

Town of North Topsail Beach

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

Aldermen:
Richard Grant
Don Harte
Connie Pletl
Bob Swantek



Alice Derian, ICMA-CM
Town Manager

Danyale Lundy
Town Clerk

Nature's Tranquil Beauty **Minutes**

Board of Aldermen Regular Meeting Agenda Wednesday, February 2, 2022, at 11:00 A.M. North Topsail Beach Town Hall 2008 Loggerhead Court, North Topsail Beach, NC 28460

Present: Mayor McDermon; Mayor Pro Tem Benson; Aldermen Grant, Harte, Pletl, and Swantek. Chief Younginer; Finance Officer Elliott; Town Manager Derian; Town Clerk Lundy; Planning Director Hill; Town Attorney Edes.

Via Zoom: Coastal Engineer Fran Way; and Fincial Advisor Doug Carter.

I. Call to Order

Mayor McDermon called the Meeting to order at 11:20 AM.

II. Invocation

Mayor McDermon led attendees in an invocation.

III. Pledge of Allegiance

Mayor McDermon led attendees in the Pledge of Allegiance.

IV. Approval of Agenda

Mayor McDermon requested approval of the agenda. A discussion was held.

Alderman Swantek requested to add an item under New Business: Item E. Signage for Beach Side House Numbering.

Alderman Swantek made a motion to approve the agenda with the above request. Alderman Grant seconded. The Motion passed unanimously; 5:0.

V. Manager's Report

Town Manager Derian delivered the monthly report which included the following:

Becker Morgan (Fire Station 2)

- I had a meeting with Becker Morgan and Fire Chief on January 6th as scheduled to discuss program changes mentioned in the Feasibility Study. This week we received the first pass at re-organizing the schematic floor plans and provided feedback for them to finalize and to be able to provide to the Board before the next meeting. The Town in coordination with the RCCP (Resilient Coastal Communities Program) has been working to identify and prioritize projects to enhance community resilience to coastal hazards. Our committee while working to compile other projects spoke last week about the possibility of pursuing a LEED Certification for the new fire station (Leadership in Energy and Environmental Design). I discussed integrating this at this stage with the Architect and we can pursue if this is a project the Board has an interest in.
- LEED served a useful purpose years ago in bringing attention to energy waste and sustainability. As a result of that improved focus, most states, including our own, vastly improved their energy use standards. The industry responded and high-performance has become common. Thus, you are going to get a strong performing building from an energy standpoint. However, LEED has additional items that are more nebulous as to their value. Initiatives such as installing a bike rack, redeveloping a site, sourcing of materials all gather points toward the LEED goal of 'certified', 'silver', 'gold' or 'platinum'. Achieving 'certified' is achievable with the least amount of extra cost/effort. Reaching for a higher level in a semi-rural site is problematic. LEED just doesn't recognize the circumstances as well here on the coast.

The costs to get to LEED at any level require the use of a 3rd party to manage the submissions and monitor the design and construction. Such fees are in the \$50k range. The added work for the design team, mostly calculations, and reports, usually adds \$30k for a station of our size.

DEC Associates

- The Town was on the LGC's Agenda for approval yesterday and was approved.
- We have under New Business 3 specific actions to be taken for the 2022A Bond Purchase Agreement, 2022A Bond Order, and the 2022A Issuance Resolution. Mr. Carter is with us today via Zoom to review and discuss the FEMA SOBs scheduled for closing next week, term sheet, and USDA refunding with closing scheduled for March 9th.

Phase 5 North End Truck Hall Project

- Funding was approved by the LGC yesterday
- All permits have been received to date from the DWR, DCM, and USACE.
- Special Obligation Bonds Resolution – Initial Resolution was adopted at the January Board Meeting and Approving Resolution is to be considered/adopted later in the agenda.
- The contract is pending with S.T. Wooten in the amount of \$8,603,110. The contract has been prepared and once it is finalized today, the next steps are as follows:
 - Confirm receipt of Performance and Payment bonds
 - Establish a preliminary schedule within 10 days of the signed contract that contains
 1. Preliminary progress schedule indicating the times for starting and completing various stages of work
 2. Preliminary schedule of submittals
 3. Preliminary schedule of values
 - A Pre-Construction conference will be held between the Town, contractor, and Engineer to establish working understanding, discuss schedules, procedures for payment apps.
 - An NTP to be given within 30 days of the effective date/signed contract

Special Meeting Notice

- A notice will be posted tomorrow for a special meeting being scheduled for Saturday, February 26th at 10:00 am. The intent of the meeting is an open forum meeting on capital and beach projects for questions/answers and to provide information on those topics.

210 Sea Shore Drive Condemnation

- The property owner's contractor completed demolition and the final inspection was completed on Monday.

FY 2022-2023 Budget

- I have attached to my report a proposed budget calendar.

Special Events

- I approved a special event permit submitted by the Jacksonville Onslow Sports Commission for the 3rd annual Sledgehammer beach run to be held on February 5, 2022 between the hours of 8 am and 11 am. Their command post will be BA#2 (County). The County is aware of and has also approved. Information was posted and shared through social media. They will be running a 10k or 5k course on the beach or a half marathon course with 10.5 miles of beach and 2.6 miles along the roadway near BA13B and then re-enter back onto the beach at Jenkins Way.

Town Hall Open House

- The Open House is scheduled for February 16th from 10 am to 12 pm. A save the date notice was posted last week. We will have light refreshments available and along with elected officials and staff, will also have representatives from the NC Coastal Federation available to talk with residents on topics such as how to create a rain garden and representatives from the Karen Beasley Sea Turtle Rescue and Rehabilitation Center to discuss turtle specimens and how to make your property turtle-friendly.

Website

- An agreement was signed with Civics Plus/Municode to start the design of a custom website. The final product is expected to take 5-7 months to complete. I have been working through a task list for the pre-design phase and have been working on branding for the town/ new website for the last month. I expect later this week to be able to share with the board what this looks like and gather feedback.
- Several updates have been made to the shoreline protection page on the current website.

Building Inspector's Position

- I am pleased to announce that we will have a new Full-Time Building Inspector, Mr. Leon "Ralph" Parker who is scheduled to start work on February 21st. He is level 3 certified in Electrical, Building, and Plumbing.

Vegetative Debris Pick-Up

- Dates have been scheduled for vegetative debris pick-up: Feb 21st through Feb 25th, April 25th through April 29th, and Oct 24th through Oct 28th. Debris should be placed near the roadside in the right-of-way. The schedule and guidelines have been posted on the website and will be shared as a reminder next week.

VI. Open Forum

Town Clerk Lundy reported that one attendee, Mr. Will Evans signed up to provide public comment. Mr. Evans expressed his appreciation for the town's work and effort to finish the condemnation and removal of 210 Sea Shore Drive.

VII. Public Presentations and Hearings

A. Coastal Engineer Update

Mr. Fran Way of ATM provided an update as follows:

- Phase 1 and Phase 2 Dune Truck Haul: Remaining ~mile to be completed the 2022 winter/spring environmental window.
- Hurricane Florence & Dorian Phase 5 FEMA Category G: All Permits (DWR, DCM, Corps) issued.
- Bids Received for Phase 5 FEMA Cat. G (Northern Portion) –ST Wooten
- Hurricane Dorian Phase 1 FEMA Category G: Separated from Category 5 permitting due to sandbags. Minor Mod for DCM. April Window is limited.
- New River Inlet Management Master Plan EIS: Continued EIS processing and meetings.
- Working with NTB Finance Officer and DEC Associates regarding funding for upcoming FEMA and State Grant projects
- Sea Oat Planting
- County Beach Access
- NoCorpsIntercoastal Waterway or Jax Channel dredging planned.

Engineer Way stated North Topsail Beach currently has several projects going on. The Phase Two Dune Truck Haul north of the Sea View Pier, and the Phase One project in front of Topsail Reef. The town just received Local Government Commission funding for Phase Five so there are currently three different elements in the works at North Topsail Beach. In regards to the Truck Haul north of the pier, there is about one mile left of material. The remainder of this project will be combined with the Topsail Reef project which is in permitting currently. The lead permitting agency for this project is The Department of Coastal Management. Permitting is also needed from the Army Corps of Engineers; as well as the Department of Water Resource; however, the lead agency wants to do these permits as a minor modification which makes the process much faster. Mr. Way is hopeful the project will be permitted within a month or so.

Engineer Way disclosed that the Phase Five Beach Nourishment Truck Haul Project received Local Government Commission approval yesterday. Mr. Way has contacted ST Wooten to let them know the town is eager to begin this process. The sand mine has begun stockpiling sand to be able to keep up with the truck haul production rate. A notice of award will be issued for the contractor to begin to get their performance and payment bond together.

Engineer Way relayed that at the Onslow County Beach Access #4 sand still needed to be placed to repair damage from storm impacts and flooding. Mayor Pro Tem Benson has been coordinating with the county regarding this project.

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Mr. Way conveyed that the Phase One FEMA Category G Project was originally separated from Phase Five due to sandbags and other elements but the Department of Coastal Management has said that this will be considered a minor modification and Mr. Way will continue to work with them. Regarding the New River Inlet Management Master Plan the Environmental Impact Statement process is continuing and the DRAFT of the Environmental Impact Statement is being developed.

Sea Oat Planting is still planned for the upcoming Spring season as soon as it gets warm enough for the vegetation to be planted successfully. Any areas of sea oats/vegetation that did not take in the Fall will be replanted as well this Spring.

Mayor McDermon stated the main inquiry she is receiving is in regards to the yellow areas of dunes on Mr. Ways PowerPoint with folks trying to decide when can they start planting their vegetation. Mayor McDermon suggested if the range of addresses could be released with potential dates it would be extremely helpful for residents.

Mayor McDermon referred to Mr. Way's statement regarding the EIS still in progress, and questioned, What is the next step in this process? Engineer Way stated he would get with Mickey Suggs, USACE Project Manager to see what the next step is, but he is hopeful that the next step is the issuance of the Preliminary Draft of the Environmental Impact Statement.

Alderman Swantek referred to Mr. Way's map showing Phase Five and questioned if all of Phase Five would eventually be completed or if the "red line" on the slide reflected a portion that would not be included in the project? Engineer Way reassured this section would be included in the project, not in the next few months; however, it would be completed in the next environmental window.

Alderman Grant expressed how nice it would be to develop a project tracking system that showed what the project looks like, what the progress is weekly, and what is expected to unfold the following week and to have it placed on the town's website.

Attorney Edes stated that the Town Manager did propose a tracking system that encompasses everything Alderman Grant referenced and Mr. Way has agreed to it. This service will be added as a separate memorandum of understanding between the town and Mr. Way's firm.

- VIII. Consent Agenda
- A. Approval of Minutes ([January 5, 2022](#))
 - 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)
 - 4. ONWASA ([link to minutes](#))
- D. Budget Amendment 2021-22.6

Alderman Swantek made a motion to approve the Consent Agenda as presented. Mayor Pro Tem Benson seconded. The Motion passed unanimously, 5-0

IX. Continuing Business

A. Parks and Recreation Update

Alderman Pletl stated the Parks and Recreation Committee was still in the organizational phase and is hopeful to have more information to present next month. Alderman Pletl and Alderman Swantek plan to meet to discuss details soon.

B. BISAC Update

Mayor Pro Tem Benson affirmed that residents from all Phases had the opportunity to apply for the Beach, Inlet, Sound Advisory Committee and the board has had the chance to review all 13 applications. Mayor Pro Tem Benson proposed a written ballot nomination to avoid undue influence of a nomination vote in which each board member would write their first choice of the applicant by phase.

Alderman Swantek made a motion to appoint Mayor Pro Tem Benson and Alderman Grant to become members of the Beach, Inlet, Sound Advisory Committee. Alderman Pletl seconded. Town Clerk Lundy called the role. The Motion passed unanimously, 5-0

Phase One:

Applicants: Deborah Coltrane, Harry Haus, Hanna McCloud, and Susan Meyer.

Written Ballots:

Mayor Pro Tem Benson: Deborah Coltrane
Alderman Grant: Harry Haus
Alderman Harte: Hanna McCloud
Alderman Pletl: Susan Meyer

Alderman Swantek: Deborah Coltrane

Phase Two: No Applicants. The spot will be held until someone from Phase Two applies and is appointed by the Board of Alderman.

Phase Three:

Applicants: Michael Pawelko.

Written Ballots:

Mayor Pro Tem Benson: Michael Pawelko

Alderman Grant: Michael Pawelko

Alderman Harte: Michael Pawelko

Alderman Pletl: Michael Pawelko

Alderman Swantek: Michael Pawelko

Phase Four:

Applicants: John Gardner and Teri Ward

Written Ballots:

Mayor Pro Tem Benson: Teri Ward

Alderman Grant: John Gardner

Alderman Harte: John Gardner

Alderman Pletl: Teri Ward

Alderman Swantek: John Gardner

Phase Five:

Applicants: Wayne Dickson, Will Evans, Joan Fuhrer, Bill O'Donnell, and Larry Strother.

Written Ballots:

Mayor Pro Tem Benson: Wayne Dickson

Alderman Grant: Larry Strother

Alderman Harte: Larry Strother

Alderman Pletl: Will Evans

Alderman Swantek: Larry Strother

Written ballot reflected appointments for the following members to the BISAC: Deborah Coltrane (Phase One), Michael Pawelko (Phase Three), John Gardner (Phase Four), and Larry Strother (Phase Five) with Phase 2 open.

Mr. Benson stated another proposed member of the BISAC Committee is a Coastal Engineer Advisor. The advisor would advise the BISAC Committee

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and help members learn about coastal protection of shorelines, inlets, and sounds. The advisor would educate the board regarding shoreline protection matters. Mayor Pro Tem Benson is requesting that the town enlist services from Mr. Chris Gibson, President of TI Coastal, Inc who is a well-known local coastal engineer who has experience in working with Topsail Beach, Surf City, and North Topsail Beach regarding shoreline protection, hurricanes and FEMA projects over the past several decades.

The Board of Aldermen directed Town Manager Derian and Attorney Edes to reduce to writing an understanding as to compensation for Coastal Engineer Chris Gibson for his services of being an advisor to the Beach, Inlet, Sound Advisory Committee. Attorney Edes and Manager Derian will present the proposed Memorandum of Understanding to the Board of Alderman for a vote once drafted.

Mayor Pro Tem Benson stated another member proposed to be on the BISAC Committee would be a liaison with Onslow County to build a good relationship with the county. Mr. Benson stated the Town of North Topsail Beach is a very important part of Onslow's tax base and having a liaison from the county will be a two-way street to help the county better understand the issues at North Topsail Beach; as well as a benefit to the Town.

Town Manager Derian updated that she emailed the County Manager advising her that the BISAC Committee had been created and gave her information and the purpose of the committee. Mrs. Derian requested a liaison from the county serve on the committee and is waiting to hear back regarding a recommendation.

Town Attorney Edes suggested that the BISAC Committee follow the Board of Alderman rules of procedure to the extent that they apply to that specific committee due to the BISAC Committee being subject to the Open Meetings Law. The Board of Aldermen agreed.

Mayor Pro Tem Benson explained the committee would meet and prospectively present a Charter to the Board of Aldermen for review around three months from now.

C. Land Parcel Donations

Town Manager Derian disclosed that in October Mr. Ruffas requested to donate two parcels of land (as shown in the agenda packet) to the town.

Alderman Pletl made a motion to approve the two land parcel donations by Mr. Rufus Murray contingent upon due diligence satisfactory to Town Manager and

Town Attorney. Mayor Pro Tem Benson seconded. The motion passed unanimously, 5-0

X. New Business

A. [2022A Bond Purchase Agreement](#)

FA Carter explained that the three actions proposed are typical and customary actions for the approval of a Special Obligation Bond. They have been drafted either by Bond Council or a Council to the bank. They have been subject to review by the Local Government Commission, by Mr. Carter's firm, and by members of the town staff and have gone through a rigorous process. These documents are standard documents seen when approving Special Obligation Bonds.

Mayor Pro Tem Benson made a motion to approve the 2022A Bond Purchase Agreement. Alderman Harte seconded. The Motion passed unanimously, 5-0

B. [2022A Bond Order](#)

FA Carter explained that the Board just approved the agreement that allows PNC to purchase these Special Obligations Bonds, and this Bond Order sets forth how the bonds are structured and is the legal structuring side of the bonds.

Alderman Grant made a motion to approve the 2022A Bond Order. Alderman Harte seconded. The Motion passed unanimously, 5-0

C. [2022A Issuance Resolution](#)

FA Carter informed the Board that the Issuance Resolution essentially connects the Bond Purchase Agreement and the Bond Order. It in many ways essentially marries these two documents together.

Alderman Grant made a motion to approve the 2022A Issuance Resolution. Alderman Pletl seconded. The Motion passed unanimously, 5-0

D. [Resolution of Acknowledge of the Greater Topsail Community Alliance Advisory Committee \(GTCAAC\)](#)

Mayor McDermon disclosed she has been attending the GTCAAC meeting for North Topsail Beach for many years and explained a representative from all four towns attend these meetings. Mayor McDermon stated the goal of the Adviosory Committee is to try and pull the towns together on things such as beach clean ups, etc. to draw the communities together. For example, the upcoming meeting topic was to discuss what towns are doing in preparation

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for storms and discussing what towns are planning to utilize as their
Emergency Operation Center.

Alderman Grant made a motion to approve the Resolution of Acknowledge of the
Greater Topsail Community Alliance Advisory Committee. Alderman Swantek
seconded. The Motion passed unanimously, 5-0

E. Signage for Numbering of Houses on the Beach Side

Alderman Swantek explained he has been approached by several individuals
concerned that for 911 calls house addresses are on the front of properties,
but in the event, tourists are on the beachside and an emergency happens
they have no way of knowing or locating a house number while on the
beachside. Alderman Swantek is proposing to have house numbers placed
viewable from the beachside.

Mayor McDermon agrees she feels that is a great idea, but questioned if the
town is responsible for requiring a second set of house numbers facing the
shoreline or is this something we need to request the citizens do? Mayor
McDermon stated she is unsure of how that process works.

Alderman Swantek stated his concern with requesting citizens place the
numbers is that many residents do not live here and some may choose not to
place a second set of house numbers, but if the town takes on the
responsibility it would ensure it gets completed.

Mayor McDermon asked if anyone is aware of what other towns have done?

Alderman Pletl disclosed that she does remember years ago that the 911 blue
signage was a fundraiser in which residents could pay five dollars to receive
the 911 signage.

Mayor McDermon directed staff to look into what options the town would have
for being able to provide number signage on the beachside.

Alderman Grant suggested subsidizing it instead of requiring residents to put
up number signage on their private property. Alderman Grant stated he feels
this is a great idea we just have to figure out the best way to implement it.

Town Attorney Edes stated he thinks years ago Oak Island did something
similar to this and would look into what was done there.

Town Manager Derian added that most of the time the town takes this
initiative and doesn't ask the residents to do so because the numbers and
signage are something the town would have to maintain. Mrs. Derian pointed
out the town could become liable in the event something is missing, the need

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to track what goes up and ensure it stays in place will need to be tracked and maintained. Town Manager Derian stated that normally the signage is placed in the ground with PVC pipe and the town would keep track of where each one is located and place them on a routine maintenance schedule. Mrs. Derian stated she would look into details and costs and bring them back to the board for review.

XI. Open Forum

Town Clerk Lundy reported that no attendee signed up to provide public comment during the second open forum.

XII. Attorney's Report

Attorney Edes reported that House Bill 473 which was passed in December by the General Assembly and pertains to municipal contracts with non-profits. This bill prohibits any Elected Official that is associated with a non-profit from participating in either the formation of a contract or administration of the contract with the non-profit. Associated is defined as being an official who is either a Director, Officer, or Governing Board Member of the non-profit. Non-profit is defined as being an organization that is operating primarily for religious, charitable, scientific, literary, public health and safety, or educational purposes. Town Attorney Edes stated going forward if there is an agenda item with a potential contract or arrangement that would benefit a non-profit Board Members will need to disclose if they are a Director, Officer, or Governing Board Member of that non-profit. Mr. Edes advised it would be the board members' duty to disclose and recuse themselves from voting; as well as recommending that board members step out while that matter is being discussed.

XIII. Mayor's Report

Mayor McDermon stated she is extremely proud of North Topsail Beach staff; as well as Mr. Carter and his organization for obtaining the Local Government Commission approval and being able to move forward with the projects. Mayor McDermon disclosed she is proud of how the town is trying to continue to improve on how we report information regarding projects and completion timelines; as well as being extremely proud of the new Town Hall and website updates.

XIV. Aldermen's Report

Alderman Pletl thanked everyone for attending the meeting; as well as recognizing Black History Month. Alderman Pletl stated here in North Topsail Beach we have the honor of having Ocean City within our borders. Ocean City Community is the first place in coastal North Carolina in which African Americans purchased coastal property for community development. Alderman Pletl encouraged everyone to view the YouTube "Ocean City a community of firsts".

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Mrs. Pletl informed everyone she and Alderman Grant visited Ocean Isle last week to view the terminal groin which is a very interesting project that already appears to be building up the beach at the north end of the island. The construction phase of this project is to be completed in April and Alderman Pletl intends to revisit afterward. Alderman Pletl did emphasize the Town of North Topsail Beach has not voted as of yet to approve or reject a terminal groin for our town nor are we close to that stage. Alderman Pletl spoke to working with the Town Manager and Mayor Pro Tem Benson to update the Shoreline Protection page; as well as other parts of the website. Mrs. Pletl met with the Jacksonville Urban Metropolitan Planning Organization (JUMBO) representative yesterday and it was an onboarding session that was very informative regarding issues such as the intersection of Island Drive and New River Inlet Road; as well as the bike path. Alderman Pletl attended the Greater Topsail Area Chamber of Commerce and Tourism meeting and learned they will be holding a ribbon-cutting on February 17th at 5:30 pm at Surf City Line and a Social on March 16th at Beach Bums.

Alderman Harte thanked everyone for coming and attending.

Mayor Pro Tem Benson spoke to the activities discussed at the Topsail Island Shoreline Protection Commission meeting from last month. A Topsail Island Environmental Management luncheon will be held to encourage the business community and citizens to take non-plastic materials to the beach and encourage them to utilize their marketing and selling of products to support this goal. The logo for the committee is called "Topsail Island Beach Clean" which will begin to be seen around the island. Mr. Benson also stated that the North Carolina Resilient Coastal Community project, this CAT Team, and the representatives from the different towns have been working on this for about three or four months now. Information can be found on the Topsail Island Shoreline Protection Commission page (tispc.org) and everyone is encouraged to look at the storyline that was developed on the website. This project will enable the ability to apply for grants toward creating a more resilient environment on Topsail Island. Mr. Benson also disclosed that the Shoreline Protection Commission has a federal advocate, former Congressman Mike McIntyre who worked with Senator Tillis and was able to get a line item approved for 3 million dollars in funds for the Operation and Maintenance 2022 Work Plan of the Army Corps of Engineers for maintenance of the New River Inlet.

Alderman Swantek thanked everyone for attending the meeting.

Alderman Grant thanked the Town Photographer and everyone who attended the meeting.

Alderman Swantek made a motion to enter into Closed Session for the matters 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 Pletl 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.

Alderman Swantek made a motion to come out of the closed session. Alderman Pletl seconded. The Motion passed unanimously, 5-0.

Mayor McDermon reported no action was taken.

- XVI. Adjournment

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

Mayor McDermon requested a morion to adjorn. Alderman Swantek made the morion to adjourn that was seconded by Alderman Harte. The motion passes unanimously, 5-0.

Mayor McDermon adjourned the board meeting at 1:57 PM.

End of February 2, 2022 Minutes