

# *Town of North Topsail Beach*

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

Aldermen:  
Richard Grant  
Tom Leonard  
Susan Meyer  
Connie Pletl



Chief William Younginer  
Interim Town Manager

Kate Winzler  
Interim Town Clerk

## *Nature's Tranquil Beauty*

### **North Topsail Beach Board of Aldermen Regular Meeting Draft Minutes Thursday, August 5, 2021, at 6:30 p.m. Sneads Ferry Branch of the Onslow Public Library 1330 Highway 210, Sneads Ferry, NC 28460**

Present: Mayor McDermon, Mayor Pro Tem Benson, Alderman Grant, Alderman Leonard, Alderman Meyer, Alderman Pletl, Finance Officer Elliott, Public Works Director Anders, Fire Chief Soward, Planning Director Hill, Acting Town Clerk Winzler, Attorney Edes, Mr. Fran Way (via Zoom).

Absent: None.

- I. CALL TO ORDER: Mayor McDermon called the meeting to order at 6:34 p.m.
- II. INVOCATION: Alderman Meyer delivered an invocation.
- III. PLEDGE OF ALLEGIANCE: Mayor McDermon led the attendees in the Pledge of Allegiance.
- IV. APPROVAL OF AGENDA: **Mayor Pro Tem Benson made a motion to amend the agenda by adding an update to New Business Item D. TISPC Appointment. Alderman Leonard seconded the motion. The motion passed unanimously, 5-0.**
- V. MANAGER'S REPORT: Clerk Winzler read the Manager's Report, attached as part of the minutes.
- VI. OPEN FORUM- 3-minute limit:

Mr. Pete Ramey of 1747 & 1749 New River Inlet Road asked several questions of the Board, including the terminal groin project, dune restoration, clarity regarding building dune crossovers, as well as an update on CBRA (Coastal Barrier Resources Act).

Mayor McDermon stated that most of the items Mr. Ramey asked will be addressed in the meeting, and she thanked him for attending.

Mr. Ken Berg of 610 Riva Ridge Road, Sneads Ferry addressed the Board. He believes the implementation of paid parking is the worst thing that has happened to him, and that it stole the beach from him. He stated that he couldn't go to the beach for ten minutes without paying to park.

Mayor McDermon explained there are several Onslow County Beach accesses within North Topsail Beach that are free to park in, and as all North Topsail Beach lots are free before 9 am and after 5 pm. Mayor McDermon thanked Mr. Berg for coming.

Clerk Winzler read aloud a comment submitted by Ron Longo of 203 Goldsboro Lane, in which he posed a question regarding the timing of the sea oats project with the sand push in front of Goldsboro Lane.

Alderman Grant addressed this question. He noted contractor staffing issues are causing a delay in the Sea Oats planting. He explained the areas that have already received sand will receive sea oats first, and that more information is posted on the Town's website ([www.ntbnc.org](http://www.ntbnc.org)). The areas receiving sand this fall or spring will receive sea oats after the sand is placed.

## VII. PUBLIC PRESENTATIONS AND HEARINGS

### Coastal Engineer Update

Mr. Fran Way of ATM Consulting presented the North Topsail Beach Coastal Update – August 2021 slides. The truck haul is scheduled to begin November 16, 2021. This activity will complete the few remaining sections of beach left in the Hurricane Florence dune restoration project from the Surf City border to the edge of Topsail Reef. The Hurricane Dorian project is located at the north end of the island. It will bring 16,000 cubic yards of material to be placed near Topsail Reef. Areas to the southwest of this area may not receive sand because of the CBRA zone.

Mr. Way explained that he is working with the Board on a state grant to place more beach sand. He stated the mitigation money from FEMA is being maxed out, and that there are some competitive state grants available, too. Mr. Way shared a slide illustrating the entire 11 miles of North Topsail Beach shoreline labeled with the phases and their respective current projects. Mr. Way's final slide listed current North Topsail Beach projects and their current statuses. The New River Inlet Management Master Plan (EIS) relates to erosion options, including the terminal groin alternative. Steve Dial of Dial Cordy updated Mr. Way that Dial Cordy has the upfront sections of the environmental impact statement completed. They are pushing the Army Corps of Engineers (USACE) to have another North Topsail Beach agency meeting. This meeting was supposed to occur at the beginning of August but has slipped to the end of August. Mr. Dial expressly encouraged Town Officials to engage with Mickey and the Army Corps of Engineers. The engineering report created by Mr. Way a two years ago was submitted to the technical experts at the engineering research design center in Mississippi. He hopes the USACE inter-agency meeting will occur in North Topsail Beach by the end of this month.

Mr. Way said he is working with Finance Director Elliott and DEC Associates on financing the upcoming winter FEMA and State Grant projects. They are preparing a bid package presently. Mr. Way is working with CM Mitchell, the current contractor, on the current sand project, and is directed by an estimated quantities contract; determinations of actual quantities and classifications are to be made by the engineer. CM Mitchell wants to stockpile a large amount of sand at the mine. Mr. Way encourages the Board not to let CM Mitchell stockpile too much sand until the FEMA money and state grant are recognized.

Mr. Way will submit a proposal to the Town regarding a shell and rock sampling, a state-wide requirement, to be completed prior to November 16<sup>th</sup>. This involves sectioning off large sections of sand and beach and counting shells and rocks. The Town received a grant for this activity, and his goal is to complete this project in September and October to avoid the beach high traffic times.

There are no USACE Intracoastal Waterway and other pipeline/navigation dredging projects planned for North Topsail Beach waterways this winter.

Mayor McDermon asked for confirmation that beach crossovers are not allowed by CAMA over unvegetated berms. Mr. Way confirmed this and recommended leaving any existing beach crossovers in place due to the conservative restrictions from the state involving beach access construction. Mayor Pro Tem Benson added that CAMA will not permit pilings to be driven into unvegetated dunes for crossovers, nor are Hatteras ramps permitted. Mr. Way suggested the Town seek a variance from CAMA for beach mats at the large beach accesses, as beach mat variances have already been approved for Topsail Beach.

Mayor McDermon stated that she has seen a lot of emails and social media traffic related to the groin and requested a draft timeline for a finished erosion issue recommendation by the USACE to the Town. Mr. Way stated that he would ask for an updated timeline. He believes it could still be several years, despite the time already spent in the initial 3-year estimate. Mayor McDermon restated that she was seeking a realistic expectation to give to citizens. She requested a contact at the USACE for citizens of North Topsail Beach to submit their comments to, to have direct communication with the people working on the project at the USACE.

Mayor Pro Tem Benson requested confirmation that the USACE held onto Mr. Way's engineering report in Wilmington for a year and a half before submitting it to Mississippi. Mr. Way thinks that the Wilmington coastal engineers did look at the report a year and a half ago, but then wanted to send it to the engineers in Mississippi.

Alderman Leonard added that there has been a significant period that the USACE has not done anything on this project, seemingly two years. He stated that the

USACE is helping North Topsail Beach analyze the various options for the erosion problem at the New River Inlet, and that they are not responding very quickly.

Alderman Meyer commented at the last EIS meeting, they were told to get representatives from the various complexes to participate in a working group or meeting with the USACE. Where does that stand? We have done that; what do we tell them?

Mayor McDermon reiterated having a contact on this project at the USACE, to have more open and frequent communication with the USACE regarding this project. She stated that former Town Manager Gilbride had submitted some recommendations; she is not sure what has become of them.

Alderman Leonard added that it is up to the Town get the public's comments to the USACE. Mayor McDermon agreed and needs the contact to execute this. Alderman Leonard continued that if the agency meeting is going to occur this month, someone at the Town needs to reach out to Mickey at the USACE and schedule it. Mayor McDermon volunteered.

Alderman Grant stated that citizens have been assuming the Board supports the groin. He reiterated that no recommendations have been made, and he will not have an opinion on an erosion solution until recommendations are made to the Board. Alderman Grant also acknowledged the issue of people walking over the berms to get to the beach. He hopes that once the sea oats are planted, it will limit the paths on which people walk on the berms.

Mayor McDermon thanked Mr. Way for answering the Board's questions.

#### VIII. CONSENT AGENDA

- a. Department Head Reports
  - i. Finance Department
  - ii. Fire Department
  - iii. Building Inspections Department
  - iv. Planning Department
  - v. Police Department
- b. Committee Reports
  - i. Planning Board & PPI Committee
  - ii. Board of Adjustment
  - iii. TISPC (link to minutes)
  - iv. ONWASA (link to minutes)
- c. MOTV Tax Refund
- d. Public Works Fixed Asset Disposal
- e. Resolution for Receiving Funds Under American Rescue Plan Act (ARPA)

**Alderman Grant made a motion to approve the consent agenda. Mayor Pro Tem seconded, the motion passed unanimously, 5-0.**

IX. CONTINUING BUSINESS

a. Capital Improvements Update

Mayor Pro Tem Benson stated the Capital Improvements Committee is comprised of Chief Younginer, Chief Soward, Alderman Grant and himself. He noted the committee formerly included the Town Manager, but that Chief Younginer is currently serving as both the Chief of Police and Interim Town Manager. The committee met on July 30<sup>th</sup> and recommends decoupling the Police Department from the public safety building, and to simply rebuild the south end fire station on the land that the Town already owns. This recommendation is based upon several factors, including unsuccessful bids to purchase additional land to accommodate a larger footprint, the desire to locate the Police Department closer to Town Hall, and that the endeavor to rebuild the south-end fire station began five years ago, in 2016. Mayor Pro Tem confirmed with the architectural firm that changing the plans is not an issue.

Alderman Grant expressed agreement and suggested the savings of building a smaller structure due to the current increase in construction costs.

Mayor McDermon stated that she was very comfortable with the recommendation because the committee involved both the Fire Chief and Police Chief.

Alderman Leonard asked if the de-scoping of the facility could lend to speeding up the timeline. Mayor Pro Tem Benson confirmed. Alderman Leonard continued that he had reservations with the original public safety building due to the size of the project and the placement of the Police Department at the south end of the town.

**Alderman Leonard made a motion that we make the change to the public safety building per the details in the memorandum presented by Mayor Pro Tem and that we withdraw the offer. Alderman Meyer seconded, motion passed unanimously, 5-0.**

Mayor Pro Tem Benson, on behalf of the Capital Improvements Committee, requested permission from the Board to reengage Becker Morgan for new fire station drawings, drawn to the specifications of the Fire Chief, and to then proceed with the architectural drawings for constructing this building.

Attorney Edes interjected with a question regarding whether an RFP/RFQ had already been done for the architectural services? He suggested directing staff to do so, if needed within the motion.

**Alderman Meyer made a motion to approve the new drawings being created to the specs by the fire chief and then potentially moving into the architectural drawings specifically, but we need to ask staff to determine if an RFP/RFQ was required, and if so to prepare one and issue it. Alderman Grant seconded, motion passed unanimously, 5-0.**

X. NEW BUSINESS

a. Formation of Beach Committee

Mayor Pro Tem Benson gave an account of the Town's history establishing several beach erosion study committees, as well as the dissolution of those committees before they made recommendations to the Board. He suggested North Topsail Beach needs a beach committee now to help preserve the institutional memory of Board members and citizens who participated in the former committees and who recall past erosion events for the benefit of future shoreline protection activity and future Boards.

Mayor Pro Tem Benson offered a 3-month long beach committee timeline and draft charter for consideration. He requested permission from the Board to form the beach committee. He suggested requesting citizens apply to serve on the beach committee in August, then the Board consider candidates at the September Board of Aldermen meeting. Next the committee forms and has a meeting. Ninety days later the committee finalizes the provisional charter with input from the new Town Manager, the Board of Aldermen, and the beach committee itself.

Mayor McDermon restated that Mayor Pro Tem Benson was requesting the Board of Aldermen consider the concept of forming a beach committee at this meeting. Mayor Pro Tem confirmed.

Alderman Leonard gave an account of his experience as the Vice Chair of the BEST Committee in 2010 (Beach Erosion Study Team) and provided background information about the beach committee established prior to the BEST Committee. The BEST Committee was comprised of 12 citizens who lived throughout the Town, and they spent a considerable amount of time studying and researching to formulate a recommendation for the Board of Aldermen. The conclusion from the BEST Committee was that the Town of North Topsail Beach needed an organized Town sponsored and sanctioned plan to take care of the Town's beaches. After a year of hard work by the BEST Committee, a majority of

the Board of Aldermen refused to meet with the BEST Committee to formally accept the committee's recommendations and report.

Alderman Leonard suggested the Town's primary focus now should be hiring a capable, qualified, permanent Town Manager, then subsequently hiring a Town Beach Engineer. After the elections in November, the Board should then consider forming a beach committee. Alderman Leonard proposed tabling the formation of a beach committee for six months.

Mayor Pro Tem Benson stated he contacted a local coastal engineer who is interested in becoming the Town's Coastal Engineer Advisor.

Alderman Pletl expressed her support for the formation of a citizen beach committee to offer recommendations to the Board. She witnessed the formation and dissolution of the prior two beach committees and cautioned against the disruption that some Board members created with the dissolution. Because of this, Alderman Pletl suggested waiting until after the elections to revisit the beach committee.

Alderman Meyer stated her agreement with the idea of a beach committee and waiting to establish it.

Alderman Grant stated his support of hiring a beach engineer, especially to help guide and educate a new beach committee, which he also supports. He is in support of delaying the formation of a beach committee, specifically until after a beach engineer is hired.

Mayor McDermon offered a summary of the Board's statements: that Mayor Pro Tem Benson continue discussions with the local beach engineer, to include the acting Town Manager, and to help the Board devise an overall plan. When the beach committee comes back to the Board, have the beach engineer participate at that time. She acknowledged the efforts of Mayor Pro Tem Benson in presenting the beach committee to the Board, as well as the Board's support of this endeavor.

Alderman Leonard noted that to effectively be an Alderman or an elected official in North Topsail Beach, one must realize how much time is required to learning about the beach.

Alderman Grant noted the future sizable capital designated for the beach fund, and the need for a town-wide plan regarding how to effectively manage that those funds. Mayor McDermon agreed by suggesting the hiring of a beach engineer.

b. Formation of Parks and Recreation Committee

Alderman Meyer explained that she wants to create engaging Town events. With Aldermen Pletl's help, they have discussed establishing a parks and recreation committee, formed by volunteers and both Aldermen. Alderman Meyer requested support from the Jacksonville and Onslow County Parks and Recreation departments. She acknowledged their current short-staffing issues.

Mayor McDermon requested that Alderman Meyer and Alderman Pletl formulate an outline of requests for the Board to consider, to include the expectations of town staff, and to present the outline at the September Board of Aldermen meeting. Mayor McDermon acknowledged the work put in to begin this endeavor.

Alderman Leonard expressed enthusiasm for a food truck rodeo.

Alderman Meyer acknowledged the staff efforts in building a movie screen.

c. JUMPO, TCC and TAC Appointments

Planning Director Hill reviewed the staff report regarding the JUMPO, TCC and TAC appointments. She recommended that the Board appoint the Planning Director and/or the Town Manager to serve as the TCC member, and that the Board appoint the Mayor or an Alderman to serve as the TAC member.

Mayor McDermon asked for volunteers. Alderman Meyer was the sole volunteer, with no objections from the Board.

Planning Director Hill suggested appointing the Town Manager as the TCC, and the Planning Director as the alternate. The Board did not object.

d. TISPC Appointment and Update

Mayor Pro Tem Benson explained that the TISPC (Topsail Island Shoreline Protection Committee) has North Topsail Beach representation comprised of 2 Aldermen, currently Mayor Pro Tem Benson and Alderman Leonard, as well as one North Topsail Beach citizen at large. The former citizen at large has been sworn into the Board of Aldermen, Alderman Pletl, creating a need to find a new citizen at large. Mayor Pro Tem Benson requested permission from the Board to direct the Clerk to publish the vacancy notification and request applications from interested citizens. The Board agreed.

Mayor Pro Tem Benson continued with a TISPC update regarding a proposed rule from the Department of Fish and Wildlife to designate critical habitat for the



Rufa Red Knot, an endangered species of bird. The proposal designates all of Topsail Island in Map Unit NC 5 as protected critical habitat for the Rufa Red Knot. This bird migrates 9,000 miles between South America and the Arctic, and primarily stopping in staging areas around Delaware Bay and Cape May, NJ. Fish and Wildlife would like to protect the whole Atlantic coast corridor. North Topsail Beach already has adequate safe measures in place for migratory waterfowl. This potential additional protection could cause each town of Topsail Island to have excessive measures imposed for any kind of shoreline protection activity, including projects for the New River Inlet, as well as beach sand projects. Mayor Pro Tem Benson recommends that the Board be aware and participate in the public comment once the Shoreline Protection Commission has formulated a response to Fish & Wildlife.

XI. Attorney's Report

Attorney Edes offered to share his report in closed session.

XII. Mayor's Report

Mayor McDermon thanked the attendees for participating and apologized for the short notice of the meeting location change. She also thanked staff for filling in as the Board works to hire new staff members.

Attorney Edes reiterated that the short notice of the meeting location change met all statutory requirements for proper meeting notification.

XIII. Aldermen's Report

Alderman Pletl reminded folks that we're approaching the ramp up of hurricane season and encouraged everyone to formulate a hurricane plan. As a coordinator for the Beach Sea Turtle Project, she explained that Topsail turtle volunteers will continue early morning beach monitoring until August 31<sup>st</sup>, as well as evening nest monitoring until the end of October. Currently there are ninety-four sea turtle nests on Topsail Island. Seven nests have hatched. Alderman Pletl reminded everyone to keep oceanfront lights off at night during the critical hatching season, and to please remind renters. She noted that tonight is her first Board of Aldermen meeting, and she is both humbled and honored to be filling the position that Alderman Richard Peters held. She hopes to be as honest, wise, thoughtful, and fair as he was, and she pledged to serve in a way she hopes would make him proud.

Alderman Leonard began by telling Alderman Pletl that he was sure Richard Peters was looking down at Alderman Pletl smiling. Alderman Leonard will be attending the Marine Corps Installation East and County Key Officials working lunch on the first of September at Camp Lejeune, and he encouraged other Board members to attend as well, noting the

opportunity to continue the foundation the Board has built with the County Commissioners. He noted his appreciation for Commissioner Knapp's support over the last week. Alderman Leonard received an invitation to the North Carolina Water Summit on October thirteenth, and he is requesting more information. The North Carolina Beach, Inlet and Waterway Association (NCBIWA) is also encouraging attendance, and Alderman Leonard asked the Board members to attend. He explained the Audubon Society is a very powerful lobbying organization in Washington, D.C. and historically has not approved the repeal of CBRA in North Topsail Beach. During the last session of Congress there were two companion bills making progress until COVID hit. Currently, there is only one bill in the House of Representatives to repeal CBRA, and the companion bill has not been championed in the Senate. Alderman Leonard explained that this is effectively a land swap- moving the land which has been built upon out of CBRA and placing the conservation district land into CBRA. The Audubon Society has acknowledged the merit of the idea but has not supported it. Alderman Leonard thanked everybody for coming out.

Mayor Pro Tem Benson expressed his appreciation for the audience participation. Following up on Alderman Leonard's comment, he mentioned that large organizations, such as the federal government and specifically FEMA, must check off rule after rule after rule when they consider anything. Conservation organizations must form big ideas, such as being opposed to any changes in CBRA zones, because CBRA zones are part of the coastal barrier resources system. North Topsail Beach is part of map unit LO6, and our map zone should never have been drawn the way it is. The Board is trying to re-draw the boundary to remove the houses within CBRA out and place the rest of the wetlands into CBRA. The challenge is a bureaucracy, even though it is a non-profit.

Alderman Meyer stated that she attended the Onslow County Commissioners meeting. The county has received a river-related watershed restoration grant with leftover funds that the Town might want to investigate. The Commissioners discussed the current COVID spike. There were nineteen COVID patients admitted at Onslow Memorial last week, Naval had three in the ICU. None of these patients were vaccinated. County EMS lost 10 staff members to COVID quarantines. The County Commissioners urged everyone to get the vaccine and noted that all three vaccines are available at the health department. Sherriff Hans Miller asked Alderman Meyer to mention a free kid's program called "Operation Jumpstart" at Hubert By-Pass Park on August 8<sup>th</sup>. Alderman Meyer attended the Chamber meeting, and reports that they are working on an economic summit and will have more educational opportunities for both members and the public. Alderman Meyer is working with the Town's insurance agent, Chief Younginer, and Finance Director Elliott to inform citizens about the renovation of Town Hall. The insurance agent is writing a letter to provide more information about the process. They also reviewed the future insurance needs of the Town, noting a possible need to increase cyber insurance coverage, and potentially saving money on comprehensive vehicle coverage. Alderman Meyer also attended the ribbon cutting

ceremony for the new elementary school, remarking on the beauty of the school and its potential as an emergency shelter. She thanked everyone for coming to the meeting.

Alderman Grant thanked the attendees for coming and encouraged citizens to continue sending him emails with questions. He mentioned the existence of specific grants for firehouses, and that it may be possible for the Town to pursue them.

XIV. Closed Session

**Mayor Pro Tem Benson made a motion to go into closed session. Alderman Leonard seconded, the motion passed unanimously, 5-0.**

The Board of Aldermen entered closed session to address personnel matters (G.S. 143-381.11(a)(6)) and to establish the public body's negotiating position for acquisition of real property or employment contracts or instruct staff or agents about the negotiation (G.S. 143-381.11(a)(5))

No action was taken during the closed session.

**Alderman Leonard made a motion to come out of closed session. Alderman Grant seconded, the motion passed unanimously, 5-0.**

XV. Adjournment

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

The Board of Aldermen meeting adjourned at 8:50 p.m.