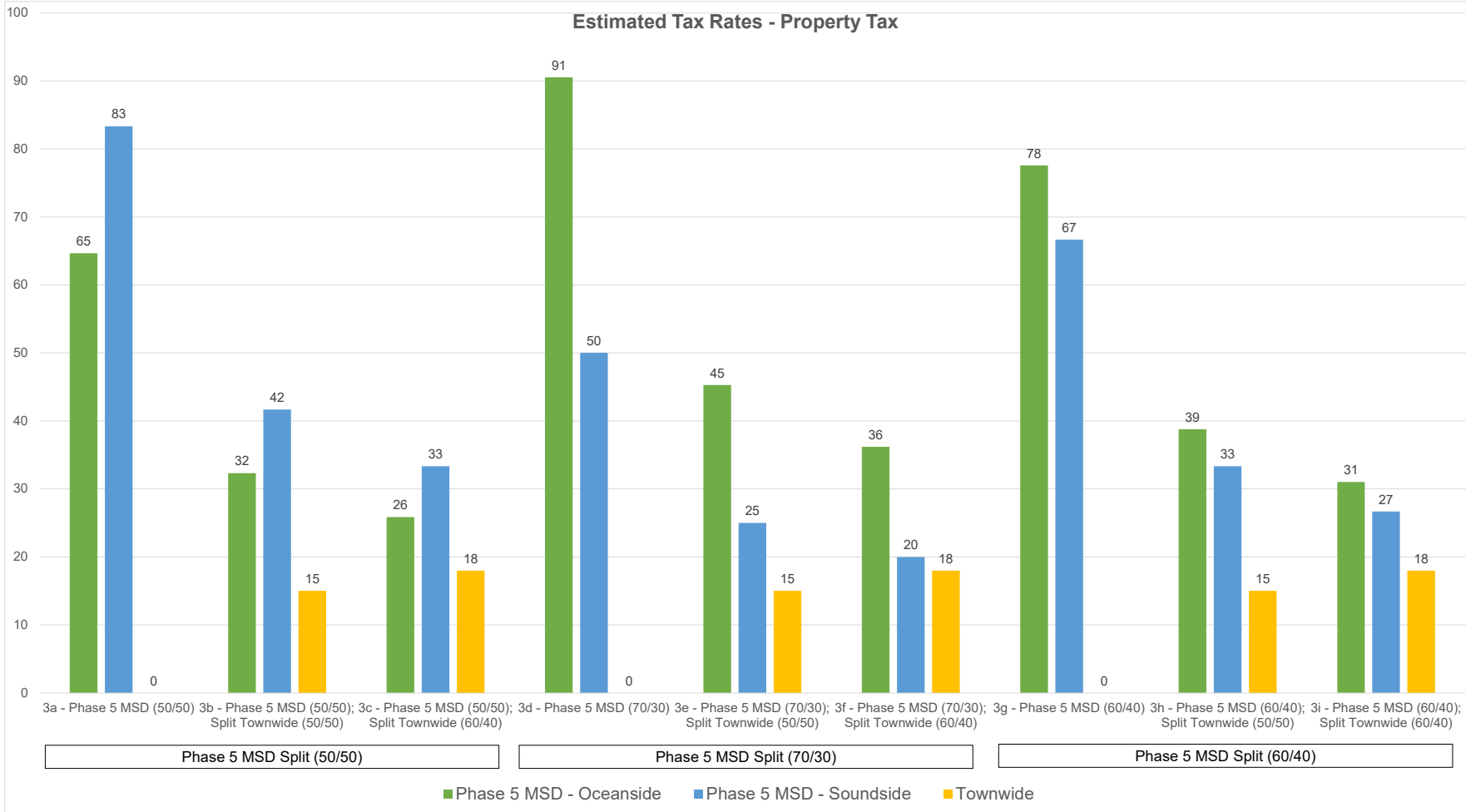
Estimated Tax Rates - All Sources



Estimated Tax Rates - Parking & Property Tax



Estimated Tax Rates - Property Tax



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, December 3, 2020 6:30 P.M.

**Present: Mayor Pro Tem Benson; Aldermen Grant, Leonard, Meyer and Peters;
Town Manager Gilbride; Town Clerk Oxley**

**Present via Teleconference: Town Attorney Edes; Coastal Engineer Fran Way;
Financial Advisors Andrew and Doug Carter; Jacksonville Urban Area
Metropolitan Planning Organization (JUMPO) Representatives**

Absent: Mayor McDermon

I. Call to Order

Mayor Pro Tem Benson called the Meeting to order.

II. Invocation

Mayor Pro Tem Benson led the attendees in an invocation.

III. Pledge of Allegiance

Mayor Pro Tem Benson called on Chief Soward to lead the attendees in the Pledge.

IV. Approval of Agenda

Alderman Leonard made a motion to add a closed session item to consult with legal counsel. Alderman Grant made a motion to remove an item under Continuing Business- financial policies.

Alderman Leonard made a motion to approve the Agenda as modified. Alderman Grant seconded. The motion passed unanimously, 5-0.

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

2008 Loggerhead Court
North Topsail Beach, NC 28460

ntbnc.org

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Toll Free: (800) 687-7092
Fax (910) 328-4508

NTB is an equal opportunity provider and employer.

V. Manager's Report

The Manager delivered his report. It is attached.

VI. Open Forum*

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

The Clerk reported that no one submitted comments for the forum.

VII. Public Presentations and Hearings

A. Coastal Engineer Update

Mr. Fran Way of ATM Consulting delivered his monthly report. It is attached.

Mr. Way provided additional information. The FEMA review process is more complicated than prior projects. The new permitting process even differs from the recent Hurricane Matthew project. For the Hurricane Florence project, a new environmental planning and historical preservation review is delaying the original timeline of the project; the Town thought the funds would be obligated by this point. Mr. Way is confident that the funds will be obligated, but it will take more time than originally estimated.

As for the Category G project planned for Phase 5, the Town's timeline is still on track for next year. Mr. Way is currently working to facilitate the pre-scoping meeting.

Mayor Pro Tem Benson called for questions from the Board. Alderman Grant asked if the Town is contractually bound to anyone for the Hurricane Florence project. Mr. Way responded that the Town has not yet entered into a contract.

Mayor Pro Tem asked about the timing of the Hurricane Florence Project. Mr. Way hopes to accomplish most of the project this winter and finish the rest of the project next year.

Mayor Pro Tem requested a timeline that illustrates the steps accomplished and those yet to be accomplished in the terminal groin project. Mr. Way agreed that would be helpful, and he will work on that. He restated that the Army Corps of Engineers holds all the power in this project, which is difficult from the Town's standpoint. Mayor Pro Tem reminded the Board that despite requests, the Town's recommendation to hold a virtual stakeholders meeting has not been scheduled.

B. Update from DEC Associates

Mr. Doug Carter and Mr. Andrew Carter of DEC and Associates presented information to the Board; their presentation is attached.

Mr. Doug Carter provided some suggestions related to the Hurricane Florence project. He suggested that the Town should not sign a contract until money is obligated at the federal level unless the contract states the project is contingent upon that approval. When the Town has the final approval letter, Mr. Carter will bring financing options before the Board.

Mr. Carter wanted to go through a few specific decision points:

1. Prior to meeting with the LGC, the Board needs to decide whether it will proceed with a town-wide tax increase, MSD(s) or a combination.
2. If the Board creates a MSD, how will it operate:
 - a. How many districts?
 - b. What is the allocation among the districts?
3. Which scenario(s) should DEC and Associates present to the LGC?
4. DEC and Associates must update the financial model to reflect the USDA loan pre-payments to show the LGC the plan to retire the debt by 2026.
5. DEC and Associates must update the financial model to show the LGC how the Town plans to pay the approximate \$3 million per year for the federal project.
6. How will the Town address other financing needs, such as a fire station?
7. How will the Town financially plan for other FEMA projects?

Mayor Pro Tem Benson acknowledged that the Board received the new metrics ahead of the meeting. Rather than ask the advisors to go through the data line by line, he asked if any board members had specific questions about the materials they reviewed ahead of the meeting.

Alderman Grant explained to the advisors and his colleagues that while the conclusions may be correct, the numbers are presented in reverse order. He wanted everyone to be aware of that so that discussions can be clear.

Mayor Pro Tem would like to come to a consensus at this meeting so that a resolution can be constructed for the special meeting on December 15th.

Alderman Grant suggested to his colleagues that it might be helpful to first determine the overall structure of what decisions are needed. He was prepared to make decisions at the meeting, but he understands that others might feel caught off guard.

Mr. Edes narrowed the scope of the consensus. He stated that if the Board can provide general guidance on the following topics, he can construct the resolutions:

- Will the Board impose a town-wide tax increase?
- Will the Board create municipal service districts?
- If the Board creates MSD(s), how many?

Alderman Meyer stated her support for two MSDs. She also stated that she was on the fence with a town-wide tax increase.

Alderman Peters stated that he does not have a specific scenario in mind. Like Alderman Meyer, he has reservations about town-wide taxation; at what point is too much too much? He thinks it is a given that the Town will have to create multiple districts.

Alderman Leonard stated his support for multiple MSDs. He thinks the split between the oceanside MSD and non-beachfront will be either 60/40 or 65/35. Alderman Leonard does not support a town-wide tax increase. He is not opposed to a slight town-wide property tax increase so long as it does not go directly into the beach fund. The Board must consider what is in the best interest of all residents and property owners. In Surf City, the situation is different; their portion of the project covers the entire town's coastline. In North Topsail Beach, considering the USDA project and current Corps proposal, a lot of money is going to a single phase.

Alderman Grant stated support for two MSDs. He believes a town-wide property tax increase is also needed, but he believes that money should go into the general fund. He also disagrees with those who believe the property tax rate will decrease after the USDA loan is retired.

When asked by a colleague, Alderman Grant clarified that his understanding of the presented scenarios is that a town-wide tax increase would apply to everyone, including those who reside in a MSD.

Mayor Pro Tem then contributed his answer to the question before the Board. He believes the financial burden of the federal project should be shouldered town-wide without any MSD(s). The Town has managed prior projects without MSDs. He has a concern that this would set a precedent for future projects. For example, if the hardened structure project is approved, it could cost the Town \$10 million. The Town does not have a uniform distribution of property throughout its districts.

Mayor Pro Tem Benson asked Aldermen Grant and Leonard to provide feedback to his response.

Alderman Leonard responded that he is not in favor of a town-wide property tax increase for the sole purpose of Phase 5, which is approximately 4 miles.

Alderman Grant added that if the proposed project had encompassed the entire Town beach front, his vote might be different. The reality is that the project only covers a portion of Town, and that portion of Town already has debt. In response to the Mayor Pro Tem's example of the terminal groin, the distinguishing factor is that the Town does not have debt in Phase 1. Alderman Grant also clarified that he does not intend to set a precedent. He also restated that the town-wide tax increase is needed for other projects.

Mayor Pro Tem Benson then asked the other aldermen if they supported a town-wide property tax increase to be used directly for the federal project.

Alderman Meyer responded that she does not support an increase just for the federal project.

Alderman Peters believes the Board should contribute the additional property tax revenue to the federal project as well as other projects.

Mayor Pro Tem Benson restated the Board's consensus:

- Two MSDs, one ocean-side and one sound-side
- Town-wide property tax increase so long as the additional revenue goes into the general fund

Mayor Pro Tem Benson then called on Alderman Leonard to provide a report from the TISPC meeting that occurred earlier that day. Alderman Leonard reported that Ms. Connie Wilson, who works as a lobbyist for the Town, discussed occupancy tax. According to Ms. Wilson, it will be difficult to obtain an exception to the Town's current cap. It will be an extremely steep battle; asking for an additional 3% may be unrealistic.

Mayor Pro Tem added that the new legislative session will begin soon, and the Town should prepare to advocate early in the session for additional occupancy tax.

Alderman Leonard suggested that the Board begin its advocacy earlier than the start of the new legislative session. Some representatives live in the area. The Board could invite the representatives to look at the issues at the beach firsthand. It might be advantageous to prime the delegates ahead of the session. Another idea is to talk to the other towns on the Island, and if there is a common interest, advocate together for an increase in occupancy tax.

Mayor Pro Tem Benson asked the Town Attorney to work with DEC and Associates ahead of the upcoming special meeting to develop resolutions based on the Board's consensus.

VIII. Consent Agenda

- A. Approval of Minutes (November 5, 2020; November 23, 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. Ad Val Tax Return

Alderman Meyer made a motion to approve. Alderman Leonard seconded. Mayor Pro Tem Benson asked that the Board remove the Resolution approving the Board's 2021 Regular Schedule. Alderman Meyer made a motion to approve the Consent Agenda as amended. Alderman Leonard seconded. The Motion passed unanimously, 5-0.

IX. Continuing Business

A. Board of Aldermen 2021 Regular Schedule – proposed

Mayor Pro Tem Benson suggested that moving the regular meeting time to 6:00 PM may help the staff with their commutes home, and it may help the Board and attendees who are tired in the evening. He asked for his colleague's opinions. His colleagues expressed support for leaving the time slot at 6:30 PM as has been the tradition.

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

~~B. Town Financial Policy~~

- ~~1. Resolution to Implement Town Parking~~
- ~~2. Resolution to Pursue Higher Occupational Tax Rate~~
- ~~3. Resolution Regarding Tax Matrix and Financial Planning~~

C. Jacksonville Urban Area Metropolitan Planning Organization (JUMPO) Update and Possible Action

Planning Director Hill presented the attached report. She directed the Board to the specific action before them, which was a request to adopt a resolution that directs the Mayor to sign the proposed MOU.

A representative from the MPO, Administrator Deanna Trebil, was available via teleconference to address Board questions.

Alderman Peters asked about the proposed voting method. He recommended that Attorney Edes review.

Mayor Pro Tem Benson asked for a brief overview of the advantages of joining. Ms. Trebil made an illustration between the Town's options. When the Town was a part of the "Down East" organization, the Town was a small fish in a large pond. The proposed MPO is in Jacksonville, which will make it easier for the Town to have aligned projects and priorities with its advocate.

Alderman Grant asked if the Town is bound by the Organization's decisions.

Ms. Trebil responded that although the organization is regional, each unit of government is responsible for its own projects. The MPO will work with each municipality to identify problems, seek solutions and advocate to the NCDOT when appropriate.

Alderman Leonard noted that he would like the proposal better if the Town had a vote in the Organization.

Ms. Trebil responded that as the MPO grows, it may become a possibility.

Mayor Pro Tem agreed with Alderman Leonard and added that based on property value, North Topsail Beach is a significant stakeholder.

Alderman Leonard added that the Town's summer population is also significant.

The Mayor Pro Tem asked for the Town Attorney's opinion.

Mr. Edes advised that the Wilmington MPO did experience some legal issues. After reviewing the proposal before the Board tonight, specifically Section 4 of the Memorandum of Understanding, the Town Attorney believes the Town could easily terminate the relationship if issues did arise.

Alderman Leonard made a motion to adopt the Resolution. Alderman Meyer seconded.

Mayor Pro Tem Benson asked the Clerk to call the roll. Aldermen Meyer and Peters voted against the resolution. Mayor Pro Tem Benson, Alderman Grant and Alderman Leonard voted in support. The Motion passed 3-2.

Alderman Leonard would like for the Town to become voting members of the MPO.

D. NC Resiliency

Mayor Pro Tem Benson wanted to follow-up on this item, which was first discussed at the November regular meeting. The topic was further discussed at the most recent TISPC meeting. Surf City specifically seemed interested in joining the program.

The deadline for the application is January 15th. Mayor Pro Tem believes funds will be available in future years, and the Town may be too far behind this year for this cycle. He believes the Town should reconsider and apply next year.

E. Town Hall Bids

The Town Manager suggested to the Board that the discussion be tabled until the upcoming special meeting. By consensus, the Board agreed.

X. Attorney's Report

The Attorney did not have a report.

~~XI. Mayor's Report~~

XII. Aldermen's Report

Alderman Grant expressed his appreciation for staff. He wished everyone happy holidays. He also appreciates everyone's patience as staff still works through technical glitches.

Alderman Leonard thanked staff for their hard worked. He likes the Christmas decorations on the fire stations. He wished everyone a Merry Christmas and happy holidays. On one final note, he reminded attendees that the Board is committed to decision-making that is fair and right for the Town as a whole.

Alderman Peters recognized the responsibility that he and fellow board members carry. It requires a lot of good will to accomplish the tasks set before them.

Alderman Meyer wished everyone a Merry Christmas. She thanked staff for their efforts.

Mayor Pro Tem Benson reported on the CRC's science panel review. As he reminded his colleagues and attendees, the Town put forth a petition with signatures from 82 homeowners with an alternative viewpoint of the proposed inlet hazard area. The science panel reviewed all comments, including those submitted by the Town. The proposal remains the same, and it is likely to be approved. On a positive note, clarification was issued that grandfathered provisions will not be altered. He closed by wishing everyone happy holidays and thanked those who watched the Meeting.

XIII. Closed session to discuss:

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

Alderman Grant made a motion to go into closed session. Alderman Meyer seconded. The Motion passed unanimously, 5-0.

The Board returned to open session. Mayor Pro Tem Benson reported no action was taken during closed session.

XIV. Adjournment

Alderman Meyer made a motion to adjourn. Alderman Grant seconded. The Motion passed unanimously, 5-0.

Joann McDermon
Mayor

ATTEST:

Sherrie Hancock
Town Clerk

Approved: 01/07/2021



Manager's Report – December 3, 2020 Board Meeting

USACOE Federal Project

Having approved North Topsail Beach's participation in the federal project, the Board of Aldermen continues to explore how precisely to pay the substantial costs involved. Working closely with our financial advisors at DEC Associates the board continues to explore the use of Municipal Service Districts, cost sharing town-wide, and revenue generation through parking fees and occupancy taxes. At a special meeting held November 23rd, the board viewed a presentation by DEC where they provided multiple property tax scenarios in both numerical and graphic formats. Though no property tax increase can be implemented until the next budget cycle (July 2021), the board will consider additional scenarios and come to a decision shortly so that a plan can be presented to the Local Government Commission.

Capital Improvement/Fire Station

While DEC Associates has been focused on the financing alternatives for the Federal Project, the additional capital requirements of North Topsail Beach, particularly the construction of a new fire station, remain an important part of their charge. This was reaffirmed by the Mayor and Aldermen at the November 23rd meeting as well.

Revetment

The sandbag revetment repair project has been stalled. The project engineer worked with a specific contractor to design the placement of the sandbags in the revetment. Due to purchasing procedure requirements the construction must go out for bid, which prompted the unnamed contractor to threaten to sue over the uncompensated use of his design. Our position is that we will not move forward until we receive assurances that the town will not be drawn into litigation and we have requested a "hold harmless" or written communication from the contractor and engineer. This has not been forthcoming.

Town Hall

The bids received for repairs to the town hall were significantly higher than expected. We reopened the insurance claim for the project with the carrier and joint underwriters, and their

adjuster met at the facility yesterday to view the damage and scope of work. We have provided them with the bid specifications as well as the bid results from all those who submitted a proposal. We are awaiting their determination of coverage before taking the next step, approaching FEMA.

It should be noted that the bid provided for some “alternate” items intended as “mitigation”. We have been awarded a Golden Leaf grant to pay for items which will improve resiliency, such as a fortified roof, high wind rated windows, a foyer, and small retaining wall. Based on the costs and grant size we will likely proceed without the foyer.

Florence Project

This project is now on an indefinite hold due to FEMA’s insistence on conducting an Environmental and Biological assessment – even though we are not using an offshore borrow area for sand, and are using mainland sand sources already approved for the recently completed Matthew project. I am working with Congressman Murphy’s office to encourage FEMA to expedite this review.

Covid19

Infection rates in Onslow County have risen dramatically in recent weeks, as they have in many parts of the country. In a conference call on November 24, 2020, the County Manager informed us that they would be moving to once again close county buildings to the public effective December 1, 2020. We are naturally concerned for the health and well being of our employees and residents and are considering closing town hall to the public as we did at the onset of this pandemic.

Onslow County

According to the County Manager the restoration of the Onslow County beach access and parking lot was to resume with the end of turtle season. As of now no construction has taken place. I have inquired of the Assistant County Manager what the timetable is, and am awaiting a response.

Corps of Engineers: ICW Crossing and Channel to Jacksonville Dredging Inlet Dredge

The Corps is expected to begin dredging any day now, and their contractor has begun staging equipment at the north end. This project is intended to improve navigation, with “sand on the beach” simply a by-product of navigation work. The expected volume of sand to be placed is 250,000 cu yds. I have contacted the USACOE in an effort to get a firm start date, and am awaiting a response.

Paid Parking

Vendor meetings continue for the parking initiative. A formal proposal was received November 23rd from a local vendor which is intriguing as it eliminates the need for capital investment in parking kiosks, and includes parking enforcement. We are tentatively scheduling a meeting with our current 4X4 area parking contractor to investigate what options they can offer. We anticipate presenting the board with a plan at the January meeting.

NCBWIA Conference

The North Carolina Beach, Waterway, and Inlet Association held their semi-annual conference earlier this month. Town representatives attended both in person and virtually, and received much useful information from some top notch presenters from both Government and the Private Sector. Perhaps the most significant benefit was having the opportunity to meet and initiate relationships with legislative assistants to Senators Burr and Tillis, as well as to renew our relationship with Congressman Rouzer. I hope that additional local legislators and officials will be available at future conferences.

Snowflakes (Christmas Decorations)

Decorations are now in place, but final wiring must be completed by Jones/Onslow. This pertains to all of the decorations south of the bridge, and a few north of the bridge where wiring is defective. A list of all those requiring attention has been given to JOEMC and hopefully work can be completed shortly.

Flood Maps

The approval of revised North Topsail Beach flood maps did not include one panel which included portions of North Topsail and portions of Surf City. This was included in the Pender County map group, a group whose approval has been delayed by multiple challenges.

Staff has worked diligently to try to get this corrected, and on December 2nd FEMA will issue a Letter of Final Determination correcting the situation. However ... FEMA mandates a six month compliancy period, meaning that the maps will not be adopted until June 2, 2021.

Laura Oxley

To: Way, Francis
Subject: RE: Monthly Board Report

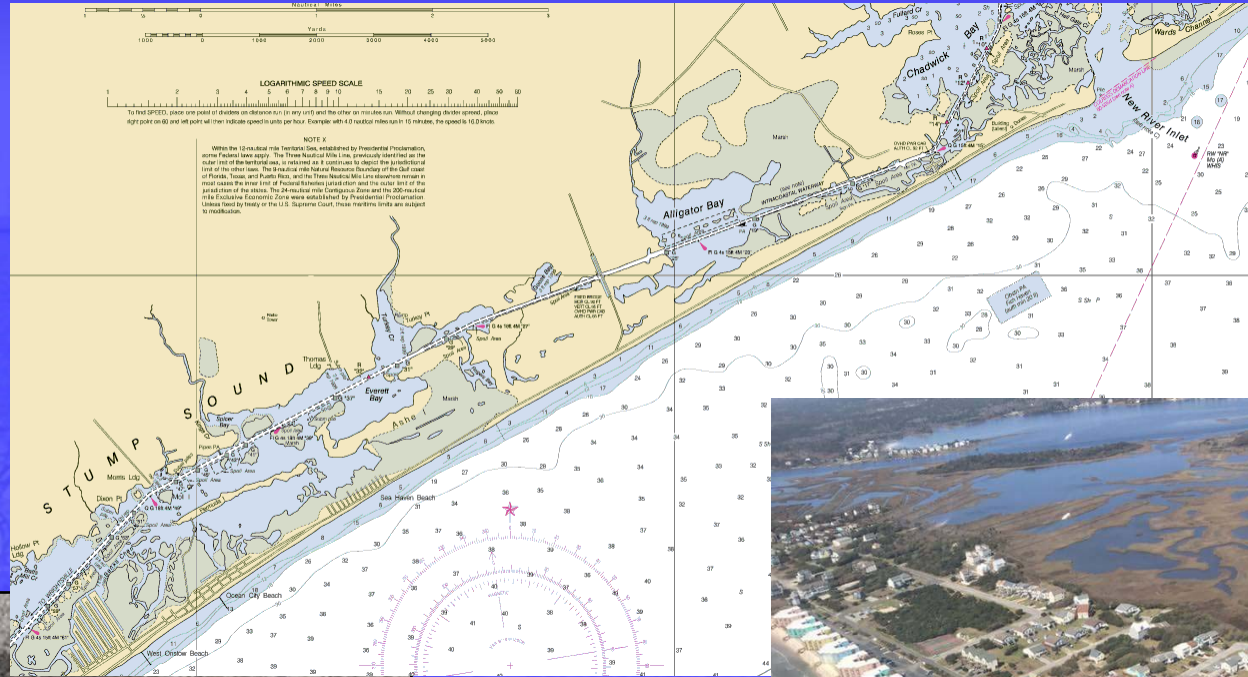
From: Way, Francis <FWay@appliedtm.com>
Sent: Friday, November 27, 2020 1:12 PM
To: Laura Oxley <LOxley@ntbnc.org>
Subject: RE: Monthly Board Report

Hi Laura,
Here are the summary bulletpoints for the upcoming meeting:

- Dune Truck Haul Phases 1-4: To occur this winter in permitted window of November 16 to April 30. Contingent on FEMA processing/finalization.
- USACE New River Inlet/AIWW Dredging: To occur this winter. Pre-project setup has begun. Dredging anticipated to occur this month. This is a USACE (Corps) project and the Corps has been sending updates on the contractor's progress.
- Hurricane Florence Category G: To occur next winter (2021/2022). Pre-scoping meeting with State and Federal agencies this month.
- New River Inlet Management EIS (aka "terminal groin project"): Timeline is controlled by the USACE. A large pre-scoping meeting open to the public is the next step.

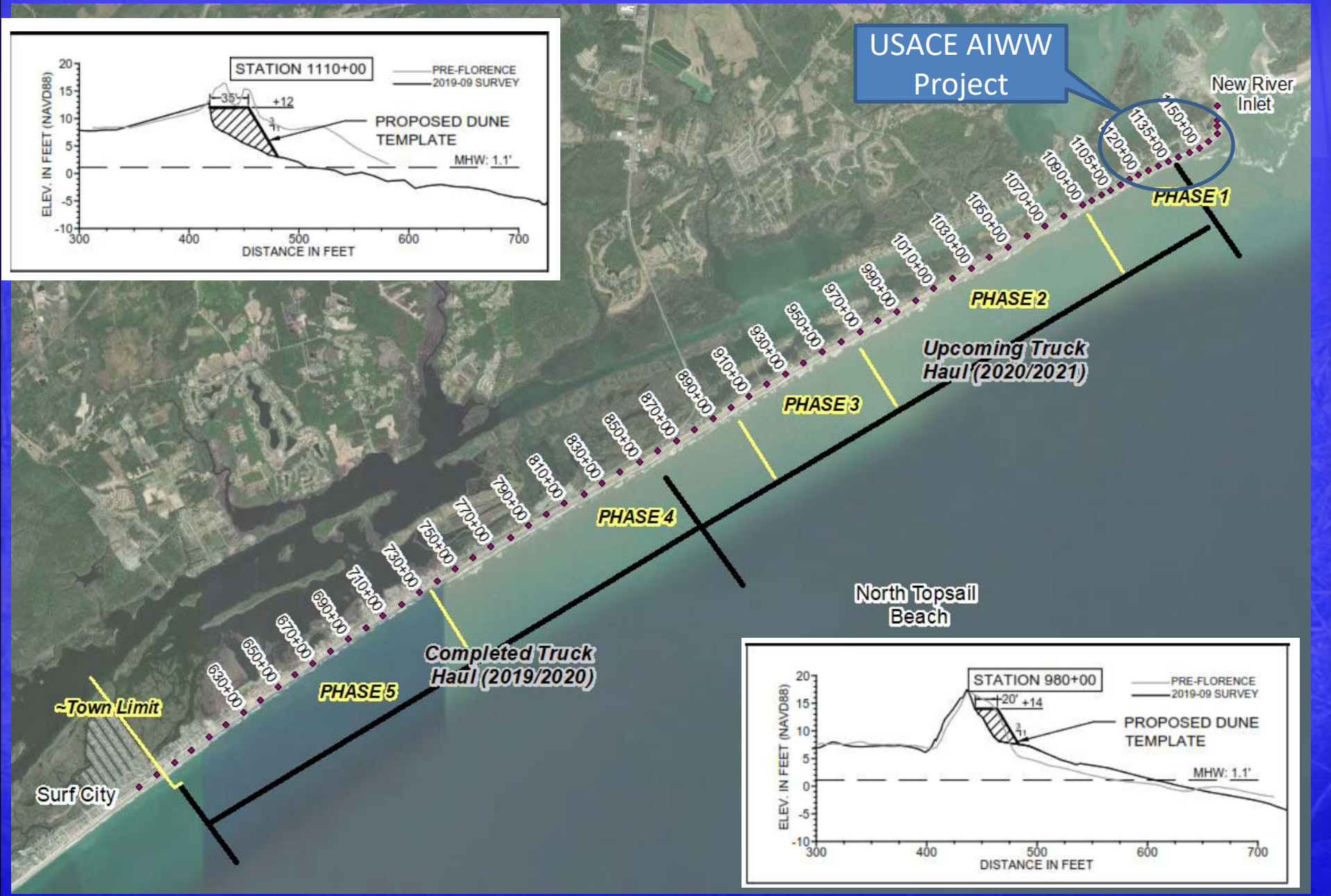
Thanks
Fran

Topsail Beach Coastal Update – December 2020

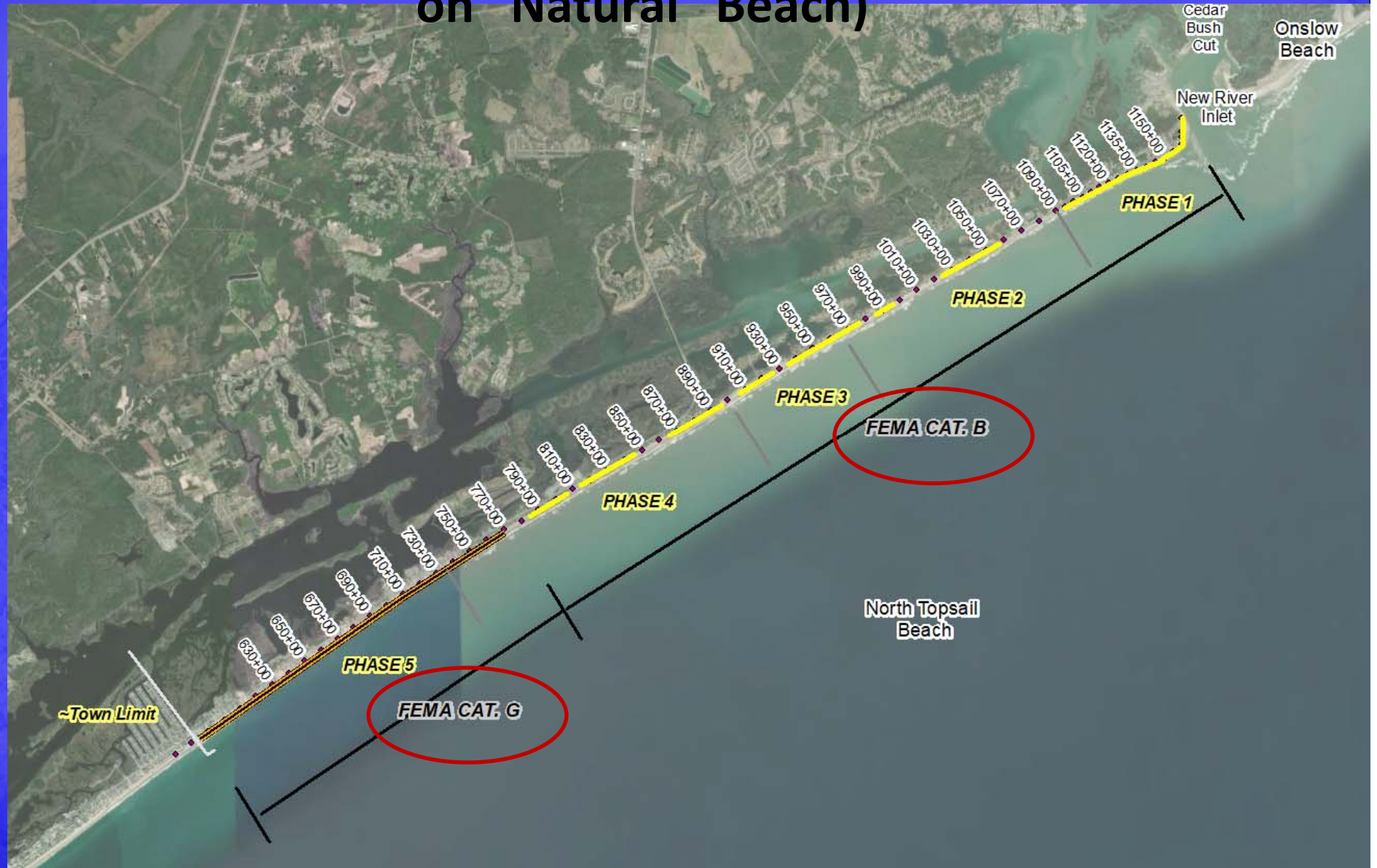


Marina, Coastal, Environmental
& Water Resources Engineers

Truck Haul and USACE AIWW Project



FEMA Florence Cat G (Engineered Beach) and Cat B (Dune on "Natural" Beach)



Beach Projects

- Dune Truck Haul Phases 1-4: To occur this winter in permitted window of November 16 to April 30. Contingent on FEMA processing/finalization.
- USACE New River Inlet/AIWW Dredging: To occur this winter. Pre-project setup has begun. USACE and dredger anticipate pumping to begin this month.
- Hurricane Florence Category G: To occur next winter (2021/2022). Pre-scoping meeting this month.
- New River Inlet Management EIS: Timeline is controlled by the USACE.

North Topsail Beach
December 1, 2020
USACE Beach Project - Financial Metrics

Key Assumptions:

Town's Project Cost	\$	16,500,000		
Estimated D/S	\$	3,000,000	/yr for 7 years	
Renourishment Cost	\$	10,900,000	+ every 5-7yrs	
Parking Revenue (est)	\$	550,000		
1% OT Revenue (est)	\$	350,000		
	\$	1,000,000,000	Town-wide	1¢ = \$100,000
Valuations	\$	412,000,000	All Phase 5 MSD	1¢ = \$41,200
	\$	232,000,000	Phase 5 MSD - Oceanside	1¢ = \$23,200
	\$	180,000,000	Phase 5 MSD - Soundside	1¢ = \$18,000

Revenue Matrix

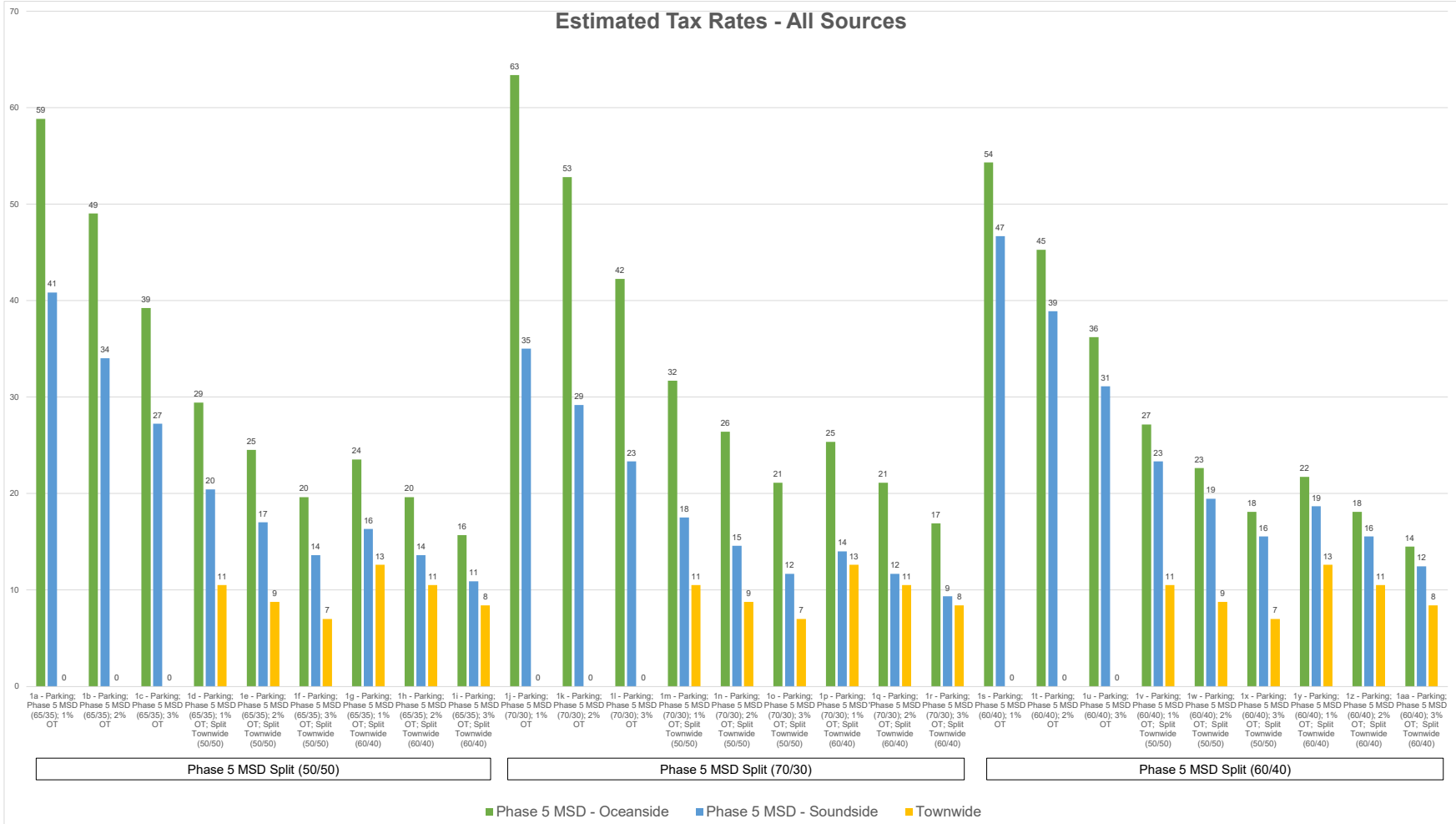
Scenario 1 - All Sources	Parking	New Occ. Tax	Phase 5 MSD - Phase 5 MSD - Phase 5 MSD - Phase 5 MSD -				Townwide PT	Townwide ¢ needed	Total Revenue
			Oceanside PT	Oceanside ¢ needed	Soundside PT	Soundside ¢ needed			
1a - Parking; Phase 5 MSD (65/35); 1% OT	\$ 550,000	\$ 350,000	\$ 1,365,000	59	\$ 735,000	41	\$ -	0	\$ 3,000,000
1b - Parking; Phase 5 MSD (65/35); 2% OT	\$ 550,000	\$ 700,000	\$ 1,137,500	49	\$ 612,500	34	\$ -	0	\$ 3,000,000
1c - Parking; Phase 5 MSD (65/35); 3% OT	\$ 550,000	\$ 1,050,000	\$ 910,000	39	\$ 490,000	27	\$ -	0	\$ 3,000,000
1d - Parking; Phase 5 MSD (65/35); 1% OT; Split Townwide (50/50)	\$ 550,000	\$ 350,000	\$ 682,500	29	\$ 367,500	20	\$ 1,050,000	11	\$ 3,000,000
1e - Parking; Phase 5 MSD (65/35); 2% OT; Split Townwide (50/50)	\$ 550,000	\$ 700,000	\$ 568,750	25	\$ 306,250	17	\$ 875,000	9	\$ 3,000,000
1f - Parking; Phase 5 MSD (65/35); 3% OT; Split Townwide (50/50)	\$ 550,000	\$ 1,050,000	\$ 455,000	20	\$ 245,000	14	\$ 700,000	7	\$ 3,000,000
1g - Parking; Phase 5 MSD (65/35); 1% OT; Split Townwide (60/40)	\$ 550,000	\$ 350,000	\$ 546,000	24	\$ 294,000	16	\$ 1,260,000	13	\$ 3,000,000
1h - Parking; Phase 5 MSD (65/35); 2% OT; Split Townwide (60/40)	\$ 550,000	\$ 700,000	\$ 455,000	20	\$ 245,000	14	\$ 1,050,000	11	\$ 3,000,000
1i - Parking; Phase 5 MSD (65/35); 3% OT; Split Townwide (60/40)	\$ 550,000	\$ 1,050,000	\$ 364,000	16	\$ 196,000	11	\$ 840,000	8	\$ 3,000,000
1j - Parking; Phase 5 MSD (70/30); 1% OT	\$ 550,000	\$ 350,000	\$ 1,470,000	63	\$ 630,000	35	\$ -	0	\$ 3,000,000
1k - Parking; Phase 5 MSD (70/30); 2% OT	\$ 550,000	\$ 700,000	\$ 1,225,000	53	\$ 525,000	29	\$ -	0	\$ 3,000,000
1l - Parking; Phase 5 MSD (70/30); 3% OT	\$ 550,000	\$ 1,050,000	\$ 980,000	42	\$ 420,000	23	\$ -	0	\$ 3,000,000
1m - Parking; Phase 5 MSD (70/30); 1% OT; Split Townwide (50/50)	\$ 550,000	\$ 350,000	\$ 735,000	32	\$ 315,000	18	\$ 1,050,000	11	\$ 3,000,000
1n - Parking; Phase 5 MSD (70/30); 2% OT; Split Townwide (50/50)	\$ 550,000	\$ 700,000	\$ 612,500	26	\$ 262,500	15	\$ 875,000	9	\$ 3,000,000
1o - Parking; Phase 5 MSD (70/30); 3% OT; Split Townwide (50/50)	\$ 550,000	\$ 1,050,000	\$ 490,000	21	\$ 210,000	12	\$ 700,000	7	\$ 3,000,000
1p - Parking; Phase 5 MSD (70/30); 1% OT; Split Townwide (60/40)	\$ 550,000	\$ 350,000	\$ 588,000	25	\$ 252,000	14	\$ 1,260,000	13	\$ 3,000,000
1q - Parking; Phase 5 MSD (70/30); 2% OT; Split Townwide (60/40)	\$ 550,000	\$ 700,000	\$ 490,000	21	\$ 210,000	12	\$ 1,050,000	11	\$ 3,000,000
1r - Parking; Phase 5 MSD (70/30); 3% OT; Split Townwide (60/40)	\$ 550,000	\$ 1,050,000	\$ 392,000	17	\$ 168,000	9	\$ 840,000	8	\$ 3,000,000
1s - Parking; Phase 5 MSD (60/40); 1% OT	\$ 550,000	\$ 350,000	\$ 1,260,000	54	\$ 840,000	47	\$ -	0	\$ 3,000,000
1t - Parking; Phase 5 MSD (60/40); 2% OT	\$ 550,000	\$ 700,000	\$ 1,050,000	45	\$ 700,000	39	\$ -	0	\$ 3,000,000
1u - Parking; Phase 5 MSD (60/40); 3% OT	\$ 550,000	\$ 1,050,000	\$ 840,000	36	\$ 560,000	31	\$ -	0	\$ 3,000,000
1v - Parking; Phase 5 MSD (60/40); 1% OT; Split Townwide (50/50)	\$ 550,000	\$ 350,000	\$ 630,000	27	\$ 420,000	23	\$ 1,050,000	11	\$ 3,000,000
1w - Parking; Phase 5 MSD (60/40); 2% OT; Split Townwide (50/50)	\$ 550,000	\$ 700,000	\$ 525,000	23	\$ 350,000	19	\$ 875,000	9	\$ 3,000,000
1x - Parking; Phase 5 MSD (60/40); 3% OT; Split Townwide (50/50)	\$ 550,000	\$ 1,050,000	\$ 420,000	18	\$ 280,000	16	\$ 700,000	7	\$ 3,000,000
1y - Parking; Phase 5 MSD (60/40); 1% OT; Split Townwide (60/40)	\$ 550,000	\$ 350,000	\$ 504,000	22	\$ 336,000	19	\$ 1,260,000	13	\$ 3,000,000
1z - Parking; Phase 5 MSD (60/40); 2% OT; Split Townwide (60/40)	\$ 550,000	\$ 700,000	\$ 420,000	18	\$ 280,000	16	\$ 1,050,000	11	\$ 3,000,000
1aa - Parking; Phase 5 MSD (60/40); 3% OT; Split Townwide (60/40)	\$ 550,000	\$ 1,050,000	\$ 336,000	14	\$ 224,000	12	\$ 840,000	8	\$ 3,000,000

Scenario 2 - Parking & Property Tax	Parking	New Occ. Tax	Phase 5 MSD - Phase 5 MSD - Phase 5 MSD - Phase 5 MSD -				Townwide PT	Townwide ¢ needed	Total Revenue
			Oceanside PT	Oceanside ¢ needed	Soundside PT	Soundside ¢ needed			
2a - Parking; Phase 5 MSD (65/35)	\$ 550,000	\$ -	\$ 1,592,500	69	\$ 857,500	48	\$ -	0	\$ 3,000,000
2b - Parking; Phase 5 MSD (65/35); Split Townwide (50/50)	\$ 550,000	\$ -	\$ 796,250	34	\$ 428,750	24	\$ 1,225,000	12	\$ 3,000,000
2c - Parking; Phase 5 MSD (65/35); Split Townwide (60/40)	\$ 550,000	\$ -	\$ 637,000	27	\$ 343,000	19	\$ 1,470,000	15	\$ 3,000,000
2d - Parking; Phase 5 MSD (70/30)	\$ 550,000	\$ -	\$ 1,715,000	74	\$ 735,000	41	\$ -	0	\$ 3,000,000
2e - Parking; Phase 5 MSD (70/30); Split Townwide (50/50)	\$ 550,000	\$ -	\$ 857,500	37	\$ 367,500	20	\$ 1,225,000	12	\$ 3,000,000
2f - Parking; Phase 5 MSD (70/30); Split Townwide (60/40)	\$ 550,000	\$ -	\$ 686,000	30	\$ 294,000	16	\$ 1,470,000	15	\$ 3,000,000
2g - Parking; Phase 5 MSD (60/40)	\$ 550,000	\$ -	\$ 1,470,000	63	\$ 980,000	54	\$ -	0	\$ 3,000,000
2h - Parking; Phase 5 MSD (60/40); Split Townwide (50/50)	\$ 550,000	\$ -	\$ 735,000	32	\$ 490,000	27	\$ 1,225,000	12	\$ 3,000,000
2i - Parking; Phase 5 MSD (60/40); Split Townwide (60/40)	\$ 550,000	\$ -	\$ 588,000	25	\$ 392,000	22	\$ 1,470,000	15	\$ 3,000,000

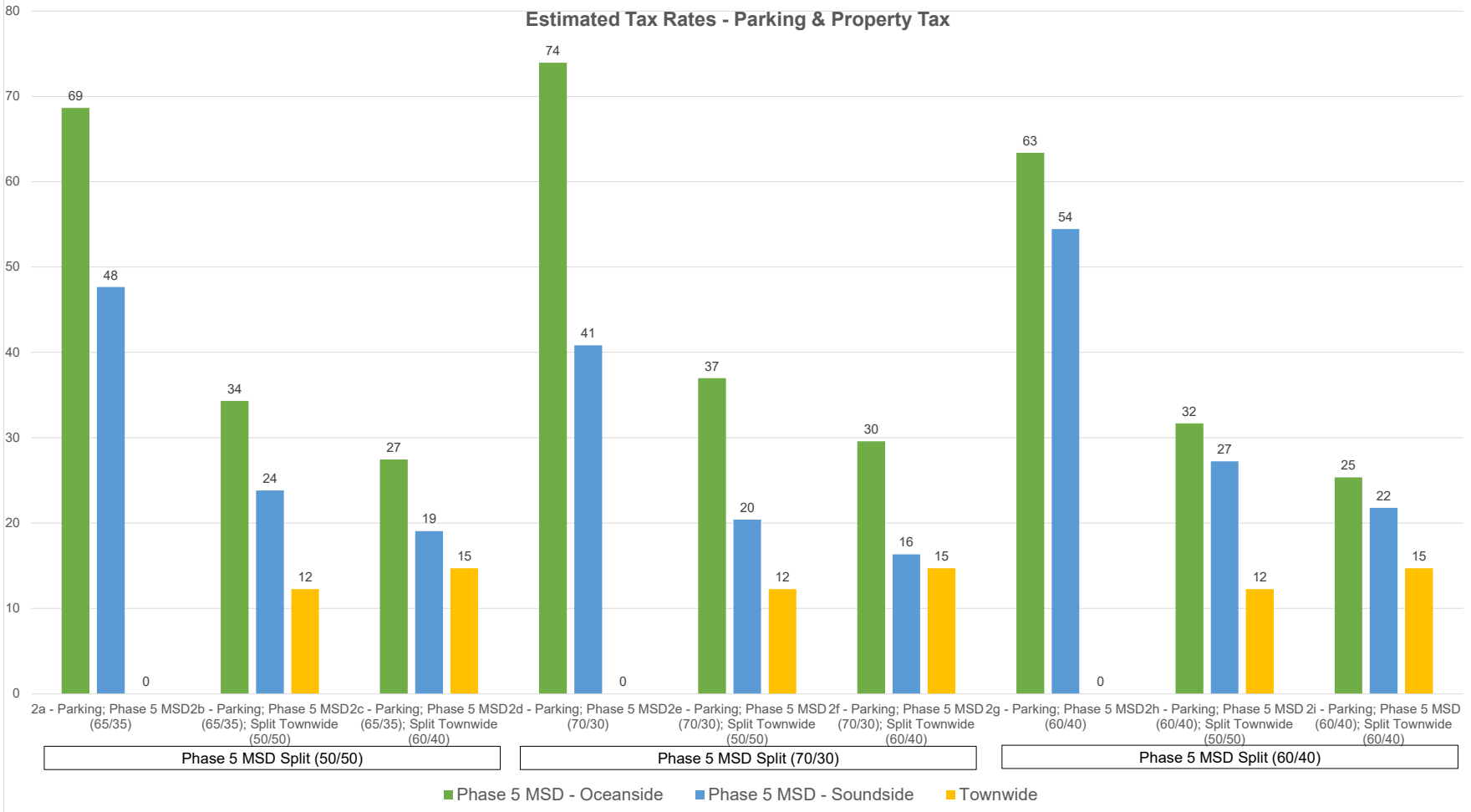
Scenario 3 - Property Tax Only	Parking	New Occ. Tax	Phase 5 MSD - Phase 5 MSD - Phase 5 MSD - Phase 5 MSD -				Townwide PT	Townwide ¢ needed	Total Revenue
			Oceanside PT	Oceanside ¢ needed	Soundside PT	Soundside ¢ needed			
3a - Phase 5 MSD (65/35)	\$ -	\$ -	\$ 1,950,000	84	\$ 1,050,000	58	\$ -	0	\$ 3,000,000
3b - Phase 5 MSD (65/35); Split Townwide (50/50)	\$ -	\$ -	\$ 975,000	42	\$ 525,000	29	\$ 1,500,000	15	\$ 3,000,000
3c - Phase 5 MSD (65/35); Split Townwide (60/40)	\$ -	\$ -	\$ 780,000	34	\$ 420,000	23	\$ 1,800,000	18	\$ 3,000,000
3d - Phase 5 MSD (70/30)	\$ -	\$ -	\$ 2,100,000	91	\$ 900,000	50	\$ -	0	\$ 3,000,000
3e - Phase 5 MSD (70/30); Split Townwide (50/50)	\$ -	\$ -	\$ 1,050,000	45	\$ 450,000	25	\$ 1,500,000	15	\$ 3,000,000
3f - Phase 5 MSD (70/30); Split Townwide (60/40)	\$ -	\$ -	\$ 840,000	36	\$ 360,000	20	\$ 1,800,000	18	\$ 3,000,000
3g - Phase 5 MSD (60/40)	\$ -	\$ -	\$ 1,800,000	78	\$ 1,200,000	67	\$ -	0	\$ 3,000,000
3h - Phase 5 MSD (60/40); Split Townwide (50/50)	\$ -	\$ -	\$ 900,000	39	\$ 600,000	33	\$ 1,500,000	15	\$ 3,000,000
3i - Phase 5 MSD (60/40); Split Townwide (60/40)	\$ -	\$ -	\$ 720,000	31	\$ 480,000	27	\$ 1,800,000	18	\$ 3,000,000

Scenario 4 - Parking & Property Tax (Phase 5 MSD 1 zone)	Parking	New Occ. Tax	Phase 5 MSD		Townwide PT	Townwide ¢ needed	Total Revenue
			PT	¢ needed			
4a - Phase 5 MSD	\$ 550,000	\$ -	\$ 2,450,000	59	\$ -	0	\$ 3,000,000
4b - Phase 5 MSD; Split Townwide (50/50)	\$ 550,000	\$ -	\$ 1,225,000	30	\$ 1,225,000	12	\$ 3,000,000

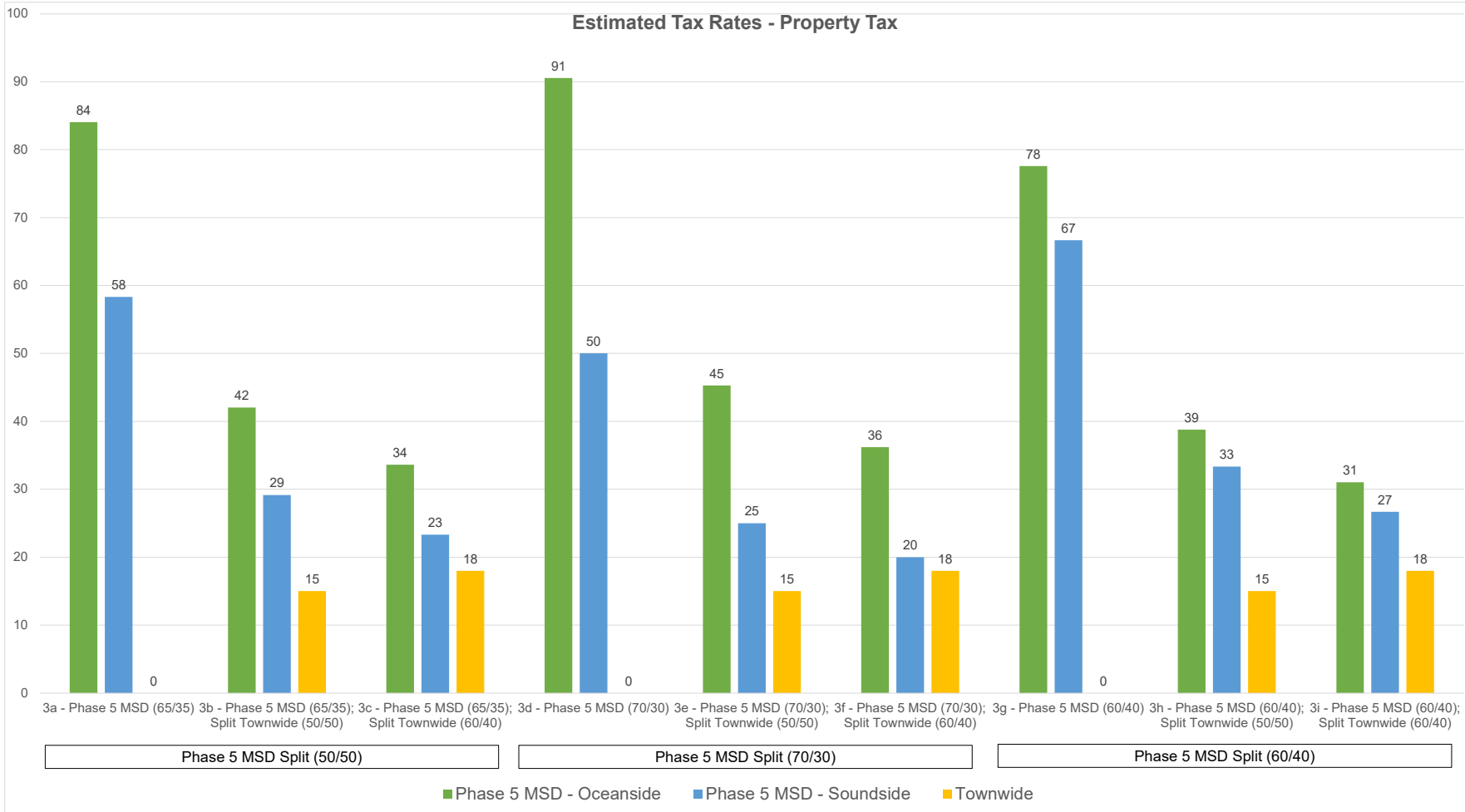
Estimated Tax Rates - All Sources



Estimated Tax Rates - Parking & Property Tax



Estimated Tax Rates - Property Tax





Town of North Topsail Beach
Board of Aldermen

Agenda	Continuing
Item:	Business B
Date:	12 03 20

Issue: Jacksonville Urban Area Metropolitan Planning Organization (JUMPO)

Department: Planning

Prepared by: Deborah J. Hill MPA AICP CFM CZO

Presentation: Yes

BACKGROUND The North Carolina Department of Transportation (NCDOT) has given final approval to move forward with the execution of the Memorandum of Understandings (MOU) to expand the Jacksonville Urban Area Metropolitan Planning Organization (JUMPO) planning area boundary (**attachment 1**). As required by North Carolina General Statutes Chapter 136 Article 16 and to ensure compliance with 23 U.S.C. § 134, the JUMPO Boundaries Structure provides the justification for the boundary expansion (**attachment 2**). The proposed expansion includes the towns of Richlands, Swansboro, Holly Ridge and North Topsail Beach and all of Onslow County with the exception of the portion of Surf City that is within Onslow County, which will remain with the Down East Rural Planning Organization (DERPO) (**attachment 2 page 3**).

The Memorandum of Understanding (**attachment 3**) provides details on roles and responsibilities for each party as well as establishes the composition of both the Technical Coordinating Committee (TCC) and the Transportation Advisory Committee (TAC). Voting members of Transportation Advisory Committee policy board will remain unchanged; however, new members will be invited to attend TAC meetings as nonvoting participants.

The MPO's TAC Board approved of Resolution to expand the boundary on November 19, 2020. The next step is to seek approval from Onslow County and each of the towns. The timeline for approvals from each of the members are:

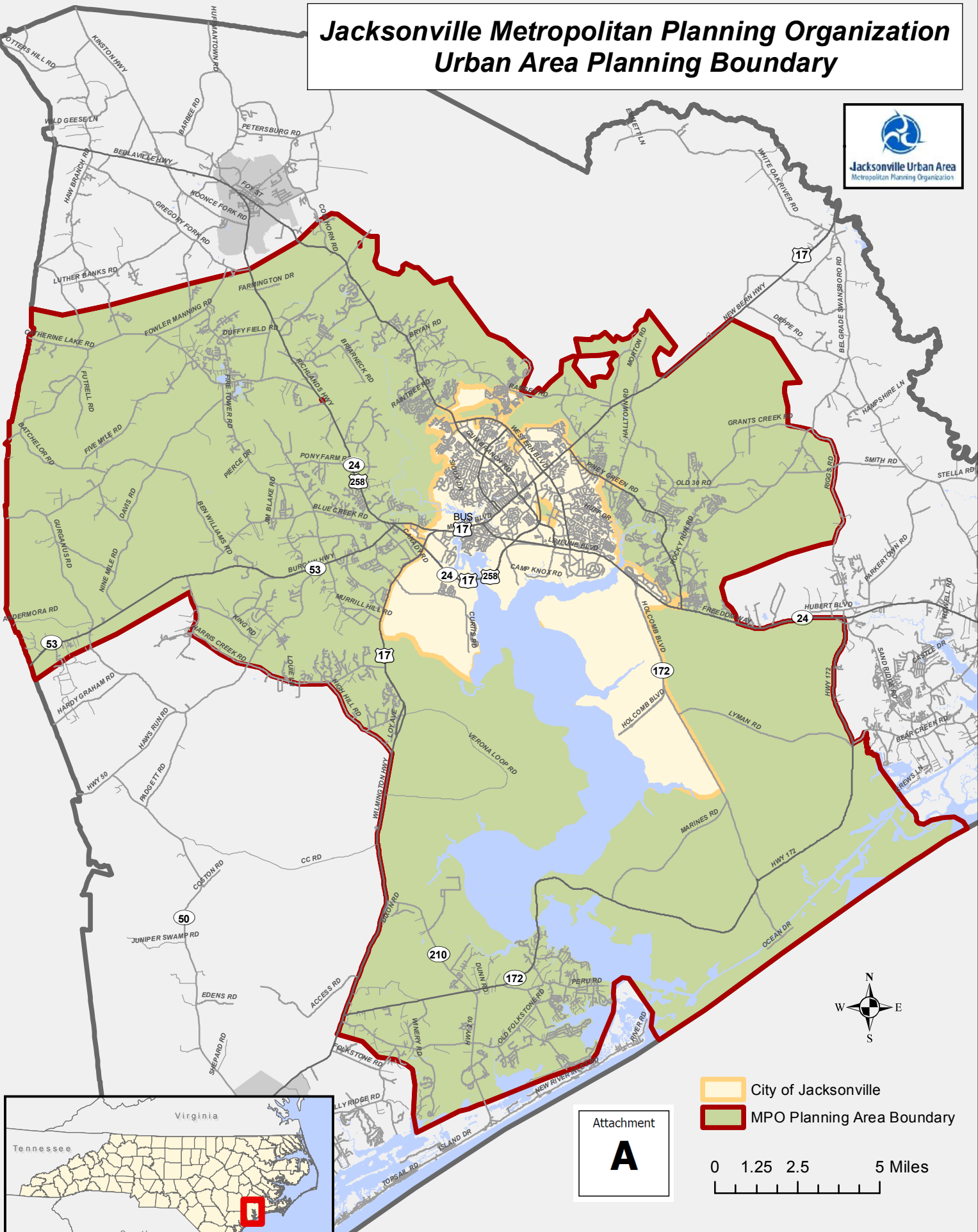
- North Topsail Beach – December 3rd (**attachment 4**)
- Holly Ridge – December 8th or January 12th
- Richlands – December 8th
- Jacksonville – December 8th
- Swansboro – December 28th
- Onslow County – January 4th

RECOMMENDATION that the Board of Aldermen approve the Resolution (**attachment 4**) and authorize the Mayor to sign the Memorandum of Understanding (**attachment 3**).

ATTACHMENTS

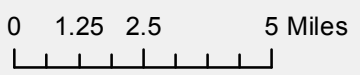
1. Current JUMPO boundary expanded by the TAC on August 9, 2012.
2. A Review of Boundaries, Structure & Governance for the Jacksonville Urban Area Metropolitan Planning Organization, October 22, 2020.
3. Memorandum of Understanding.
4. Resolution.

Jacksonville Metropolitan Planning Organization Urban Area Planning Boundary



Attachment
A

- City of Jacksonville
- MPO Planning Area Boundary



Current JUMPO boundary expanded by the TAC on August 9, 2012

A Review of Boundaries, Structure & Governance for the Jacksonville Urban Area Metropolitan Planning Organization

As Required by North Carolina General Statutes Chapter 136 Article 16

HB 1288 (MPO Bill) Section 5, Article 16 of Chapter 136-200.2

Prepared By:

North Carolina Department of Transportation (NCDOT), Transportation Planning Division

In Cooperation With:

Jacksonville Urban Area Metropolitan Planning Organization Technical Coordinating Committee (TCC), and Transportation Advisory Committee (TAC);
Federal Highway Administration (FHWA); and
United States Department of Transportation (USDOT)

October 22, 2020

Executive Summary

Section 136-200.2 of the North Carolina General Statutes requires an evaluation of the boundaries, structure, and governance of each metropolitan planning organization in the State following each US Census or more frequently if requested by an individual metropolitan planning organization. The goal of the evaluation is to examine the need for and to make recommendations for adjustments to metropolitan planning organization boundaries, structure, or governance in order to ensure compliance with the objectives of 23 U.S.C. § 134.

This report describes the requirements of this law and details the required factors utilized to perform the evaluation for the Jacksonville Urban Area Metropolitan Planning Organization (MPO).

The geographic location of the Jacksonville Urban Area MPO is shown in Figure 1. The Jacksonville Urban Area MPO contains the urbanized area for Onslow County as shown in the 2010 US Census as well as portions of the unincorporated areas in Onslow County. Those areas not currently part of the Jacksonville planning area boundary within Onslow County are part of the Down East Rural Planning Organization (RPO). The Wilmington Urban Area MPO, Cape Fear RPO and East Carolina RPO also surround the county boundary. The 2010 US Census Urbanized Area map, Jacksonville Urban Area Metropolitan Planning Area map, Jacksonville Urban Area MPO Metropolitan Transportation Plan and the Jacksonville Urban Area MPO Memorandum of Understanding were utilized to complete this evaluation.

Based on the findings of this evaluation, changes to the Jacksonville Urban Area MPO will be required to ensure that the 2045 planning horizon year can be planned for adequately.



Figure 1: Jacksonville Urban Area MPO

Provisions of the North Carolina General Statutes

The North Carolina General Statutes present the laws that govern the State. In July 2001, Section 5, Article 16 of Chapter 136 of the Statutes were amended to include the following:

§ 136-200.2. Decennial review of metropolitan planning organization boundaries, structure, and governance.

- 1) Evaluation. – Following each decennial census, and more frequently if requested by an individual metropolitan planning organization, the Governor and the Secretary of Transportation, in cooperation with the affected metropolitan planning organization or organizations, shall initiate an evaluation of the boundaries, structure, and governance of each metropolitan planning organization in the State. The goal of the evaluation shall be to examine the need for and to make recommendations for adjustments to metropolitan planning organization boundaries, structure, or governance in order to ensure compliance with the objectives of 23 U.S.C. § 134. The Secretary shall submit a report of the evaluation process to the Governor and to the Joint Legislative Transportation Oversight Committee.
- 2) Factors for Evaluation. – The evaluation of the area, structure, and governance of each metropolitan planning organization shall include all of the following factors:
 - 1) Existing and projected future commuting and travel patterns and urban growth projections.
 - 2) Integration of planning with existing regional transportation facilities, such as airports, seaports, and major interstate and intrastate road and rail facilities.
 - 3) Conformity with and support for existing or proposed regional transit and mass transportation programs and initiatives.
 - 4) Boundaries of existing or proposed federally designated air quality nonattainment areas or air-quality management regions.
 - 5) Metropolitan Statistical Area boundaries.
 - 6) Existing or proposed cooperative regional planning structures.
 - 7) Administrative efficiency, availability of resources, and complexity of management.
 - 8) Feasibility of the creation of interstate metropolitan planning organizations.
 - 9) Governance structures, as provided in subsection (c) of this section.
- 3) Metropolitan Planning Organization Structures. – The Governor and Secretary of Transportation, in cooperation with existing metropolitan planning organizations and local elected officials, may consider the following changes to the structure of existing metropolitan planning organizations:

- 1) Expansion of existing metropolitan planning organization boundaries to include areas specified in 23 U.S.C. § 134(c).
 - 2) Consolidation of existing contiguous metropolitan planning organizations in accordance with the redesignation procedure specified in 23 U.S.C. § 134(b).
 - 3) Creation of metropolitan planning organization subcommittees with responsibility for matters that affect a limited number of constituent jurisdictions, as specified in a memorandum of understanding redesignating a metropolitan planning organization in accordance with the provisions of 23 U.S.C. § 134.
 - 4) Formation of joint committees or working groups among contiguous nonconsolidated metropolitan planning organizations, with such powers and responsibilities as may be delegated to such joint committees pursuant to their respective memoranda of understanding.
 - 5) Creation of interstate compacts pursuant to 23 U.S.C. § 134(d) to address coordination of planning among metropolitan planning organizations located in this State and contiguous metropolitan planning organizations located in adjoining states.
 - 6) Delegation by the governing board of a metropolitan planning organization of part or all of its responsibilities to a regional transportation authority created under Article 27 of Chapter 160A of the General Statutes, if the regional transportation authority is eligible to exercise that authority under 23 U.S.C. § 134.
- 4) Optional Governance Provisions. – In addition to any other provisions permitted or required pursuant to 23 U.S.C. § 134, the memorandum of understanding, creating, enlarging, modifying, or restructuring a metropolitan planning organization may also include any of the following provisions relating to governance:
- 1) Distribution of voting power among the constituent counties, municipal corporations, and other participating organizations on a basis or bases other than population.
 - 2) Membership and representation of regional transit or transportation authorities or other regional organizations in addition to membership of counties and municipal corporations.
 - 3) Requirements for weighted voting or supermajority voting on some or all issues.
 - 4) Provisions authorizing or requiring the delegation or certain decisions or approvals to less than the full-voting membership or the metropolitan planning organization in matters that affect only a limited number of constituent jurisdictions.
 - 5) Requirements for rotation and sharing of officer positions and committee chair positions in order to protect against concentration of authority within the metropolitan planning organization.
 - 6) Any other provision agreed to by the requisite majority of jurisdictions constituting the metropolitan planning organization.

- 5) Effect of Evaluation – Upon completion of the valuation required under this section, a metropolitan planning organization may be restructured in accordance with the procedure contained in 23 U.S.C. § 134(b)(5).
- 6) Assistance – The Department may provide staff assistance to metropolitan planning organizations in existence prior to January 1, 2001, that are considering consolidation on or after January 1, 2001. In addition, the Department may provide funding assistance to metropolitan planning organizations considering consolidation, upon receipt of a letter of intent from jurisdictions representing seventy-five percent (75%) of the affected population, including the central city, in each metropolitan planning organization considering consolidation.

Factors for Evaluation of the Jacksonville Urban Area Metropolitan Planning Organization

The evaluation of the area, structure and governance of the Jacksonville Urban Area MPO included all of the following factors, as highlighted below.

1) Existing and projected future commuting and travel patterns and urban growth projections.

The Jacksonville Metropolitan Statistical Area (MSA) incorporates all of Onslow County which includes the City of Jacksonville and the towns of Richlands, Swansboro, Holly Ridge, North Topsail Beach and a portion of Surf City. This county is expected to see a continued 1% yearly growth rate as projected by the NC Office of State Budget and Management.

The North Carolina Department of Transportation (NCDOT) continues to use the Travel Demand Model to project future travel patterns and identify necessary transportation improvements as part of the 2045 Metropolitan Transportation Plan update that was adopted in March 2020. Urban growth projections for population, housing and employment through 2045 were developed by the Jacksonville Urban Area MPO in conjunction with NCDOT as part of the 2045 Metropolitan Transportation Plan update in March 2020.

With the projected growth rate and travel patterns, there is a need for more comprehensive planning throughout the County to include areas that are currently outside of the metropolitan planning area (MPA).

2) Integration of planning with existing regional transportation facilities, such as: airports, seaports, major interstate and intrastate roadways, and rail facilities.

The Jacksonville Urban Area MPO, in cooperation with NCDOT, is responsible for the integration of planning with existing regional transportation facilities such as OAJ Ellis Albert Airport and commercial rail freight. Major corridors include intrastate highway US 17 and US 258 as well as NC Routes 24, 53, 111, 172, 210 and 50. NCDOT is currently conducting an evaluation of converting US 258 to an intrastate from the corporate limits of the City of Jacksonville to the Onslow County limits past Richlands.

3) Conformity with and support for existing or proposed regional transit and mass transportation programs and initiatives.

The Jacksonville Urban Area MPO is in conformance with and in support of existing or proposed regional transit and mass transportation programs and initiatives within the urban area. Jacksonville Transit, which operates within the Jacksonville Urban Area MPO, provides traditional fixed-route bus service as well as paratransit within the urban area. The Jacksonville Urban Area MPO is an integral piece to the

coordination and implementation of these regional initiatives.

4) Boundaries of existing or proposed federally designation air quality nonattainment areas or air quality maintenance regions.

N/A

5) Metropolitan Statistical Area (MSA) boundaries

The Jacksonville Metropolitan Statistical Area (MSA) boundary is an area that contains the City of Jacksonville and incorporated portions of Onslow County. The planning area boundary would be expanded to match the county line of Onslow with the exception that the portion of Surf City that is located within Onslow County would not be included in the new boundary. The planning area boundary would include Holly Ridge, North Topsail Beach, Richlands, and Swansboro.

6) Existing or proposed cooperative regional planning structures

The Jacksonville Urban Area MPO area currently does not have a cooperative regional planning structure as it is not needed at this time.

7) Administrative efficiency, availability of resources and complexity of management

The Jacksonville Urban Area MPO operates under the cooperative relationship between the City of Jacksonville (the lead planning agency), Onslow County and all MPO member cities and towns within the metropolitan planning area, various State and Federal transportation agencies, and major transportation service providers. The MPO dedicates adequate resources to successfully complete any long range transportation planning, , multi-modal, and regional transportation initiatives along with its partner, NCDOT. Resources and funding is provided in the annual Unified Planning Work Program (UPWP). The MPO's governance and management is efficient, democratic, and adheres to the rules established under its Memorandum of Understanding (MOU).

8) Feasibility of the creation of interstate metropolitan planning organizations

Not applicable.

9) Governance structure

See Consideration for Changes to Existing Structures of the Jacksonville Urban Area MPO.

Consideration for Changes to Existing Structures of the Jacksonville Urban Area MPO

The Governor and Secretary of Transportation, in cooperation with existing metropolitan planning organizations and local elected officials, may consider changes to the structure of existing metropolitan planning organizations. The following information presents the Jacksonville Urban Area MPO's position on such proposed changes.

1) Expansion of existing MPO boundaries to include areas specified in 23 U.S.C. § 134(c)

Expansion of the existing Jacksonville Urban Area MPO planning boundary to include all of Onslow County excluding the portion of Surf City located within Onslow County, Jacksonville MSA, and the towns of Holly Ridge, North Topsail Beach, Richlands, and Swansboro.

2) Consolidation of existing contiguous MPOs in accordance with redesignation procedure specified in 23 U.S.C. § 134(b)

This option is not being considered at this time.

3) Creation of MPO subcommittees with responsibility for matters that affect a limited number of constituent jurisdictions

This option is not being considered at this time.

4) Formation of joint committees or working groups among contiguous non-consolidated MPOs with such powers and responsibilities as may be delegated to such joint committees pursuant to their respective memoranda of understanding

This option is not being considered at this time.

5) Creation of interstate compacts pursuant to 23 U.S.C. § 134(d) to address coordination of planning among metropolitan planning organizations located in this State and contiguous metropolitan planning organizations located in adjoining states.

Not applicable.

6) Delegation by the governing board of a metropolitan planning organization of part or all of its responsibilities to a regional transportation authority created under Article 27 of Chapter 160A of the General Statutes, if the regional transportation authority is eligible to exercise that authority under 23 U.S.C. § 134.

Not applicable.

**Consideration for Optional Governance Provisions within the
Jacksonville Urban Area MPO**

The consideration for provisions outside of those required by 23 U.S.C. § 134 for inclusion in the memorandum of understanding or for consideration of creating, enlarging, modifying, or restructuring the Jacksonville Urban Area MPO are highlighted below.

1) Distribution of voting power among the constituent counties, municipal corporations, and other participating organizations on a basis or bases other than population.

The Jacksonville Urban Area MPO Transportation Advisory Committee (TAC) does not use either weighed voting or a one jurisdiction-one vote system. However, the number of seats per jurisdiction roughly reflect the balance of population between the City of Jacksonville, the towns, and the unincorporated areas of Onslow County.

With the expansion of the planning area boundary, the TAC would be expanded to add one elected representative each from the towns of Holly Ridge, North Topsail Beach, Richlands, and Swansboro who would serve as an ex officio (non-voting) member. This would increase the TAC Board from five members to nine as follows:

# of Members	Town/Municipality/County	Voting Status
2	Jacksonville City Council	Yes
2	Onslow County Board of Commissioners	Yes
1	NC Board of Transportation	Yes
1	Holly Ridge Town Council	No
1	Richlands Town Council	No
1	Swansboro Town Council	No
1	North Topsail Beach Town Council	No

The Technical Coordinating Committee (TCC) voting membership currently consists of representatives from the City of Jacksonville, Onslow County, public transportation, economic development and NCDOT. With the expansion of the planning area boundary, Swansboro, Richlands, Holly Ridge, and North Topsail Beach would each would have one voting seat on the TCC. This change could increase the TCC voting members from nine to 14 and also provides one (1) additional member for Onslow County as follows:

# of Members	Town/Municipality/County	Voting Status
3	City of Jacksonville	Yes
3	Onslow County	Yes

1	Holly Ridge Town Council	Yes
1	Richlands Town Council	Yes
1	Swansboro Town Council	Yes
1	North Topsail Beach Town Council	Yes
1	Jacksonville-Onslow Economic Development	Yes
1	Onslow United Transit System	Yes
1	NCDOT Division 3	Yes
1	NCDOT Transportation Planning Division	Yes

2) Membership and representation of regional transit or transportation authorities or other regional organizations in addition to membership of counties and municipal corporations.

The region’s transit operators are represented in the current MPO structure. Therefore, no changes are envisioned at this time.

3) Requirements for weighted voting or supermajority voting on some or all issues.

The proposed voting structure of the TAC representatives from the City, County, and State adequately reflect the population balance in the MPO area. Therefore, no weighted voting or supermajority voting are recommended at this time.

4) Provisions authorizing or requiring the delegation or certain decisions or approvals to less than the full-voting membership or the metropolitan planning organization in matters that affect only a limited number of constituent jurisdictions.

The current transportation decision making process appears to adequately balance the needs of the MPO area jurisdictions and metropolitan transportation decision making. Further consideration will occur as needed in the future.

5) Requirements for rotation and sharing of officer positions and committee chair positions in order to protect against concentration of authority within the metropolitan planning organization.

Officers of the Transportation Advisory Committee and the Technical Coordinating Committee are elected by their respective town, city or county. The current Bylaws for both Committees stipulate how the elections occur as well as the terms of office. Therefore, no changes are being proposed at this time.

6) Any other provision agreed to by the requisite majority of jurisdictions constituting the metropolitan planning organization.

The MPO recognizes its authority under federal law and the Memorandum of Understanding for transportation planning to consider a full range of procedural, administrative, and representation options. The MPO will evaluate such options on an ongoing basis.

(AMENDED)
MEMORANDUM OF UNDERSTANDING
FOR
COOPERATIVE, COMPREHENSIVE, AND CONTINUING
TRANSPORTATION PLANNING

Between

THE CITY OF JACKSONVILLE, TOWN OF SWANSBORO, TOWN OF RICHLANDS, TOWN OF HOLLY RIDGE, TOWN OF NORTH TOPSAIL BEACH, AND COUNTY OF ONSLOW, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT)

WITNESSETH

THAT WHEREAS, the City of Jacksonville, County of Onslow, and the NCDOT entered into a Memorandum of Understanding for Cooperative, Comprehensive, and Continuing Transportation Planning, signed July 13, 1982, regarding the establishment of the Jacksonville Urban Area Metropolitan Planning Organization (MPO); and

WHEREAS, each MPO is required to develop a Metropolitan Transportation Plan in cooperation with NCDOT and in accordance with 23 U.S.C., Section 134, any subsequent amendments to that statute, and any implementing regulations; and a Comprehensive Transportation Plan as per Chapter 136, Article 3A, Section 136-66.2(a) of the General Statutes of North Carolina; and

WHEREAS, the transportation plan, once adopted shall serve as the basis for future transportation improvements within the MPO; and

WHEREAS, it is the desire of these parties that all prior Memoranda of Understanding between the parties be superseded and replaced by this Memorandum of Understanding.

NOW THEREFORE the following Memorandum of Understanding is made:

SECTION 1: It is hereby agreed that City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, County of Onslow, and the North Carolina Department of Transportation in cooperation with the United States of Department of Transportation, will participate in a continuing transportation planning process with responsibilities and undertakings as related in the following paragraphs:

1. The Metropolitan Planning Organization in the Jacksonville Urban Area MPO includes the boards of general purpose local government: City of Jacksonville; Town of Richlands; Town of Swansboro; Town of Holly Ridge; Town of North Topsail Beach; Onslow County; North Carolina Board of Transportation; a Transportation Advisory Committee hereinafter defined; a Technical Coordinating Committee hereinafter defined;

and the various agencies and units of local and state government participating in the transportation planning process for the area.

2. The area involved, the Jacksonville Urban Area MPO Metropolitan Planning Area, will be the Jacksonville urbanized area as defined by the United States Department of Commerce, Bureau of the Census plus that area beyond the existing urbanized area boundary that is expected to become urban within a twenty year planning period. This area is hereinafter referred to as the Planning Area.

3. The Metropolitan Planning Area Boundary may be periodically reassessed and revised in the light of new developments and data projections.

4. The continuing transportation planning process will be a cooperative one. All planning discussions will be reflective of and responsive to the programs of the North Carolina Department of Transportation, and to the comprehensive plans for growth and development within the Planning Area.

5. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.

6. Transportation Policy decisions within the planning area are the shared responsibility of the City of Jacksonville City Council; Richlands Board of Aldermen; Swansboro Town Council; Holly Ridge Town Council; North Topsail Beach Town Board of Aldermen; Onslow Board of Commissioners; and the North Carolina Board of Transportation.

7. A Transportation Advisory Committee, hereinafter referred to as the TAC, is hereby established with responsibility for serving as a forum for cooperative transportation planning and decision making for the Jacksonville Urban Area Metropolitan Planning Organization. The TAC shall consist of a representative appointed by member Boards of Local Government and a member of the North Carolina Board of Transportation. The TAC members shall have the responsibility for keeping their respective policy boards informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of the local boards they represent; and ensuring meaningful citizen participation in the transportation planning process.

8. The TAC will be responsible for carrying out the provisions of 23 U.S.C. 134, including:

a. Review and approval of the Planning Work Program (PWP) which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;

- b. Review and approval of the Metropolitan Transportation Improvement Program (TIP) for multi-modal capital and operating expenditures and to ensure coordination between local and State operating improvement programs;
- c. Review and approval of the Metropolitan Transportation Plan (MTP) and the Comprehensive Transportation Plan. As required by North GS 136-66.2 (d), revisions to the CTP must be jointly approved by the MPO and NCDOT;
- d. Establishment of goals and objectives for the transportation planning process reflective of and responsive to comprehensive plans for growth and development in the MPO planning area;
- e. The TAC shall have the responsibility for keeping boards of general purpose local government informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of these boards; and ensuring meaningful citizen participation in the transportation planning process;
- f. The TAC shall review, approve and endorse changes to the Federal-Aid Functional Classification System and MPO's Metropolitan Planning Area Boundary (MPA);
- g. Adoption of Bylaws for the purpose of establishing operating policies and procedures.
- h. Any other duties identified as necessary to further facilitate the transportation planning process.

9. The membership and voting structure of the TAC is listed below:

# of Members	Town/Municipality/County	Voting Status
2	Jacksonville City Council	Yes
2	Onslow County Board of Commissioners	Yes
1	NC Board of Transportation	Yes
1	Holly Ridge Town Council	No
1	Richlands Board of Aldermen	No
1	Swansboro Board of Commissioners	No
1	North Topsail Beach Board of Aldermen	No

It is anticipated that the Division Administrator, Federal Highway Administration, or his representative; Assistant Chief of Staff, Facilities, MCB, Camp Lejeune; Assistant Chief

of Staff, Logistics, MCB, Camp Lejeune; S-4 Officer, Marine Corps Air Station (H), New River; and several community leaders will serve as consulting non-voting members to the TAC.

10. Each member's government policy board may appoint an alternate to its representative provided each alternate also meets the same qualifications of membership. That alternate member has the same membership rights during any meeting where the board's representative is not in attendance.

11. The TAC shall meet as often as it is deemed appropriate and advisable, and shall elect a Chairman and Vice-Chairman based on a majority vote annually at the first regularly scheduled meeting of the calendar year.

12. Municipal councils, boards of alderman and county commissioners represented on the TAC shall serve as the primary means for citizen input in the transportation planning process. This citizen involvement will be obtained through goals and objectives surveys, forums, and public meetings.

13. A Technical Coordinating Committee, hereinafter referred to as the TCC, shall be established with the responsibility of general review, guidance and coordination of the transportation planning process for the planning area, and with the responsibility for making recommendations to the respective local and state governmental agencies and the TAC regarding any necessary actions relating to the continuing transportation planning process. The TCC shall be responsible for development, review, and recommendation for approval of the Comprehensive Transportation Plan, Prospectus, Transportation Improvement Program, Long Range Transportation Plan, and Federal-Aid Urban System and Urbanized Boundary. The TCC shall also be responsible for promoting citizen participation and preparing documentation reports for transportation studies.

Membership of the TCC shall include technical representation from all local and state and federal government agencies directly related to and concerned with the transportation planning process for the MPO planning area.

The TCC shall be comprised of the following:

# of Members	Town/Municipality/County	Voting Status
3	City of Jacksonville	Yes
3	Onslow County	Yes
1	Holly Ridge	Yes
1	Richlands	Yes
1	Swansboro	Yes
1	North Topsail Beach	Yes

1	Jacksonville-Onslow Economic Development	Yes
1	Onslow United Transit System	Yes
1	NCDOT Division 3	Yes
1	NCDOT Transportation Planning Division	Yes

Other local agencies, upon filing a request, will be notified and invited to all meetings of the TCC. Such agencies may include FHWA North Carolina Division, NCDOT District Engineer, Public Transportation Division Director, Albert J. Ellis Airport Director, NC Ports Planning and Development Director, Marine Corps Base Camp Lejeune representatives, Jacksonville-Onslow Chamber of Commerce, and various city and county departments/offices. The transportation planner for the Down East Rural Planning Organization shall serve as a non-voting member.

The TCC shall meet when it is deemed appropriate and advisable, and shall elect a Chairman and Vice Chairman by majority vote elected annually at the first regularly scheduled meeting of the calendar year.

14. The City of Jacksonville shall serve as the Lead Planning Agency. Administrative coordination for the TAC and the TCC will be provided by the City of Jacksonville as the Lead Planning Agency.

15. The Transportation Advisory Committee (TAC) and the Technical Coordinating Committee (TCC), as well as any established sub-committees are responsible for carrying out the provisions on North Carolina G.S. Chapter 143, Article 33C regarding open meetings, and Chapter 132 regarding public records. A quorum is required for transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise transacting public business. A quorum consists of 51% of the members of the TAC or TCC, plus as many additional members as may be required to ensure that 51% of possible votes are present. An alternate may be appointed to attend meetings should the member not be able to attend. Alternates should be identified by name on the meeting attendance log. Vacant seats will not count against the quorum. Electronic meetings and voting are allowed as long as proper public notice is given and meeting materials are available to the public upon request. Any member who does not attend two consecutive TCC/TAC meetings will not be included as part of the membership needed to obtain a quorum after the second meeting. Membership, however, is immediately reinstated by the presence of the most recently appointed member (or his alternate) at any future meeting.

SECTION 2: It is further agreed that subscribing agencies will have the following responsibilities:

The Municipalities and County

The Municipalities and County will assist in the transportation planning process by providing planning assistance, data and inventories in accordance with the Prospectus. The Municipalities and County shall be responsible for any zoning and subdivision approvals within their respective jurisdictions in accordance with the adopted Transportation Plans. Additionally, the City of Jacksonville will serve as the Lead Planning Agency for the Jacksonville Urban Area MPO.

North Carolina Department of Transportation

The Department will assist in the transportation planning process by providing planning assistance, data and inventories in accordance with the Prospectus.

SECTION 3: All transportation and related Federal Aid planning grant funds available to promote the cooperative transportation planning process will be expended in accordance with the Planning Work Program adopted by the TAC. Administration of funding in support of the transportation planning process on behalf of the TAC will be conducted by the City of Jacksonville which will execute appropriate agreements with funding agencies as provided by the Planning Work Program. The required local match will be split equally between the City of Jacksonville and Onslow County.

SECTION 4: Subscribing agencies to this Memorandum of Understanding may terminate their participation in the Continuing Transportation Planning Process by giving sixty days written notice to other parties prior to the date of termination. It is further agreed that these agencies will assist in the transportation planning process by providing planning assistance, data, and other requested information. Additionally, these agencies shall coordinate zoning and subdivision approval in accordance with the adopted Transportation Plan(s).

SECTION 5: This Amended Memorandum of Understanding supersedes and replaces any prior memorandum(s) of understanding between the parties regarding the Jacksonville MPO.

SECTION 6: In witness whereof, the parties of this Memorandum of Understanding have been authorized by appropriate and proper resolutions to sign the same, the City of Jacksonville by its Mayor, the Town of Swansboro by its Mayor, the Town of Richlands by its Mayor, the Town of Holly Ridge by its Mayor, the Town of North Topsail Beach by its Mayor, Onslow County by its Chairman of the Board of Commissioners, and the Department of Transportation by the Secretary of Transportation.

Effective this the _____ day of _____, _____.

City of Jacksonville

Carmen K. Miracle, City Clerk
(Seal)

Sammy Phillips, Mayor

Town of Swansboro

Paula Webb, Town Clerk

(Seal)

John Davis, Mayor

Town of Richlands

Doreen Putney, Town Clerk

(Seal)

McKinley D. Smith, Mayor

Town of Holly Ridge

Heather Reynolds, Town Clerk

(Seal)

Jeff Wenzel, Mayor

Town of North Topsail Beach

Laura B. Oxley, Town Clerk

(Seal)

Joann McDermon, Mayor

County of Onslow

Julie S. Wand, County Clerk

Jack Bright, Chairman of the Board

DEPARTMENT OF TRANSPORTATION

Secretary of Transportation

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE
CITY OF JACKSONVILLE, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and, County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Mayor and City Clerk are hereby directed to execute the Memorandum of Understanding.

Adopted by the City Council in regular session this _____ day of _____, 2020.

Sammy Phillips, Mayor

ATTEST,

Carmen K., Miracle, City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE
TOWN OF SWANSBORO, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF SWANSBORO, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Mayor and Town Clerk are hereby directed to execute the Memorandum of Understanding.

John Davis, Mayor

ATTEST,

Paula Webb, Town Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE
TOWN OF RICHLANDS, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF RICHLANDS, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Mayor and Town Clerk are hereby directed to execute the Memorandum of Understanding.

McKinley D. Smith, Mayor

ATTEST,

Doreen Putney, Town Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE
TOWN OF HOLLY RIDGE, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HOLLY RIDGE, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Mayor and Town Clerk are hereby directed to execute the Memorandum of Understanding.

Jeff Wenzel, Mayor

ATTEST,

Heather Reynolds, Town Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE
TOWN OF NORTH TOPSAIL BEACH, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF NORTH TOPSAIL BEACH, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Mayor and Town Clerk are hereby directed to execute the Memorandum of Understanding.

Joann McDermon, Mayor

ATTEST,

Laura B. Oxley, Town Clerk

**RESOLUTION PASSED BY THE BOARD OF COMMISSIONERS
OF THE COUNTY OF ONSLOW, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to insure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ONSLOW, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Chairman of the Board and County Clerk are hereby directed to execute the Memorandum of Understanding.

Jack Bright, Chairman of the Board

ATTEST,

Julie S. Wand, City Clerk

**RESOLUTION PASSED BY THE BOARD OF ALDERMEN OF THE
TOWN OF NORTH TOPSAIL BEACH, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF NORTH TOPSAIL BEACH, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Mayor and Town Clerk are hereby directed to execute the Memorandum of Understanding.

Joann McDermon, Mayor

ATTEST,

Laura B. Oxley, Town Clerk



Jacksonville Urban Area Metropolitan Planning Organization (JUMPO)

JUMPO is the federally-mandated, regional, multimodal transportation planning agency for the Jacksonville urbanized area.

We focus on long term regional planning with emphasis on corridor planning, mobility, congestion management, and safety. JUMPO offers a broad range of technical capabilities ranging from long-range planning to TIA review, development plan review, project prioritization, construction project management, etc.

Leadership

- Technical Coordinating Committee – Provides technical expertise and makes recommendations to the respective local, State and Federal governmental agencies as well as the Transportation Advisory Committee. This Committee is comprised of representatives from each Municipality, Onslow County, MCBCL, NCDOT, and community stakeholders.
- Transportation Advisory Committee – Serves as the policy board for JUMPO and is comprised of 2 County Commissioners, 2 City Councilmembers and 1 NCDOT Board member.

Local representation for local concerns

The MPO provides improved coordination between all stakeholders (NCDOT, FHWA, FTA, MCBCL). Having representation on the MPO allows those most affected to have a direct line of communication to identify their concerns and to be involved in the associated resolution and/or improvements.

Successful Project Development

JUMPO has been successful in bringing much needed transportation projects to our planning area to include twenty-five (25) projects totaling more than \$450 million dollars.

Contact Information

Anthony Prinz
Transportation Services Director
(910) 938-5292
aprinz@jacksonvillenc.gov

Deanna Trebil
MPO Administrator
(910) 938-5073
dtrebil@jacksonvillenc.gov

Stephanie Kutz
Planner
(910) 938-6453
skutz@jacksonvillenc.gov

More information about us on our website: <http://jumpo-nc.org/>

(AMENDED)
**MEMORANDUM OF UNDERSTANDING
FOR
COOPERATIVE, COMPREHENSIVE, AND CONTINUING
TRANSPORTATION PLANNING**

Between

THE CITY OF JACKSONVILLE, TOWN OF SWANSBORO, TOWN OF RICHLANDS, TOWN OF HOLLY RIDGE, TOWN OF NORTH TOPSAIL BEACH, AND COUNTY OF ONSLOW, AND THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT)

WITNESSETH

THAT WHEREAS, the City of Jacksonville, County of Onslow, and the NCDOT entered into a Memorandum of Understanding for Cooperative, Comprehensive, and Continuing Transportation Planning, signed July 13, 1982, regarding the establishment of the Jacksonville Urban Area Metropolitan Planning Organization (MPO); and

WHEREAS, each MPO is required to develop a Metropolitan Transportation Plan in cooperation with NCDOT and in accordance with 23 U.S.C., Section 134, any subsequent amendments to that statute, and any implementing regulations; and a Comprehensive Transportation Plan as per Chapter 136, Article 3A, Section 136-66.2(a) of the General Statutes of North Carolina; and

WHEREAS, the transportation plan, once adopted shall serve as the basis for future transportation improvements within the MPO; and

WHEREAS, it is the desire of these parties that all prior Memoranda of Understanding between the parties be superseded and replaced by this Memorandum of Understanding.

NOW THEREFORE the following Memorandum of Understanding is made:

SECTION 1: It is hereby agreed that City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, County of Onslow, and the North Carolina Department of Transportation in cooperation with the United States of Department of Transportation, will participate in a continuing transportation planning process with responsibilities and undertakings as related in the following paragraphs:

1. The Metropolitan Planning Organization in the Jacksonville Urban Area MPO includes the boards of general purpose local government: City of Jacksonville; Town of Richlands; Town of Swansboro; Town of Holly Ridge; Town of North Topsail Beach; Onslow County; North Carolina Board of Transportation; a Transportation Advisory Committee hereinafter defined; a Technical Coordinating Committee hereinafter defined;

and the various agencies and units of local and state government participating in the transportation planning process for the area.

2. The area involved, the Jacksonville Urban Area MPO Metropolitan Planning Area, will be the Jacksonville urbanized area as defined by the United States Department of Commerce, Bureau of the Census plus that area beyond the existing urbanized area boundary that is expected to become urban within a twenty year planning period. This area is hereinafter referred to as the Planning Area.

3. The Metropolitan Planning Area Boundary may be periodically reassessed and revised in the light of new developments and data projections.

4. The continuing transportation planning process will be a cooperative one. All planning discussions will be reflective of and responsive to the programs of the North Carolina Department of Transportation, and to the comprehensive plans for growth and development within the Planning Area.

5. The continuing transportation planning process will be in accordance with the intent, procedures, and programs of Title VI of the Civil Rights Act of 1964, as amended.

6. Transportation Policy decisions within the planning area are the shared responsibility of the City of Jacksonville City Council; Richlands Board of Aldermen; Swansboro Town Council; Holly Ridge Town Council; North Topsail Beach Town Board of Aldermen; Onslow Board of Commissioners; and the North Carolina Board of Transportation.

7. A Transportation Advisory Committee, hereinafter referred to as the TAC, is hereby established with responsibility for serving as a forum for cooperative transportation planning and decision making for the Jacksonville Urban Area Metropolitan Planning Organization. The TAC shall consist of a representative appointed by member Boards of Local Government and a member of the North Carolina Board of Transportation. The TAC members shall have the responsibility for keeping their respective policy boards informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of the local boards they represent; and ensuring meaningful citizen participation in the transportation planning process.

8. The TAC will be responsible for carrying out the provisions of 23 U.S.C. 134, including:

a. Review and approval of the Planning Work Program (PWP) which defines work tasks and responsibilities for the various agencies participating in the transportation planning process;

- b. Review and approval of the Metropolitan Transportation Improvement Program (TIP) for multi-modal capital and operating expenditures and to ensure coordination between local and State operating improvement programs;
- c. Review and approval of the Metropolitan Transportation Plan (MTP) and the Comprehensive Transportation Plan. As required by North GS 136-66.2 (d), revisions to the CTP must be jointly approved by the MPO and NCDOT;
- d. Establishment of goals and objectives for the transportation planning process reflective of and responsive to comprehensive plans for growth and development in the MPO planning area;
- e. The TAC shall have the responsibility for keeping boards of general purpose local government informed of the status and requirements of the transportation planning process; assisting in the dissemination and clarification of the decisions, inclinations, and policies of these boards; and ensuring meaningful citizen participation in the transportation planning process;
- f. The TAC shall review, approve and endorse changes to the Federal-Aid Functional Classification System and MPO's Metropolitan Planning Area Boundary (MPA);
- g. Adoption of Bylaws for the purpose of establishing operating policies and procedures.
- h. Any other duties identified as necessary to further facilitate the transportation planning process.

9. The membership and voting structure of the TAC is listed below:

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1	Holly Ridge Town Council	No
1	Richlands Board of Aldermen	No
1	Swansboro Board of Commissioners	No
1	North Topsail Beach Board of Aldermen	No

It is anticipated that the Division Administrator, Federal Highway Administration, or his representative; Assistant Chief of Staff, Facilities, MCB, Camp Lejeune; Assistant Chief

of Staff, Logistics, MCB, Camp Lejeune; S-4 Officer, Marine Corps Air Station (H), New River; and several community leaders will serve as consulting non-voting members to the TAC.

10. Each member's government policy board may appoint an alternate to its representative provided each alternate also meets the same qualifications of membership. That alternate member has the same membership rights during any meeting where the board's representative is not in attendance.

11. The TAC shall meet as often as it is deemed appropriate and advisable, and shall elect a Chairman and Vice-Chairman based on a majority vote annually at the first regularly scheduled meeting of the calendar year.

12. Municipal councils, boards of alderman and county commissioners represented on the TAC shall serve as the primary means for citizen input in the transportation planning process. This citizen involvement will be obtained through goals and objectives surveys, forums, and public meetings.

13. A Technical Coordinating Committee, hereinafter referred to as the TCC, shall be established with the responsibility of general review, guidance and coordination of the transportation planning process for the planning area, and with the responsibility for making recommendations to the respective local and state governmental agencies and the TAC regarding any necessary actions relating to the continuing transportation planning process. The TCC shall be responsible for development, review, and recommendation for approval of the Comprehensive Transportation Plan, Prospectus, Transportation Improvement Program, Long Range Transportation Plan, and Federal-Aid Urban System and Urbanized Boundary. The TCC shall also be responsible for promoting citizen participation and preparing documentation reports for transportation studies.

Membership of the TCC shall include technical representation from all local and state and federal government agencies directly related to and concerned with the transportation planning process for the MPO planning area.

The TCC shall be comprised of the following:

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1	Holly Ridge	Yes
1	Richlands	Yes
1	Swansboro	Yes
1	North Topsail Beach	Yes

1	Jacksonville-Onslow Economic Development	Yes
1	Onslow United Transit System	Yes
1	NCDOT Division 3	Yes
1	NCDOT Transportation Planning Division	Yes

Other local agencies, upon filing a request, will be notified and invited to all meetings of the TCC. Such agencies may include FHWA North Carolina Division, NCDOT District Engineer, Public Transportation Division Director, Albert J. Ellis Airport Director, NC Ports Planning and Development Director, Marine Corps Base Camp Lejeune representatives, Jacksonville-Onslow Chamber of Commerce, and various city and county departments/offices. The transportation planner for the Down East Rural Planning Organization shall serve as a non-voting member.

The TCC shall meet when it is deemed appropriate and advisable, and shall elect a Chairman and Vice Chairman by majority vote elected annually at the first regularly scheduled meeting of the calendar year.

14. The City of Jacksonville shall serve as the Lead Planning Agency. Administrative coordination for the TAC and the TCC will be provided by the City of Jacksonville as the Lead Planning Agency.

15. The Transportation Advisory Committee (TAC) and the Technical Coordinating Committee (TCC), as well as any established sub-committees are responsible for carrying out the provisions on North Carolina G.S. Chapter 143, Article 33C regarding open meetings, and Chapter 132 regarding public records. A quorum is required for transaction of all business, including conducting meetings or hearings, participating in deliberations, or voting upon or otherwise transacting public business. A quorum consists of 51% of the members of the TAC or TCC, plus as many additional members as may be required to ensure that 51% of possible votes are present. An alternate may be appointed to attend meetings should the member not be able to attend. Alternates should be identified by name on the meeting attendance log. Vacant seats will not count against the quorum. Electronic meetings and voting are allowed as long as proper public notice is given and meeting materials are available to the public upon request. Any member who does not attend two consecutive TCC/TAC meetings will not be included as part of the membership needed to obtain a quorum after the second meeting. Membership, however, is immediately reinstated by the presence of the most recently appointed member (or his alternate) at any future meeting.

SECTION 2: It is further agreed that subscribing agencies will have the following responsibilities:

The Municipalities and County

The Municipalities and County will assist in the transportation planning process by providing planning assistance, data and inventories in accordance with the Prospectus. The Municipalities and County shall be responsible for any zoning and subdivision approvals within their respective jurisdictions in accordance with the adopted Transportation Plans. Additionally, the City of Jacksonville will serve as the Lead Planning Agency for the Jacksonville Urban Area MPO.

North Carolina Department of Transportation

The Department will assist in the transportation planning process by providing planning assistance, data and inventories in accordance with the Prospectus.

SECTION 3: All transportation and related Federal Aid planning grant funds available to promote the cooperative transportation planning process will be expended in accordance with the Planning Work Program adopted by the TAC. Administration of funding in support of the transportation planning process on behalf of the TAC will be conducted by the City of Jacksonville which will execute appropriate agreements with funding agencies as provided by the Planning Work Program. The required local match will be split equally between the City of Jacksonville and Onslow County.

SECTION 4: Subscribing agencies to this Memorandum of Understanding may terminate their participation in the Continuing Transportation Planning Process by giving sixty days written notice to other parties prior to the date of termination. It is further agreed that these agencies will assist in the transportation planning process by providing planning assistance, data, and other requested information. Additionally, these agencies shall coordinate zoning and subdivision approval in accordance with the adopted Transportation Plan(s).

SECTION 5: This Amended Memorandum of Understanding supersedes and replaces any prior memorandum(s) of understanding between the parties regarding the Jacksonville MPO.

SECTION 6: In witness whereof, the parties of this Memorandum of Understanding have been authorized by appropriate and proper resolutions to sign the same, the City of Jacksonville by its Mayor, the Town of Swansboro by its Mayor, the Town of Richlands by its Mayor, the Town of Holly Ridge by its Mayor, the Town of North Topsail Beach by its Mayor, Onslow County by its Chairman of the Board of Commissioners, and the Department of Transportation by the Secretary of Transportation.

Effective this the _____ day of _____, _____.

City of Jacksonville

Carmen K. Miracle, City Clerk
(Seal)

Sammy Phillips, Mayor

Town of Swansboro

Paula Webb, Town Clerk

(Seal)

John Davis, Mayor

Town of Richlands

Doreen Putney, Town Clerk

(Seal)

McKinley D. Smith, Mayor

Town of Holly Ridge

Heather Reynolds, Town Clerk

(Seal)

Jeff Wenzel, Mayor

Town of North Topsail Beach

Laura B. Oxley, Town Clerk

(Seal)

Joann McDermon, Mayor

County of Onslow

Julie S. Wand, County Clerk

Jack Bright, Chairman of the Board

DEPARTMENT OF TRANSPORTATION

Secretary of Transportation

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE
CITY OF JACKSONVILLE, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and, County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Mayor and City Clerk are hereby directed to execute the Memorandum of Understanding.

Adopted by the City Council in regular session this _____ day of _____, 2020.

Sammy Phillips, Mayor

ATTEST,

Carmen K., Miracle, City Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE
TOWN OF SWANSBORO, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF SWANSBORO, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Mayor and Town Clerk are hereby directed to execute the Memorandum of Understanding.

John Davis, Mayor

ATTEST,

Paula Webb, Town Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE
TOWN OF RICHLANDS, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE TOWN OF RICHLANDS, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Mayor and Town Clerk are hereby directed to execute the Memorandum of Understanding.

McKinley D. Smith, Mayor

ATTEST,

Doreen Putney, Town Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE
TOWN OF HOLLY RIDGE, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HOLLY RIDGE, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Mayor and Town Clerk are hereby directed to execute the Memorandum of Understanding.

Jeff Wenzel, Mayor

ATTEST,

Heather Reynolds, Town Clerk

**RESOLUTION PASSED BY THE CITY COUNCIL OF THE
TOWN OF NORTH TOPSAIL BEACH, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to ensure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF NORTH TOPSAIL BEACH, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Mayor and Town Clerk are hereby directed to execute the Memorandum of Understanding.

Joann McDermon, Mayor

ATTEST,

Laura B. Oxley, Town Clerk

**RESOLUTION PASSED BY THE BOARD OF COMMISSIONERS
OF THE COUNTY OF ONSLOW, NORTH CAROLINA**

The following resolution was offered by _____ and seconded by _____ and upon being put to a vote was carried _____ on the _____ day of _____, _____:

THAT WHEREAS, it is recognized that the proper movement of travel within and through the Jacksonville Urban Area Metropolitan Planning Organization (MPO) urbanized area is highly desirable element of a comprehensive plan for the orderly growth and development of the area, and;

WHEREAS, there are a number of governmental jurisdictions within the Jacksonville Urban Area MPO urbanized area which have been authorized with implementation and regulatory responsibilities for transportation by North Carolina General Statutes, and;

WHEREAS, it is desirable that coordinated, comprehensive and cooperative transportation planning processes be maintained in the Jacksonville Urban Area MPO urbanized area to insure that the transportation system is maintained on an efficient and economical basis commensurate with the public health, safety and welfare, and;

WHEREAS, a revised Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation has been prepared that sets forth the responsibilities and working arrangements for maintaining a continuing, comprehensive and cooperative transportation planning process, and;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF ONSLOW, NORTH CAROLINA:

That the Memorandum of Understanding between the City of Jacksonville, Town of Swansboro, Town of Richlands, Town of Holly Ridge, Town of North Topsail Beach, and County of Onslow, and the North Carolina Department of Transportation be approved and that the Chairman of the Board and County Clerk are hereby directed to execute the Memorandum of Understanding.

Jack Bright, Chairman of the Board

ATTEST,

Julie S. Wand, City Clerk



Jacksonville Urban Area Metropolitan Planning Organization (JUMPO)

JUMPO is the federally-mandated, regional, multimodal transportation planning agency for the Jacksonville urbanized area.

We focus on long term regional planning with emphasis on corridor planning, mobility, congestion management, and safety. JUMPO offers a broad range of technical capabilities ranging from long-range planning to TIA review, development plan review, project prioritization, construction project management, etc.

Leadership

- Technical Coordinating Committee – Provides technical expertise and makes recommendations to the respective local, State and Federal governmental agencies as well as the Transportation Advisory Committee. This Committee is comprised of representatives from each Municipality, Onslow County, MCBCL, NCDOT, and community stakeholders.
- Transportation Advisory Committee – Serves as the policy board for JUMPO and is comprised of 2 County Commissioners, 2 City Councilmembers and 1 NCDOT Board member.

Local representation for local concerns

The MPO provides improved coordination between all stakeholders (NCDOT, FHWA, FTA, MCBCL). Having representation on the MPO allows those most affected to have a direct line of communication to identify their concerns and to be involved in the associated resolution and/or improvements.

Successful Project Development

JUMPO has been successful in bringing much needed transportation projects to our planning area to include twenty-five (25) projects totaling more than \$450 million dollars.

Contact Information

Anthony Prinz
Transportation Services Director
(910) 938-5292
aprinz@jacksonvillenc.gov

Deanna Trebil
MPO Administrator
(910) 938-5073
dtrebil@jacksonvillenc.gov

Stephanie Kutz
Planner
(910) 938-6453
skutz@jacksonvillenc.gov

More information about us on our website: <http://jumpo-nc.org/>

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 Special Meeting Minutes Tuesday, December 15, 2020 10:00 A.M.

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

Attending via telecom: Mayor Wenzel of Holly Ridge; Financial Advisors Doug and Andrew Carter; North Topsail Beach Town Attorney Brian Edes; Holly Ridge Planning Director Nathan Rhue; Holly Ridge Town Attorney Kyle Fountain

I. Call to Order

Mayor McDermon called the meeting to order at 10:04 AM.

II. Approval of Agenda

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

III. Financial Resolutions

Town Attorney Edes led the discussion. He suggested that the Board could pass the resolutions at this meeting, direct their legal counsel to reduce their directives to writing and send the final resolution to the Town Clerk for execution.

Mr. Doug Carter of DEC and Associates agreed that approving the resolutions ahead of the meeting with the Local Government Commission ("LGC") is a good course of action. He specifically suggested a resolution that allows the team of consultants to proceed with the Board's consensus as directed at the prior meeting, which was to analyze and pursue the three alternatives of occupancy tax, paid parking and municipal service districts. Mr. Carter also stated that it seemed to be the Board's preference to pursue a 1% occupancy tax; in his opinion, it seemed like the most realistic option.

Alderman Leonard reminded the Board of his conversation with Ms. Connie Wilson, TISPC Lobbyist, who advised the process is complex and higher percentages creates more challenges. He also reported that neighboring towns are also looking to add an additional 1% in occupancy tax. His suggestion is to work with the other towns on the Island and pursue the increase together.

Alderman Grant stated his opposition for voting on a resolution he has not had an opportunity to review. Also, he would like for the Town residents to have an opportunity to view the resolution. For transparency, he would like to see the proposed resolution on the website and a call for comments to the Clerk ahead of the next meeting.

Mayor McDermon asked if there was a deadline or time frame for the Board's decision. Mr. Doug Carter responded that he does not have a specific timeline; it is for the Board to determine how quickly it would like to proceed.

Alderman Leonard agreed with Alderman Grant. He believes the business should be conducted in January. He also encourages transparency, and he would like for citizens to have the opportunity to review. Lastly, he believes the Town needs to make a decision about the particulars of financing, specifically the percentages to be paid by each MSD.

Mayor McDermon noted the unknowns of the scenarios. She asked if staff could provide an example for the public; the example could look at the median home price and apply the different scenarios as an example.

Alderman Leonard disagreed. He believes property owners are capable of researching this information for themselves online. Alderman Leonard emphasized his desire to arrive at a decision soon. He would like to see a final decision at the January meeting.

Mayor Pro Tem Benson agreed that the resolution should be tabled until the next meeting. He agreed that the example the Mayor recommended would be helpful. He is not sure the final decision is needed at the January meeting. He suggested narrowing the options in January and thereby give the residents some time to process. He suggested the final decision could be made in February.

Alderman Meyer agreed with Alderman Grant's suggestion. She would like for the property owners to provide their feedback, but they need access to the proposed resolutions before they can comment. The median household values for oceanfront and sound-side might be different. It might be difficult to come up with a scenario that adequately represents the proposed impact.

Town Attorney Edes asked Mr. Carter if he is looking for a resolution that definitively states the Board's decision. Mr. Carter responded that he believes the LGC will look at the most drastic scenario and ask the Board if they are prepared

to proceed in the event the other, less drastic proposals, are not feasible. He believes the LGC will appreciate the diversity of resources the Town is exploring, but the LGC will also understand that the Town's only guaranteed resource is property tax.

Mayor McDermon asked her colleagues to review the latest matrix and be prepared to vote at the next meeting.

IV. Hearing- Proposed Annexation Agreement

Alderman Leonard made a motion to open the hearing. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 5-0.

Town Attorney Edes presented background to the Board. Mr. Fountain, Town Attorney for Holly Ridge, presented the details of the Agreement. The proposed agreement is attached. Mr. Edes stated that he agreed with the terms of the proposal.

The Mayor asked if staff received any comments from the public. The Clerk did not receive any comments.

Mayor Pro Tem Benson asked if the Town incurs any financial liabilities in this agreement. Mr. Edes responded that Holly Ridge would be liable for any financial obligations.

Mayor McDermon asked if North Topsail Beach could limit its consent to the singular parcel making the annexation request. Mr. Edes confirmed the Mayor's proposal is a viable option; the Town could agree to something less.

Mr. Fountain explained that his client's goal was to create an agreement that encompasses other similar properties to streamline future annexation issues. Mr. Edes advised that if the Board reduced the scope of the Agreement, it may trigger more actions from Holly Ridge to make sure the agreement aligns.

Alderman Leonard made a motion to close the hearing. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 5-0.

Alderman Grant asked Mayor McDermon to expound on her suggestion. Mayor McDermon explained that no one knows what that area will look like in the future. Her suggestion is to move forward with the individual parcel for now.

Mr. Edes offered clarification to the Board. The proposed Agreement does not automatically annex property into Holly Ridge.

Alderman Meyer responded that it might be more beneficial to agree to the single property, but she also understands it is more efficient to handle the situation, including future issues, in one action.

Alderman Leonard asked about Holly Ridge's plan. He knows that there is at least one high-end development in the proposed area.

Mayor Wenzel explained that Holly Ridge cannot force annexation. Holly Ridge officials were approached by a property owner. The Mayor hopes that the Agreement will address future projects, but Holly Ridge does not necessarily have a plan outside the current property requesting voluntary annexation.

Mr. Edes emphasized that it is difficult to force an annexation. It is almost entirely voluntary.

Mayor Pro Tem Benson added that at some point the Town may explore annexation. Even in that scenario and based on the map presented, he does not believe that the land proposed would be of interest to NTB.

Mr. Edes explained that if these properties are annexed and Holly Ridge's corporate limits expand, the properties of interest to North Topsail Beach may become closer to Holly Ridge. In that situation, North Topsail Beach would have to ask Holly Ridge's permission to annex.

Alderman Grant made a motion to adopt the ordinance with the exception that the exhibit is only applicable to the parcel currently making the request. Alderman Meyer seconded. The Motion passed unanimously, 5-0.

V. Town Hall Reconstruction Bids

Town Manager Gilbride presented the bids (see attached). The apparent, lowest responsive bidder was Atlantic Contracting and Design. Looking at the alternatives, he believes the contract should not include the foyer. Also, as an update, the insurance company sent another adjuster, but town staff has not received an official determination on whether more funds will be available.

Mayor McDermon asked about the foyer. It was her understanding that it would help with air control, which had been an issue in the past. Town Manager Gilbride agreed that it would be beneficial, but the issue is funding. Mayor McDermon agreed, but she also wondered if the foyer would prevent future costs associated with the air units.

Alderman Leonard suggested that the foyer could be built in, rather than out. He suggested this as something that should also be considered.

Alderman Meyer suggested a revolving door as a similar alternative.

Alderman Leonard made a motion to award the contract to Atlantic Contracting and Design, subject to the Town Attorney negotiating the final terms of the contract. Alderman Grant seconded. The Motion passed unanimously, 5-0.

VI. Adjournment

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

Joann McDermon
Mayor

ATTEST:

Sherrie Hancock
Town Clerk

Approved: 01/07/2021

STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

ANNEXATION AGREEMENT

Town of Holly Ridge and Town of North Topsail Beach

WHEREAS, The Town of Holly Ridge and the Town of North Topsail Beach (collectively, the “Towns”), are municipalities duly incorporated and chartered under the laws of the State of North Carolina; and

WHEREAS, the Towns are situated within close geographic proximity to each other, and certain areas of land existing outside of the municipal limits of either Town are within three (3) miles of the municipal limits of both Towns, and

WHEREAS, the Towns wish to eliminate potential confusion or conflict between the Towns regarding possible future proposed annexation of areas situated between the municipal limits of the Towns; and

WHEREAS, the Towns wish to memorialize their mutual agreements via a written annexation agreement as authorized under Chapter 160A, Article 4A, Part 6 of the North Carolina General Statutes (N.C. Gen. Stat. §160A-52.21, *et seq.*) (the “Act”);

NOW, THEREFORE, THE PARTICIPATING TOWNS AGREE AS FOLLOWS:

1. This Agreement is executed pursuant to the authority of the Act, codified as N.C. Gen. Stat. §160A-52.21, *et seq.*
2. This Agreement shall remain in force and effect for a period of twenty (20) years from the Effective Date. For purposes of this section, the Effective Date shall mean the date upon which this Agreement is executed by authorized representatives of both Towns or upon which both Towns enact ordinances to approve this Agreement, whichever may occur last.
3. The Town of Holly Ridge will not annex the areas as shown on the map labeled “_____,” a copy of which is attached hereto as Exhibit A and incorporated by reference as though set forth fully herein.
4. The Town of North Topsail Beach will not annex the areas as shown on the map labeled “_____,” a copy of which is attached hereto as Exhibit B and incorporated by reference as though set forth fully herein.
5. At least sixty (60) days prior to the adoption of any annexation ordinance, the Town contemplating adoption of such an ordinance shall give written notice to the other Town of the proposed annexation. Such notice shall describe the area to be annexed by a legible map, clearly and accurately showing the boundaries of the area to be

- annexed in relation to the rea subject to this Agreement, to include roads, streams, and other prominent geographical features. Such notice shall not be effective for more than one hundred eighty (180) days. The Town receiving any such notice is permitted to waive this time period as provided in N.C. Gen. Stat. § 160A-58.24(a)(5).
6. This Agreement shall not be effective unless each participating Town has completed all material prerequisites to the adoption of this Agreement, to include the holding of a public hearing to address this Agreement. Until such time as said public hearings are completed and adopting ordinances are enacted, this Agreement shall be considered a proposed agreement. Notice of the public hearings shall be provided as required in N.C. Gen. Stat. § 160A-31(c).
 7. The Towns may, by subsequent mutual agreement, modify or terminate the terms of this Agreement. Any subsequent agreement shall be approved by ordinance after public hearings as provided in N.C. Gen. Stat. § 160A-31(c), or as may otherwise be required by applicable law in existence at the time of the proposed modification.
 8. This Agreement shall only be binding within three (3) miles of the primary corporate limits of the participating Towns and shall have no force or effect outside of said geographic area unless approved by the Board of County Commissioners of Onslow County (or, in the event of a property located outside of Onslow County, North Carolina, by the governing board for such jurisdiction). Provided, however, that an area where this Agreement is not binding because of failure of the board of the board of county commissioners to approve it, shall become subject to this Agreement if subsequent annexation brings it within three (3) miles. The approval of the board of county commissioners shall be evidenced by a resolution adopted after a public hearing as provided in N.C. Gen. Stat. § 160A-58.24(c) and (e) and 160A-31(c).
 9. This Agreement may be terminated unilaterally by a participating Town or a participating Town may withdraw from this Agreement by repealing the ordinance approving this Agreement and providing five (5) years' written notice to the other participating Town. Upon the expiration of such five (5) year notice period, this Agreement shall terminate.
 10. During the effective period of this Agreement, no participating Town may adopt an annexation ordinance as to all or any portion of an area in violation of this Agreement.
 11. Nothing in this Agreement shall be construed so as to authorize the annexation of any area which is not otherwise subject to annexation under applicable law.
 12. Any participating Town with reason to believe that this Agreement has been violated shall have available to it all remedies and relief as authorized by the Act in addition to such remedies or relief as may be authorized by applicable law.
 13. This writing contains the entire agreement between the participating Towns.

IN WITNESS WHEREOF, the Mayors of the participating Towns execute this Agreement, in duplicate, to become effective as provided in Paragraph 2 above.

This the _____ day of _____, 2020.

TOWN OF HOLLY RIDGE

Mayor Jeff Wenzel

ATTEST:

Heather Reynolds, Town Clerk

APPROVED AS TO FORM:

Kyle Fountain, Town Attorney

TOWN OF NORTH TOPSAIL BEACH

Mayor Joann McDermon

ATTEST:

Laura Oxley, Town Clerk

APPROVED AS TO FORM:

Brian Edes, Town Attorney



Stewart · Cooper · Newell · Architects

Architecture Planning Interiors
 719 east second ave. 2016 sumter street ste.202
 gastonia, nc 28054 columbia, sc 29201
 phone: 704.865.6311 phone: 803.765.9011
 fax: 704.865.0046 www.scn-architects.com fax: 803.765.2011

RE-BID TABULATION - SINGLE PRIME CONTRACT - GENERAL CONSTRUCTION

(ALL WORK UNDER THE GENERAL CONSTRUCTION WHICH INCLUDES PLUMBING, MECHANICAL & ELECTRICAL)

RESTORATION OF THE EXISTING TOWN HALL & POLICE DEPARTMENT STRUCTURE FOR THE TOWN OF NORTH TOPSAIL BEACH, NC

PROJECT LOCATION: 2008 LOGGERHEAD COURT, NORTH TOPSAIL BEACH, NC 28460

BID LOCATION: EXISTING TOWN HALL 200 LOGGERHEAD COURT, NTB, NC 28460

RE-BID DATE: THURSDAY, NOVEMBER 5, 2020

BID TIME: 3:00 PM

ARCHITECTS PROJECT NO. 1621

CONTRACTOR NAME	LICENSE NO.	BID BOND SCNA 2011	MBE FORMS HUB ID & A OR B & E-VERIFY	BASE BID	CONTING ALLOW	INT SIGN ALLOW	TOTAL BASE BID (INCLUDES BASE BID & CONTING ALLOW)	ALT A-1	ALT A-2	ALT A-2.1	ALT A-3	ALT A-4	ALT A-5	ALT A-6	UNIT PRICE PLY-WOOD 10 SHEETS	DAYS TO COMPLETE
Atlantic Contracting & Design, Inc. Jacksonville, NC	76512	x	x	1,027,000	\$50,000.00	\$3,000.00	1,080,000	4,200	14,000	14,800	58,500	8,100	0	11,600	325	180
Group III Management, Inc. Kinston NC	22369	x	x	1,100,000	\$50,000.00	\$3,000.00	1,153,000	1,320	16,000	16,600	69,000	10,300	29,000	11,000	97	180
IMEC Group, LLC New Bern, NC	72860	x	x	1,367,400	\$50,000.00	\$3,000.00	1,420,400*	3,790	22,800	26,900	124,800	25,900	44,100	-	-	180
Muter Construction Zebulon, NC	73095	x	x	1,175,000	\$50,000.00	\$3,000.00	1,228,000	3,000	22,000	24,500	79,000	19,000	62,000	9,000	150	180
Paragon Building Corp Wilmington, NC	32435	x	x	1,179,811	\$50,000.00	\$3,000.00	1,232,811	3,665	26,000	26,350	66,500	16,700	67,650	5,700	135	180

ALTERNATES DESCRIPTIONS:

A-1 Furnish and field apply coating on the heat pump outdoor sections
 A-2 Construct new entry vestibule at main entry porch with shingle roofing
 A-2.1 Construct new entry vestibule at main entry porch with metal panel roofing
 A-3 Furnish and install new metal panel roofing and all components

A-4 Furnish and install new ballistic resistant wall and all components in Lobby 101
 A-5 Furnish and install new 150 MPH rated window and door assemblies and all components
 A-6 Construct new segmented retaining wall along deck at ramp at kitchen

*IMEC's bid did not include a Total Base Bid. The number shown is provided by the architect as a sum of the previous 3 numbers.