

TOWN OF NORTH TOPSAIL BEACH
PUBLIC HEARING AND REGULAR BOARD MEETING
JANUARY 7, 1999
6:30 P.M.

- PRESENT:** Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore and Barbara Haynes, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss
- NOT PRESENT:** Alderman Joe Vecchione
- QUORUM:** Mayor Bostic called the meeting to order at 6:33 P.M. in the North Topsail Beach meeting room and declared a quorum present.
- PUBLIC HEARING:** The Public Hearing was postponed until February 11, 1999 at 6:30 p.m. since Mr. Dale Holland was not able to attend.
- REGULAR MEETING:** The regular meeting was called to order at 7:00 p.m.
- APPROVAL OF AGENDA:** A closed session will take place after the regular board meeting regarding personnel issues. Under new business (7m), Alderman Hillyer wanted to respond to NBC Nightly News' "Fleeing of America". Alderman Hillyer moved, seconded by Alderman Smith approval of the agenda with appropriate changes. The motion passed unanimously.
- APPROVAL OF MINUTES:** Alderman Hillyer moved, seconded by Alderman Sizemore approval of the November 30, 1998 minutes of the Public Hearing. The motion passed unanimously. Alderman Sizemore had changes to the December 3, 1998 Public Hearing and Regular Board Meeting minutes. Under "Rezoning of Land South of Salty's Pier", Mr. Johnson's first name is Sonny and not Buddy. Also, eliminate the last sentence in that paragraph since it is not clear. Under "DOT" Mr. Tolson's name is E. Norris Tolson. Under "Street repairs" eliminate paragraph after first sentence. The language did not pertain to this subject matter. Under "Attorney's Report" change "Bill Fuss has 3 lots " to Attorney Bill Fuss has received offer of three lots. Under Aldermen's Report change "Fishing vehicles only" to "No Vehicles on the Beach". In the fourth paragraph from the bottom, Alderman Steve Smith said that Congressman "McIntyre" spoke with them, not Congressman "Heath". The December 3rd minutes will be revised and approved at the February 11, 1999 board meeting.
- AUDITOR'S REPORT:** Mr. Carroway, Auditor, highlighted the North Topsail Beach Audit for year ending June 30, 1998. The loss in the fund balance was caused by the

two hurricanes and we're trying to build this fund up now. The auditor would not recommend any fund balance getting to a minimum amount since the law states that you need to take 8% of next year's budget. Taxes are down. Evaluation on the island is down compared to two years ago. Permits and fees are also down. State revenues are under actual budget. The Town spent \$224,000 less than was budgeted for and we are to the good \$55,000 overall. Mr. Carroway noted that we have done really well considering what we have been through for the past two years. When we receive the FEMA money from Fran, that money should be budgeted on the revenue side. Alderman Sizemore asked if we were we in compliance with regulations and other than being in debt, do we have any major source of concern? Mr. Carroway noted that we are in compliance and the town will be in better shape next year. He also mentioned that his firm has merged with a firm in Whiteville and they will help him with the audit next year since he will be slowing down. Mr. Carroway expressed his appreciation in working with the town.

BEAUTIFICATION COMMITTEE:

Mike Rupert reported that the town hall has been planted along with the south end. Ron Perozzi, and his son, owners of Terra Company helped to choose plants and gave the Town wonderful rates. A Plaque, to be placed in the Town Hall meeting room and a certificate to be placed in Terra Company was presented to the Perozzi's in appreciation for their help in the "Greening of North Topsail Beach". The Certificate program has raised \$725.00. This program was supported by all in town and throughout the state. This money will be used for crossovers. The South end sign is now completed, but we need to paint the sign. Mr. Rupert thanked everyone for their support.

PLANNING BOARD:

Bill O'Donnell reported that there was no meeting last month and there will be no meeting this month. The next meeting is scheduled for February 18, 1999 at 6:30 p.m. Mr. O'Donnell expressed his appreciation to Patsy Jordan for serving as Chairman and stated that she has now stepped down and encouraged others to serve on the planning board.

TRASH COLLECTION ISSUE:

Lois Danio requested clarification on the trash issue. She noted that letters were sent out before and residents were asked if they wanted to sign up for the service. The trash cans were delivered and were part of our tax bill. The bill that was recently received said that it was approved by the board and that trash collection would come out of our pockets and not taxes. Ms. Danio felt that she should have the option to take trash removal or not take it. Someone shouldn't make that decision for me. She would like this to be a voting type of situation. Those that don't live here full time can't vote for Aldermen or Mayor. We need to have more say on how our money is spent. Give us an option to vote instead of

aldermen voting on issues. Let's get the people here who do pay taxes, give them an option and say as to the running of the town. Mayor Bostic noted that there will be Saturday meetings quarterly or semi-annually. The Mayor also stated that we had budget workshops, which were advertised in papers, and we received minimal input. Only five to six people spoke out regarding our budget. Regular Board meetings are scheduled the 1st Thursday of every month. To receive special meeting notices, a resident can pay \$10.00. We are working on being on the Web Site. Ms. Danio suggested that a committee be formed to notify homeowners of hot issues coming up.

**DR. AMMON'S
PROPERTY:**

We recently received a letter from Dr. Ammon. Terri Potts noted that Dr. Ammon stands by the reversion clause. The property will never be built on again. Attorney Fuss stated that Dr. Ammon wants to donate his property, but if it ever becomes buildable, he wants it back. If the Town accepts the donation it will be removed from the tax roll. As a middle ground, you can go back and give Dr. Ammon a revert clause for 5 years. Mr. Fuss thought that there should be some definitive clause to this donation. It should be outright or a time stated. Mayor Bostic noted that the value would go down when it's stated as unbuildable.

Alderman Hillyer felt that the offer was unreasonable. Mr. Fuss noted that we could state that at the end of five years we would accept terms. If it does become a buildable lot; the Town will lose the assessment. Mayor Bostic did not have a problem with five years. Mr. Fuss reiterated that based on what Terri Potts stated, that it probably would never be buildable. Alderman Sizemore felt that if you begin to accept property with conditions you are setting up a precedent for this in the future. Alderman Haynes had no problem with five years. The lot is 50 x 100 ft. on the oceanside of Topsail Rd. DOT has a right of way. There is a berm on it and is under water during high tide. Action from board: Agreed to accept the lot, but with no reversion clause. Attorney Fuss will write a letter to that effect.

**OCEAN CLUB
VILLAGE PIER:**

A letter has been submitted to the contractor setting down requirements for the Town of North Topsail Beach to accept this pier as public property. As of yet we have not received their response.

OTIS ELEVATOR: Otis Elevator has agreed to provide us with a five-year contract (all-inclusive) for \$100.00 per month. We managed to save \$70.00 per month from the original contract.

CROSSWALKS: We built two earthen cross walks and we will need to leave the berm high in order for water not to come through it. Alderman Sizemore questioned

the use of a flexible mat, one like the military uses, that can be shaken out and could be put back down. Terri Potts will ask Janet Russell if it would be acceptable. Charles Hammond noted that we did have washovers last weekend and to prevent water coming through we would have to keep the berms high. The consensus was to continue with two earthen berms and four hard cross walks.

**SATURDAY
BOARD
MEETINGS:**

Mr. Hammond noted that the Town is preparing a mailing list for a newsletter that will be sent out by the end of the month. This newsletter will be sent out to all residents and we will publish that the March Board Meeting will take place on a Saturday, March 13, 1999 at 2:00 pm

**AT&T/TCI
MERGER:**

Dave Harris has authorization to carry out the research, draft a resolution and collect the fees in conjunction with the merger.

TRASH BILLS:

There have been numerous complaints regarding the billing service for trash. We can look at opting out of the service, adding it to the Onslow County tax bill, or if we choose to continue billing, how should we bill? Alderman Sizemore noted that they once looked into including the trash bill with the water bill. The cost was \$1.00 per month to collect the fee times the number of bills. Mr. Hammond has talked to the League and found out that a city may adopt an ordinance and the trash bill can be billed with property taxes. Attorney Fuss noted that we have a contract with Waste Industries which include tipping fees. There is a provision in the contract that states that on February 1st of the contract year there can be a meeting to discuss adjustments. Attorney Fuss recommended that the Board authorize the town manager and himself to meet with Waste Industries. The list that Waste Industries provided us to input names to generate bills was incorrect. Some of the bills that went out were to lots that were empty. It was hard to compare lists from tax bills and Waste Industries. Attorney Fuss noted that everyone who owns a lot would share in the cost, since everyone benefits from a thorough solid waste collection. Alderman Sizemore stated that there is really no efficient way to separate lots. Attorney Fuss noted that everyone should be taxed equally. Mayor Bostic felt that a workshop should be scheduled after the town manager and attorney meet with Waste Industries. Alderman Hillyer felt that the billing process was never explained properly to everyone. Attorney Fuss felt that a formula should be used by which everyone shares in the cost, but actually those people who have dwellings pay for tipping fees. Mayor Bostic stated that we have had workshops on this before with very little input from citizens. Budget workshops will be coming up again and this issue will be addressed.

Linda Knowles was concerned that there was no convenient place for residents to dump their trash. She also felt that the fee for garbage collection should go back on the tax bills.

Mr. Herman Alberti requested that property owners take care of the trash themselves. He suggested to the board that they adopt a policy whereas the property owner or town dispose of any and all trash based on conditions based on the town. He also suggested that the town offer trash disposal as a tax paid benefit and that the collection of all trash should be at the town's expense.

Linda Knowles agreed that the trash bill needs to go back in a tax item and she also felt that it was fine when we had dumpsters.

STREET REPAIRS:

Mr. Hammond reported that he originally received three bids for street repairs. The first bids were high, and since FEMA authorized only \$12,000.00, we rejected all bids. Mr. Hammond and Mr. Tew went out and measured each road according to specifications for FEMA. One group re-bid again with a price of \$24,000.00, which is still higher than what FEMA has authorized. We will have FEMA come back and estimate the cost again. Most of the repairs are basically re-graveling the roads. Mr. Hammond felt that we could probably bring in gravel and do it ourselves much cheaper. Mayor Bostic stated that John Tew has no time to do this. The consensus was to wait and see what FEMA's re-inspection reveals. Alderman Sizemore asked if the state was going to do anything else with their roads and noted that Topsail Road is terrible.

SURPLUS PROPERTY:

Bids were received on the 1993 Crown Victoria, two generators, shop fan, lap top computer, and dot matrix printer and all items were sold to the lowest bidder.

ITEMS TO BE DECLARED AS SURPLUS:

The following items will be advertised for closed bid in local papers: 2 printer paper stands, 1 Okidata printer, 6 separate computer systems (386/486's), 1 monitor, 1 Ripper for D8K Caterpillar Dozer, and 1 1986 Chevrolet Pickup Cargo Utility with generator and air compressor. Alderman Steve Smith moved, seconded by Alderman Barbara Haynes approval to declare the above items as surplus. The motion passed unanimously.

NO DRIVING ON BEACH SIGNS:

Per request from the Board and town residents "No Driving on Beach" signs were placed at the following locations on December 4, 1998:

- 2 at Scotch Bonnet facing South
- 2 at Ocean City facing North and South
- 1 at Jeffries entrance to beach
- 1 at beach access 3 entrance to beach and beach strand
- 1 at Marina Way entrance
- 1 at Gray Street entrance

ONSLOW COUNTY

BEACH ACCESS: Mayor Bostic reported that he has attended meetings for the last several months throughout the county. Presently, the beach access sites close at 4:45 pm and I have asked the commissioners what it would take if we assisted to keep the accesses open until 11:00 pm. Jeff Hudson sent back a letter with a lot of conditions. Mr. Hammond stated that the requirements would add 1 ½ hrs. to each police officer's time, they would have to pick up trash, turn the water off, fax a report daily, contact the proper utility provider for any repairs if there are any malfunctions, check for any vandalism, etc. A letter will be sent to the County telling them that the terms are unacceptable

COMPUTER SERVER/

INTERNET: Mr. Hammond gave background material regarding a computer server/internet system at the last board meeting. Right now with the number of people we have through AOL, with 6 different accounts, we're paying over \$3,000.00 per year, which doesn't include a web site dedication. Mr. Hammond spoke with different internet providers and the one that looked the best to him was Gibraltar for \$2,800/yr which includes total support and a web site in which we can establish our own domain. We will be setting up individual e-mail addresses. Gibraltar will use one phone line at the same time. There will be a higher speed data line from Sprint and they will put a router on the network. All the P.C.'s will have access through that one line to get to us. We will be charged a monthly fee for the web site. We will act as an intermediary with Sprint. A citizen suggested a backup line if the one line went down. The cost per month will be \$233.98 for Gibraltar, which is a lot less than AOL. Alderman Otis Sizemore moved, seconded by Alderman Steve Smith authorization to proceed with changing over to Gibraltar as the Town's internet provider. The motion passed unanimously.

DONATION OF PROPERTY:

Dr. Beck has expressed his desire to donate five (5) acres of property on highway 17 to the Town to build an Emergency Operations Center. Dr. Beck will develop the area later on. We can possibly receive assistance from a community development block grant, or state and federal grants. Dr. Beck will clear and level the land. Mr. Hammond requested the board to view this property and determine possible acceptance of the property. Mayor Bostic asked how can this benefit the town and questioned the cost

to the town. Terri Potts reported that this facility could be used by the police department and public works. There is also a potential for neighboring towns to use the facility. We could also build a greenhouse to grow vegetation for the beach. It will be a tornado proof building. This will be a pilot project and can be used year round and can be utilized without any excess cost. This can be used as an example of how to build an EOC. At this time, we don't have a safe place to go. We have the potential for companies to donate their equipment and be part of this pilot program. Various organizations will give us money to do this. Mayor Bostic said that he would mention this project at the 4 town meeting.

RISK MANAGEMENT

AMENDMENTS: There are two separate amendments to the Interlocal Agreement that have to be voted on. Attorney Fuss said that both amendments were fine. Alderman Peter Hillyer moved, seconded by Alderman Steve Smith approval of the amendments to the Interlocal Risk Financing Fund of North Carolina and the North Carolina Risk Management Agency. The motion passed unanimously.

PURCHASE OF

ATV'S: Mr. Hammond noted that we currently have two ATV's and they are both in need of repair. In order to create visibility and police and protect the beaches, dunes and beach grass for the coming summer season, we are going to need to purchase at least one, preferably two new ATV's. Alderman Peter Hillyer moved, seconded by Alderman Otis Sizemore approval to purchase two ATV's and related equipment out of the Dune Renourishment fund and to request CAMA to reimburse the Town by using CAMA funds. The motion passed unanimously.

DENIAL BY CAMA FOR DOZER:

Mr. Hammond reported that Terri Potts has drafted a letter to CAMA requesting them to rescind their denial of the bulldozer payment. Bob Stroud wants \$6,000 back, and we either give back the money or we may have problems getting future CAMA funds. The Board concurred to mail the letter to Donna Moffitt of CAMA as drafted.

GALLEON BAY

PROJECT: Mr. Hammond reported that we received four bids to dredge Galleon Bay. FEMA has dropped their payment to us in the amount of \$50,000. There was a concern of changes in numbers on bids. Alderman Sizemore had reservations on working on this property since other canals need to be dredged and he was not in favor of doing anything with government money for private issues. Mayor Bostic asked the town manager to have the contractors resubmit bids for this project. Alderman Otis Sizemore moved, seconded by Alderman Barbara Haynes to have all copies of the bids destroyed and request new bids. The motion passed unanimously.

STATE ECONOMIC DEVELOPMENT

FUNDING: Mr. Hammond asked for approval to adopt a resolution by the Neuse River Council of Governments in order for the North Carolina General Assembly to release \$48,015.00 in state funds to assist Region P in economic development efforts. Alderman Peter Hillyer moved, seconded by Alderman Barbara Haynes approval to adopt this resolution. The motion passed unanimously.

NBC: Alderman Peter Hillyer voiced his concern over NBC's broadcast of the "Fleecing of America" again on 12/31/98. Topsail Island was one of four stories highlighted again. Alderman Hillyer suggested that we write NBC Nightly News with a carbon copy to Tom Brokaw.
Ann Penta has put in a request to NBC for a copy of the first tape because they interviewed her the first time and took what she said out of context. She hopes to hear from them soon.

MANAGER'S REPORT:

1. I along with the other three town managers, will be attending the North Carolina City/County Manager's meeting February 3 – 5, 1999 at Chapel Hill. As a result of attending this meeting, I request to re-schedule the February 4th Board Meeting until February 11, 1999. On this date we will hold the Public Hearing on the Land use Plan at 6:30 pm, for possible action at the normal board meeting. The Public Hearing will also include discussion of the Building Code changes, fee increases and amendment to Article VI, Section 3-73 "Employee Development and Continuing Education".
2. We received a Risk Management Bulletin from the North Carolina League of Municipalities presenting "Drive to Survive". The flyer provided explains the goal and the Awards. We (NTB) are working in conjunction with Topsail Beach and Surf City to provide initial training and become involved in this well worth project. Training will take place in Surf City on February 10th.
3. An article that appeared on December 29, 1998 in the Wilmington paper considers the 1999 Hurricane season to be as active as 1998 and that the East Coast is twice as likely as normal to be hit by a storm.
4. I have mailed a basic letter to all residents in and out of town who expressed a concern over beach driving. I explained to them what had happened and what action the board took to alleviate the problem.
5. Becky Veazey will be here at 7:30 pm on January 14th to make her last presentation to the board of the job classification and pay study. It will be up to the board as to what action they wish to take.

6. The Town is on schedule to have our first newsletter published and mailed by January 30, 1999.
7. Upon investigation of the 1-800 number for in-coming calls as authorized by the board in December, it was discovered that NTB has had a 1-800 number for some time. It is 1-800-687-7092.
8. Please review the flyer on "Working for Results as a Governing Board". I need to know if any board member would wish to attend this seminar.
9. Enclosed is an e-mail from Charlotte M. Wilmer requesting that these 3 questions be addressed and answered at the board meeting. Mayor Bostic stated that he has responded to most of her questions..
10. The NTB department heads have started working on our preliminary budget proposal for FY 99/2000. More will follow in the months to come.
11. Linda Knowles has asked that I request Board approval to provide her a letter for the Town, requiring her to locate her house so that we may establish a solid berm line in that area of NTB. This letter will work in her favor to obtain financial support in relocating her house should FEMA deny her claim. Alderman Sizemore felt that we should expand on that since we have other problems with other homes. Ann Penta asked if her house was considered to be a "problem" and the Board responded no. Attorney Fuss felt that it was wise for us to go on record to recommend that Linda Knowles doesn't conform to our standards. The consensus of the board was to have Mr. Hammond draft a letter. Alderman Sizemore thought that we should put others on notice that we have set back rules. Alderman Hillyer thought it was rather harsh to put people on notice. Citizens voiced their concern over this issue.
12. FEMA reimbursements: We have received some checks. We have not done anything with the walkovers yet. Grubbs has been finalized.
13. Alderman Sizemore attended the CRC meeting in Wilmington and met Mr. Charles S. Jones of Morehead City, who, along with Steve Benton, a state geologist and Spencer Rogers, can help us establish a berm line and discuss vegetation that will provide protection to our infrastructure. A letter was sent out today requesting their help.

ATTORNEY'S REPORT:

Attorney Fuss had nothing further to report. Alderman Steve Smith asked Mr. Fuss if Surf City has adopted a resolution regarding the renourishment issue. Mr. Fuss said it has not been adopted yet.

MAYOR'S

REPORT: Mayor Bostic questioned the funds we were supposed to receive for beach grass from Century 21 from the "Boo Grass Festival". Mr. Hammond will follow-up on this issue.

ALDERMAN'S

REPORT: Alderman Sizemore noted that he attended the CRC meeting, which was very informative. They are going to be very strict in regard to setbacks and buffer strips. There were 15 people there and Alderman Sizemore met Charles Jones who agreed to come to North Topsail Beach and help us with our dune problem. Surf City is spending \$50,000 to fix their dunes. Surf City's Beach renourishment committee is a large committee. Alderman Sizemore suggested that the board appoint a committee and that someone from the Planning Board should be on it. There should also be various citizen representations and we should keep it to a small committee. Lois Danio and Lana Rockett volunteered to be on the Renourishment Committee and Alderman Steve Smith will be chairman of the committee.

OPEN

FORUM:

Linda Knowles wanted other residents to know that there are some buy-outs.

Another concern is flood insurance. The only way to get 50% damage is if the town has an accumulative damage ordinance. Ms. Knowles stated that she is paying on insurance that she'll never collect on and if we had an ordinance, her house would qualify.

Lana Rockett is working with insurance companies now. She stated that she did not want to see clay crossovers in front of her house since they wash away. There is no way to get to the beach since there is a sign that states " keep off the dunes" and there is no other access to the beach.

Mr. Collins lives next to Oyster Lane and his concern was that the steps are gone and it is difficult at night to see. John Starzynski, Building Inspector, noted that he condemned crossovers 6 weeks ago and the signs are now gone. Mr. Hammond said that four of them will be repaired.

John Flynn wanted to revisit something that came up in October, namely, that the Country Flag is not flying. Mr. Hammond will address this issue.

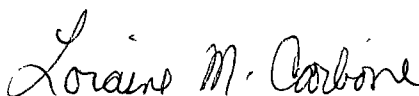
CLOSED

SESSION: The Board went into closed session at 10:40 p.m. to discuss personnel issues.

ADJOURNMENT:

The meeting adjourned at 11:15 P.M.

Respectfully submitted,



Loraine M. Carbone
Town Clerk

A RESOLUTION BY THE TOWN OF NORTH TOPSAIL BEACH, NORTH
CAROLINA
APPROVING AND CONSENTING TO A TRANSFER OF
OWNERSHIP OF THE ULTIMATE PARENT COMPANY OF THE MINORITY
PARTNER IN THE ULTIMATE PARENT COMPANY OF FALCON CABLE MEDIA

WHEREAS, the Town of North Topsail Beach, North Carolina ("Town"), acting by and through its Board of Aldermen ("Board"), passed and enacted a certain Ordinance, ("Franchise") granting a nonexclusive franchise to Falcon Cable Media ("Falcon") allowing the cable operator the authority to construct, operate and maintain a cable television system within the Town; and

WHEREAS, the rights under this Franchise are now held by Falcon, which rights expire with the term of the franchise; and

WHEREAS, pursuant to provisions of the Franchise, the approval of the Franchising Authority is required to transfer the Franchise; and

WHEREAS, pursuant to that certain Agreement and Plan of Restructuring and merger among AT&T Corp. Italy Merger Group and Tele-Communications, Inc., dated June 23, 1998, TCI will be wholly owned by AT&T; and

WHEREAS, TCI is a minority partner in Falcon's ultimate parent company; and

WHEREAS, pursuant to the Cable Television Consumer Protection and Competition Act of 1992 ("1992 Cable Act"), as amended, Falcon Cable Media has submitted to the Franchising Authority an FCC Form 394 - Application for Franchise Authority Consent to Assign or Transfer of Control of Cable Television Franchise, and other documentary materials required by Federal Communications Commission regulation or as required by the Franchise; and

WHEREAS, the merger shall not alter, affect or otherwise change the terms or conditions of the Franchise; and

WHEREAS, after careful evaluation of the Federal Communication Commission Form 394, 1997 AT&T Annual Report, and Transaction Agreement and related filings concerning the merger of AT&T and TCI it was found that all parties have the legal, technical and financial qualifications as required by the Cable Act and are in accordance with the Franchise; and

WHEREAS, it is in the best interests of the Town and its citizens to consent to the above referenced merger.

NOW THEREFORE, be it resolved by the Board acting on behalf of the Town that:

1. Consent is hereby given by the Franchising Authority to the AT&T/TCI merger in accordance with the franchise agreement; and

2. The Grantor confirms that (a) the Franchise has been properly granted, is in full force and effect; (b) there have been no amendments or modifications to the Franchise; and

3. That consent to and any required approval of the merger, as described in FCC Form 394, is hereby granted; and

4. That the consent to the merger herein provided shall be effective upon and only effective concurrent with the closing of the transactions described in FCC Form 394, and the Franchising Authority shall be notified promptly upon the closing of such transactions; and

BE IT FURTHER RESOLVED AS FOLLOWS:

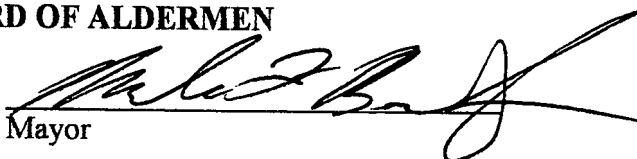
5. Upon completion of the closing of the transactions described in FCC Form 394, Falcon will continue to provide the required performance bond and insurance certificates required by the; and

6. This Resolution will become effective upon adoption by the Town of North Topsail Beach and the payment, by Falcon Cable Media of a transfer fee of \$300; and

BE IT FURTHER RESOLVED that this action be entered into the minutes of the Town Board and that the Town Clerk is hereby authorized to notify Falcon Cable Media of this action in writing by furnishing these companies with an executed copy of this Resolution.

ADOPTED by the Board of Aldermen this the 7 th day of January, 1999.

BOARD OF ALDERMEN


Mayor

ATTEST

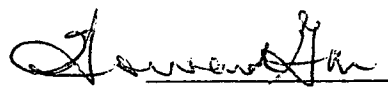

Clerk to the Board

WE CONSENT AND ACCEPT THE TERMS AND CONDITIONS OF THIS
RESOLUTION.

DATE OF ACCEPTANCE:

(FALCON CABLE MEDIA)

8/16/99


V.R.

ATTEST:



MAPS SALARY SURVEY MEETING
JANUARY 14, 1999
6:30 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk

NOT PRESENT: Barbara Haynes

QUORUM: Mayor Pro-Tem Steve Smith called the meeting to order at 6:33 P.M. in the North Topsail Beach meeting room and declared a quorum present.

APPROVAL OF AGENDA: Alderman Peter Hillyer moved seconded by Alderman Joe Vecchione approval of the agenda. The motion passed unanimously.

MAPS SALARY SURVEY:

Becky Veazey, of the Maps Group, gave a review of classification and pay, and went over the 3 pay options. The difference between position and classification is that there may be 10 positions in the classification under officers and one position under chief. Class specifications are those descriptions of a job and they are not intended to cover a single position. It's not intended to go into complete detail, but is a broad overview of the different kinds of things in any given job. Important distinction is between employee and position. Focus is on collection of duties, not the person performing that duty. With the volume of work the distinction is the employee's performance. If the duties are the same, the classification is the same. Look to see if the duties are the same, not the person and how long they have been there. Focus is on what the job requires and not what the person has. You need to look at what the job requires.

In regard to employee job qualification, the focus is on the job. It is possible to upgrade a job when a person does not deserve a raise or you can downgrade a job. The factors we use to look at what jobs are at the same level are mental difficulty, complexity of job, and different things they have to know. Also of importance is who this person comes in contact with, broad contact with public, solving problems and negotiating contracts. Education and experience depends on what the job requires. Does the job have supervisory responsibility? Does the person have to monitor work quality, has to hire and fire?

In looking at the pay table, the grade represents what each job is assigned to and is meant to represent the change. The only time an employee's

grade changes is when the job changes. Employees don't move independently. Job class is to one specific grade. The most common approach to moving people is by performance pay. Each year an employee is considered if they deserve a merit pay. Each year employees move across the range. The more time an employee is with a company they can move across the range or if the employee is a high performer they can also move. The pay plan is intended to be able to be updated based on the market. It is usually looked at during the budget period. This past year, the inflation was between 1.5% - 1.8%. Most employees gave more because unemployment is so low. Alderman Peter Hillyer asked if any town has gone down. Ms. Veazey noted that if numbers got out of control, an organization would administratively work out a schedule to get them more in line.

In Option 1 you can make sure that every employee is in a pay amount on the table in the grade that is recommended in the study. There would be no decrease in pay. In Option 2 you can have employees in Step 1, which could create moral problems. After a probationary period, the increase is automatic. Once someone has been with the town for 6 months, their performance is reviewed and they will go from Step 1 to Step 3 with a 5% increase. Option 2 takes everyone who has been here at least 6 months to step 3. Option 3 looks strictly at the length of service. The downside of Option 3 is if there is a long-term employee who does not perform well. Salary is contingent on successful performance.

Alderman Hillyer noted that we have a new town with a lot of employees who are below scale and the first step is to at least get them up to what they should be. Ms. Veazey stated that if you implement any options, that the cost of this fiscal year would be half. Alderman Sizemore asked, where is weight in moving through the steps - length of service or performance. Ms. Veazey said that she couldn't make any strong recommendations one way or the other. It depends on what the organization values. Marty questioned an "At Will" policy statement. Ms. Veazey stated that if someone sues you on a loophole, you have a loophole. There are disadvantages to this policy because of a double standard. Alderman Sizemore noted that people tend to move on to bigger jobs. Ms. Veazey stated that "At Will" is in the town's best interest for liability. The League advocates it, but my role is to look at what is going to create the most productive workforce. Mayor Bostic felt that if an employee knows he can be gone at a moment's notice, that it would be better for the town. Ms. Veazey said the other side to that is that the employee would feel more political pressure.

Mr. Hammond noted that "At Will" must be by resolution rather than by ordinance. More than half go with resolution.

OPEN FORUM:

Ms. Veazey stated that when we decide to adopt the plan, that we adopt pages 10 and 11. You do not need to adopt job descriptions. Management can make minor adjustments without changing the meaning of job classification.

Wayne Anderson asked Mayor Bostic if an employee's pay is frozen now, can their pay be increased while you make your decision. Mayor Bostic noted that at the last budget everyone received an across the board increase. The Mayor also noted that we do want to proceed with this, but we can't give you a timetable. We're in a budget session now and money can't come from the fund balance. We would have to raise taxes in order to get everyone up in their pay scale.

Mayor Bostic noted that we need the Town attorney to go over the personnel policy and we will schedule a workshop with him on that. Alderman Sizemore felt that we need to discuss salary in more detail prior to the next budget year. We will need to adopt a resolution during the next fiscal year.

Mr. Hammond noted that the personnel policy addresses a lot of issues we don't currently have.

ADOPT A DUNE
PROGRAM:

Mr. Hammond reported that Terri Potts and he looked at what we could do to stabilize the dunes. We have a long berm line to establish. We looked at any avenue we could at the quickest amount of time. We would advertise it as a civic organizational project. A group would be responsible for grooming, planting, fertilizing, and regular maintenance and posting their designated areas. This could be set up as a contest. Board members can check work done and present an award. Mayor Bostic's concern was that most of the dunes are private and we would need to get permission from the County and homeowners. Letters can be sent out or we can publish the project in the newsletter asking for permission.

OTHER
BUSINESS:

There will be a "going away party" for John Tew on Tuesday, January 26, 1999 at 12:00 pm in the Town Hall meeting room. An advertisement has been placed in the Daily News for his position.

Mayor Bostic commended the fire department on the NTB fire department web page.

Alderman Hillyer is again writing to NBC regarding their piece on "Fleecing of America".

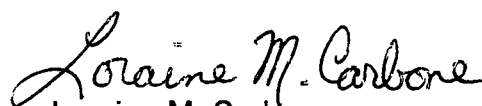
There is a meeting scheduled by the North Carolina Coastal Coalition Meeting on January 20, 1999 at 10:30 am at the Sheraton Hotel in New Bern. Anyone interested, please attend. Also, there is a CRC meeting in Kill Devil Hills.

Sonny Johnson is interested in donating his lot. We will put him on the Feb. 11th board meeting.

ADJOURNMENT:

Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer to adjourn the meeting at 7:50 p.m. The motion passed unanimously.

Respectfully submitted,


Loraine M. Carbone
Town Clerk

FOUR TOWN MEETING
JANUARY 20, 1999
7:00 P.M.
PALIOTTI'S RESTAURANT
NORTH TOPSAIL BEACH, NC

PRESENT: North Topsail Beach, Surf City, Topsail Beach, Holly Ridge

CALL TO ORDER: Mayor Bostic of North Topsail Beach called the meeting to order at 7:30 p.m.

APPROVAL OF
AGENDA:

Added to the agenda was a request by Mr. Whitley for the surrounding towns to purchase an airstrip in Holly Ridge. The agenda was approved with the appropriate change.

FIRE WORKS:

Don Betz, Manager of Holly Ridge, expressed his appreciation in having the opportunity to meet with all four towns. Mayor Howard was not able to attend and he sends his regrets. This year was the second year that Holly Ridge has held the July 4th fireworks. Law enforcement from each town was a plus. The Melrose Fireworks Company set up all of the displays. It was a safe presentation with no injuries. The Parks & Recreation Department coordinated the display and received donations from the community. Holly Ridge does not mind coordinating this event and are pleased to be the host for the four towns. This event is positive and we welcome your comments, suggestions and regrets. The cost is \$5,000.00 for this event. The Melrose Company added a lot more fireworks in 1998 than in years before. Councilmember Summerline noted that the event lasted longer than the year before and was a good display.

Mr. Betz stated that the fireworks company has agreed to hold the price. Alderman Sizemore felt that the display needs to be long enough to warrant interest. Mayor Bostic said that people he talked with were satisfied and it has improved since the first year. Mr. Betz noted that if we can confirm that the four towns are in agreement, we can publicize it earlier. Topsail Beach and North Topsail Beach confirmed their agreement and Surf City will be in touch.

BEACH
RENOURISHMENT:

Mayor Bostic introduced Tom Jarrett with the Army Corps of Engineers. We invited him here tonight since this is a serious subject and we have to decide what we are going to do with our eroding beaches.

Mr. Jarrett, Chief of the hydraulic section, spoke a little over a year ago regarding the Federal programs available for beach protection. These programs are still available today. There is a lot of resistance and it is a tough road. In order to be eligible for protection you must first pass a Study Resolution through Congress or the House of Representatives. Adoption of this resolution is adopted by a sub-committee and once it is adopted you need to get the study funded. Once the study is authorized it is turned over to a reconnaissance phase. This can take twelve months and approximately \$100,000 to do that. They need to get a quick look at

the area, see if it is eligible, lay out a study plan and feasibility study. If we go on, we go into the feasibility phase of the study. A similar project is being done in Dare County and they will share the cost with the State. The overall cost of the study is 3 million dollars. You need to try to find sand and find a source to build the profile up and maintain it for 50 years. A lot of planning and design would focus on sources of sediment to maintain the beach. This is a challenge because of the geology on this island. What you have offshore is basically rock. There is a thin veneer of sand sitting on rock. The Corps tries to look for an old channel. We found that at Kure Beach and their offshore is similar to this area. Some channels were found in the Cape Fear River. So far, the results from the geologists are that they haven't found such channels here. There was a study started in the late 70's, which ended up with a project for Topsail Beach. The beach was rather lucky since large deposits of material were found as Topsail Inlet moved to the south and sediments were trapped on the island. We could also use Topsail Inlet as a source of sand. Unfortunately that project fell through. The New River Inlet is a source of sand for this area for some initial renourishment. However, there are two competing interests; the Marine Corps is also looking for a sand source.

Apart from finding a sand source, we must find an economic issue to evaluate storm potential. Wrightsville and Carolina Beaches didn't get the damage Topsail did because of their fill. The study process won't happen overnight. It will take three to four years for the study phase. In Washington it will be difficult to get the study off the ground. Once you are past the study phase, the funding battle continues. You will need substantial lobbying in Washington. It's a long road, which can take eight to ten years, and it won't solve your problems today. But unless you start the project, you won't get anywhere. It takes effort on your part initially. The reconnaissance stage is not expensive and I advise you to take this step at least. There are other types of programs in the corps, but they are not aimed at providing long term solutions. An opportunistic project is Section 933. For example, if we are dredging an inlet and someone wants us to take it from point a to point b, we can do a study to see if it is worth it. We could cost share 50% on this. This is hooked into our maintenance fund and we can dredge inlets and channels with those funds. Unfortunately, those funds are on a decline and discretionary use has become tighter. We need local funding to do this. Option would still be available, but you would have to pay half the cost. A drawback to this is that small quantity of materials are usually dredged and it is not best to put it back on the beach. Small grains end up in the channel.

Kure Beach is an example of what the cost can be to build up the beach. It took about 3 ½ million cubic yards of sand and nourishment will be required every three years. The cost for renourishment depends on where we get the material. It is about \$3.00 a cubic yard to get sand on the beach, which will cost about three million every 3 years. The County has a 3% occupancy tax that funds this.

Beach nourishment is expensive. We've been nourishing Wrightsville and Carolina Beaches for over 30 years at a cost of about \$35 million dollars.

The Section 933 program is a situation where you have sand from a channel and a small quantity of material. Long Beach had a problem with turtles and they built the beach up for sea turtles and were funded 75% with federal dollars and 25% with non-federal funds with no future maintenance. You could investigate this.

There was a question regarding disposal islands. You can pump material to beaches more economically. An alternative is to go into full disposal islands and periodically pump them out. Topsail Island is sand starved. Until a large quantity of sand is placed on the beach, you will continue with problems. Dathan Shows, Manager of Topsail Beach, asked what the process was for Topsail Beach to revitalize the original plan. Mr. Jarrett said that in the past, projects that have been approved but deferred needed a letter from the town requesting consideration for re-activation of that project. Also important was a letter to the governor stating that there was local support. Mr. Jarrett noted that the Corps did spend a lot of money to do the original study since they did all the plans and specs. Mr. Jarrett suggested that Topsail Beach go back and do an economic evaluation to see if things have changed and to look at their various options. You will need to write in for reconsideration and get a general re-evaluation report. Then you can consider the town itself or the entire island. Alderman Sizemore noted that we need to do this together and if Topsail Beach does it alone, it would be to no avail. We all can't do it alone. All three towns must do it together as one project. Mr. Sizemore felt that the counties might be a problem.

Mr. Betz asked about enterprise funds and if anything has been set up in other communities to address major projects. Mr. Jarrett noted that the room accommodation tax is used by most counties. There have been attempts to get line items for beach protection from a State tax. Alderman Steve Smith asked if the corps has budgeted any money for beach renourishment and have they done any research? Mr. Jarrett said that they are the primary resource in the world. Coastal Engineering Research Center was developed in the early 60's and their purpose is to do research on coastal matters. Research within Corps involves work units that deal with the coastal program. The administration decided they didn't like beach protection, therefore funding is diverted to other matters. Presently, there is not a lot of active research. This is an argument for grass roots support.

Mayor Bostic asked what the timeline was if a resolution was passed tonight. Mr. Jarrett noted that we are probably looking around the year 2010. 2001 earliest to start reconnaissance - 2002 the study - 2006 done with study - 2008 to 2010 funding.

One of the requirements for Federal funding is that you will have to keep the beach open to the public. There is also a Cobra problem and federal law prohibits funding in a Cobra area. Mayor Bostic felt that we have to try to sell renourishment to the citizens and give them accurate information from the Corps. Mayor Bostic noted that our cost share was quoted at 23 million at the last meeting he had with the Corps. Mr. Jarrett stated that if we nourished ten miles of shoreline, the cost would be approximately 30

million. Our share would be half that plus 35% of the other half. Federal government pays 65% for the initial work. Mayor Bostic questioned the State putting some money in and Mr. Jarrett noted that Dare County had no problem getting the State to help, but they had "connections". Alderman Steve Smith said that North Carolina has tourism to promote and it was time we get on the bandwagon. We need to get our legislators behind us and it was time for Topsail Island to do something.

Mayor Bostic asked if respective towns could form inner committees of one to two board members per town plus one citizen to meet and get facts on this issue. Surf City already has a committee on renourishment and North Topsail beach is getting one started. It was suggested that the separate towns meet and then get together with the outcome of their meetings.

Andy Hedrick, Manager of Surf City noted that they have had citizens come to them regarding renourishment. Surf City is looking at the cold hard facts. The process is expensive, timely, and you need a diverse group to come together to work on this. We are looking at our process to be two or three months. If it appears from this study group that they have positive results, then Surf City can be an active partner to the Island. Alderman Steve Smith asked that the towns communicate with each other when they meet with the Corps.

Mr. Jarrett said that we could look at spoil islands for a sand source.

Dathan Shows, Manager of Topsail Beach said that the key is to change our funding efforts. Mayor Bostic felt that we need political help locally from both counties. We need to go after the Accommodation Tax and we need to start spending money on the beach strand. Alderman Steve Smith asked if the Corps has studied different devices to slow down wave action, i.e. an artificial reef. Mr. Jarrett said that it doesn't matter in North Carolina because we can't put it in without variances. The Corps has looked at options designed to break up wave energy. The one drawback to this is that they trap sand in the system, but it doesn't add new sand. An Inlet environment can use structures that can protect property.

Mayor Bostic thanked Tom Jarrett for addressing the four towns.

FUTURE JOINT SANITATION:

Mr. Hedrick noted that most of the towns are in contracts for waste removal, but we should think to merge contracts in the near future. We can conduct a study group to look at the benefit of a single contract and we will need to do this a year in advance. Mr. Betz felt that numbers do make a difference and we may all benefit. Mr. Shows said he would consider it, but the board hasn't discussed it. Aldermen Sizemore and Vecchione thought it was an excellent idea. Mr. Hammond noted that the majority of the towns have two years left in their contracts, but we can sit down and get together now to make the best decision. Mayor Bostic stated that Onslow County recycles at the landfill and we have adopted their solid waste plan, therefore it eliminates the cost on us.

OPEN FORUM:

Mr. Hammond reported that Mr. Whitley from Holly Ridge has a 3750 ft. runway in Holly Ridge with 23 + acres of runway. There is interest in buying the airstrip for private use, but he would like to keep it public. Mr. Whitley wanted to see if board members have any interest for a municipal airstrip. We could look at grant money for this purchase. It was determined that the location was good and is certified by the FAA. Surf City said they were short of money. Alderman Sizemore thought we should pursue it only if grant money was available.

Alderman Sizemore thought we should look at consolidating some of the services all three towns provide. He would like to see one public safety group, instead of three police and fire departments. Especially in light of the fact that so much money has been spent on a ladder truck that can serve all the communities. Mr. Sizemore questioned the wisdom of spending individual money that could be served by a wider area. We should combine areas and set it up as a corporation and the corporation buys what they need and provides insurance. We could reduce cost by a third by doing this.

Mayor Bostic said that we should keep open-minded about anything we can share.

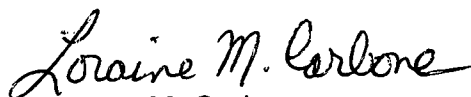
Mayor Vance Kee of Surf City reported that he went to a meeting in New Bern regarding CAMA regulations. He asked that every elective official and citizen go to the CRC meeting in Kill Devil Hills on January 27, 1999. One of the new proposals is that the banking industry wouldn't give out mortgages to homes that didn't comply with their new rules. We need to be active against any new CAMA regulations. Mayor Kee asked that everyone talk to their legislators. He will provide handouts to give out to people with more information. Mayor Kee also stated that we need to adopt a Resolution on CRC rules.

Alderman Steve Smith had concerns about insurance premiums going up.

Mayor Bostic said that he was glad we had this opportunity to get together and thanked everyone for attending and participating.

ADJOURNMENT: The meeting adjourned at 9:40 p.m.

Respectfully submitted,



Loraine M. Carbone

Town Clerk of North Topsail Beach

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TOWN OF NORTH TOPSAIL BEACH
PERSONNEL POLICY AND SALARY SURVEY
WORKSHOP
SATURDAY, JANUARY 23, 1999
2:00 P.M.

PRESENT: Mayor Marty Bostic, Aldermen Otis Sizemore, Peter Hillyer, Joe Vecchione, Town Manager Charles Hammond, Town Clerk Loraine Carbone, Attorney Bill Fuss

CALL TO ORDER: The meeting was called to order at 2:05 p.m.

RESOLUTION: A resolution was presented to the Board to enable Linda Knowles' house to be moved. Alderman Peter Hillyer moved, seconded by Alderman Joe Vecchione to adopt the resolution. The motion passed unanimously.

WORKSHOP: Personnel Policy: Alderman Peter Hillyer had no problem with the personnel policy as presented to the Board. Alderman Otis Sizemore was in agreement and thought it was good that we have a standard policy. Alderman Joe Vecchione didn't see anything out of the ordinary, but had some questions in Section 2. Mayor Bostic requested a change on page 18 under Section 3. Outside Employment – line 4 – “report it to the Department Head” – add “and Town Manager”. In addition, in line 6 after “review to the personnel file” - add “and to town manager”. Attorney Fuss noted that if there is no employee, but just a department head, he/she has to clear everything with the Town Manager and submit record of employment to personnel file and to town manager for approval.

Alderman Peter Hillyer discussed the “at will” policy. He noted that the League of Municipalities wants us to adopt an “at will” policy. The only drawback to this policy is that an employee doesn't feel as protected, but Mr. Hillyer did not view this as a problem. Attorney Fuss noted that “at will” isn't as foreboding as we think since there has to be an exchange between the employer and employee, the problem is addressed which results in mediation. Attorney Fuss also noted that North Carolina is an “at will” state. This type of policy gives clarity and guidance. Mr. Hammond stated that this gives us a basic groundwork and we can change or add to it.

Discussion took place regarding a drug policy. Mayor Bostic asked if drug screening could be done randomly or by picking certain individuals. Mr. Hammond said that we could not name certain employees to be tested, but could pull numbers randomly or do a whole section.

The Board decided to adopt a resolution regarding a drug policy at the next board meeting.

PAY PLAN RECOMMENDATION:

Alderman Vecchione looked at all three pay options and felt that we need to sit down and look at what we have in the undesignated fund balances and see where the money is coming from.

Mr. Hammond reviewed the pay scale and looked at the minimum and maximum of the pay range. Mr. Hammond reported that there are now four (4) people who are actually outside the minimum range, Chris Henderson, Sheri Anderson, Terri Potts and Lydia King. He noted that if we can fix these four and put them at the minimum level, we are talking less than \$5,000.00. We can start moving other employees after the budget is implemented. This will put everyone to at least step 1. Mayor Bostic felt that he was satisfied with the raises that the police have already received. The Mayor also felt that we need to establish some sort of a "live-in" town supplement to encourage employees to live in town. Alderman Peter Hillyer did not agree with that policy and didn't think that it should be a requirement. Alderman Hillyer's concern was only that they do a good job. Mayor Bostic said that it would not be a requirement, but an enticement. Alderman Otis Sizemore liked the idea of bringing up the four employees. Mr. Hammond noted that doing it this way gives us time to give raises in increments based on performance and time they have been here.

Finance Officer Lydia King noted that there are line items that can be adjusted to do it this year.

Alderman Peter Hillyer moved, seconded by Alderman Otis Sizemore to accept the proposal to increase the salary of the four (4) employees to the amounts as discussed retroactive to January 1, 1999. The motion passed unanimously.

Mr. Hammond reported on the closed bids we received on Galleon Bay. The reading of the bids was recorded in the presence of Charles Hammond and Loraine Carbone. Following are the quotes: C. R. Peele \$44,500.00, Premier Dredging and Marine Construction \$45,000.00, Harrelson & Smith Contractors \$48,949.00, Ross Dredging \$49,500.00, R & W Construction \$90,833.68, All State Environ. Dredging, Inc. \$107,000.00, Intercoastal Diving, Inc. \$193,500.

C.R. Peele knows that they are the lowest bid, but they also know that we have to present their contract to the Board. Mayor Bostic asked for a full contract to look at. Alderman Otis Sizemore requested that the board implement a formal action to approve the project with a disclaimer. FEMA is funding the project, but the town is still overseeing it. Attorney Fuss will draft a resolution.

FEMA has authorized the road repairs and C.R. Peele's bid of \$21,000.00 was the lowest.

Alderman Otis Sizemore said that we need to develop a relationship with Senator Ballentine who could be of great help to us. Mr. Hammond said that he is planning on inviting him for dinner. Mayor Bostic felt that we should invite all representatives to dinner.

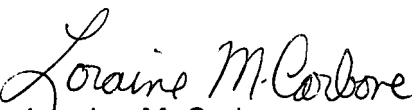
Mr. Hammond noted that we have one application for John Tew's position at this time.

Mayor Bostic was concerned that we were not making it mandatory for the new person to be a member of the fire department. Mr. Hammond didn't think that many people available would have those credentials and we would have to pay overtime if they have to work after hours. Alderman Joe Vecchione felt that if we didn't have the Public Works person in that position we would have problems. Mayor Bostic said that we have addressed this issue a few years ago and the main thing is to allow any other employee to join the fire department as well. Attorney Fuss noted that the fire department could be listed as "other duties". We could list qualifications and make them aware that it is recommended or expected. Mayor Bostic noted that an employee could receive training during their 40-hr. workweek. Mr. Hammond will go over this issue with Attorney Fuss.

ADJOURNED:

Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer to adjourn the meeting at 3:30 p.m. The motion passed unanimously.

Respectfully Submitted,


Loraine M. Carbone
Town Clerk

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TOWN OF NORTH TOPSAIL BEACH
PUBLIC HEARING AND REGULAR BOARD MEETING
FEBRUARY 11, 1999
6:30 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore and Joe Vecchione, Town Manager Charles Hammond, Town Clerk Loraine Carbone and Attorney William H. Fuss

CALL TO ORDER: Mayor Bostic called the Public Hearing to order at 6:35 p.m. in the North Topsail Beach meeting room and declared a quorum present.

PUBLIC HEARING: Building Inspector, John Starzynski reviewed the Building Codes. He enforces twelve (12) codes on the beach. These codes are mandated through the local government. In Sec. 7-340 (A), Mr. Starzynski would like to make changes to that paragraph, basically to remove fences out of the second line. He noted that we have never taken out permits for fences. Attorney Fuss thought that the language was vague in proposing to make changes to existing structures. Mr. Starzynski agreed that it was vague. Alderman Steve Smith asked if a concrete wall could be considered a fence. Mr. Starzynski said that it could be. Alderman Smith also questioned the criteria on the height of a fence. The ordinance states that a fence or wall must not be over four (4) feet high in any front or side yard, and can be six (6) feet high in rear yards. In Section 7-340 (B) (2) Mr. Starzynski questioned whether we need a building permit to construct asphalt, concrete, etc. He noted that before Hurricane Bertha it was enforced. Since then, it has not been enforced. Mr. Starzynski asked the Board if they wanted to change this since it does lean more towards a commercial development. Alderman Smith questioned the \$5,000 bond in Sec. 7-340 (C) (3). Mr. Starzynski noted that technically our ordinance states this, but we have never done it and suggested that we take it out. In Sec. 7-340 (C) (2), where it states two (2) or more sets of plans, do we need the word "more". It was decided that there is no reason for it and just two (2) is fine.

In Sec. 7-342 (A), the last time the previous inspector adopted fees, he had left out some words that should be added. "Estimated values shall be based on building valuation data published by Southern Building Code Congress International Incorporated and current Marshall and Swift Residential Cost Handbook (average). Permits values shall be raised as required to stay in line with current market trends." Attorney Fuss questioned why we are worried about the value at all. Mr. Starzynski noted that the permit is based on the value. Mayor Bostic asked if it was simpler to use square footage and questioned if we were losing money by staying

in the system we currently use. Attorney Fuss noted that using a sq. footage method does not tell the tale as to what the cost is to inspect larger homes. Mr. Sizemore noted that Mr. Starzynski is trying to reflect reality and base fees accordingly. Attorney Fuss said that permit fees will be based on estimated construction costs. Mr. Sizemore also felt that we need to set the fees so the department doesn't subsidize the costs. Citizen Bob Cassidy asked what the purpose was for the fees if we are self supporting and questioned what our taxes are for. He felt it should be a service provided by the town. Mr. Sizemore noted that we do pay taxes, but that the person who comes on the island for the first time hasn't paid taxes and we shouldn't have to subsidize the new arrivals. It's not meant to be a hardship on anyone. It only covers the services of inspections.

Mayor Bostic proposed to accept the changes to the building regulations. Alderman Joe Vecchione moved, seconded by Alderman Otis Sizemore to adjourn the public hearing. The motion passed unanimously.

CALL TO ORDER: The regular Board Meeting was called to order at 7:18 p.m. Mayor Bostic noted that one of our Board members, Barbara Haynes, has resigned.

**APPROVAL OF
AGENDA:**

Alderman Steve Smith moved, seconded by Alderman Otis Sizemore, approval of the agenda with the following changes: Under 6 c – Crosswalk Progress – change it to Crosswalk Progress/Contract Approval. Delete 7g – Declaration of Surplus Property. Add approval of Budget Amendment # 1 shifting \$2,000.00 from Public Works to Administration as 7g. 7h will be to approve the resignation of Barbara Haynes. The motion passed unanimously with appropriate changes.

**APPROVAL OF
MINUTES:**

Alderman Peter Hillyer moved, seconded by Alderman Joe Vecchione, approval of the December 3, 1998 Public Hearing and regular Board meeting minutes. The motion passed unanimously. Alderman Hillyer had two changes to the January 7, 1999 meeting. On page 2, eighth line, delete "Marty - \$ reimbursed from FEMA." On the same page under Beautification Committee change Terro-Co. to Terra Company. Alderman Joe Vecchione moved, seconded by Alderman Otis Sizemore, approval of the January 7, 1999 Public Hearing and regular Board meeting minutes with appropriate changes. The motion passed unanimously. Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer approval of the January 14, 1999 Maps Salary Survey Meeting. The motion passed unanimously. Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer approval of the January 20,

1999 Four Town Meeting. The motion passed unanimously. In the January 23, 1999 workshop meeting minutes, 2nd paragraph, third line – change protective to “protected”. Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer, approval of the January 23, 1999 Personnel Policy and Salary Survey Workshop. The motion passed unanimously.

**BEAUTIFICATION
COMMITTEE:**

Mike Rupert reported that the Beautification Committee has received over \$1,100.00 for donations to the “greening of North Topsail Beach”. They will start planting at the South End Fire Station next week. They will be adding lantana to the existing beds. A plaque will be hung in town hall with names of donors. Twenty-five daffodils will be planted around the flag pole and Sarah Humpries has donated greenery. The committee is looking at doing a flowerbed by the police sign at the entrance to town hall. All donations of plantings are welcomed.

**PLANNING
BOARD:**

The next meeting of the Planning Board is scheduled for February 18th at 6:30 p.m. No meetings have taken place recently; therefore there was no report.

**MR. AMMON'S
PROPERTY:**

Mr. Hammond noted that we are still in pursuit of this issue.

**OCEAN CLUB
VILLAGE PIER:**

Mr. Hammond reported that we have received no information from the contractor. The contractor was told to be in compliance according to current building codes.

**CROSSWALK
PROGRESS:**

We originally negotiated with Aaron Parker, but he had a heart attack a week ago, so we therefore went with the next bid which was Edens Development. Mayor Bostic questioned whether or not Sandpiper Lane was private. Terri Potts noted that the homeowners association has disbanded and that there is an easement that is used all the time by the public. FEMA will pay us once the contract is given out and when we receive the first billing. FEMA has assured us that we should receive 75% within ten days and the rest when the work is inspected. Mr. Hammond requested the Board for him to sign the contract tomorrow morning. Alderman Otis Sizemore moved, seconded by Alderman Steve Smith to proceed and sign the contract. The motion passed unanimously. The Building Inspector will supervise the work and Terri will also work with the contractor. Attorney Fuss asked that an adjustment be made to the contract by making a footnote on the bid price verifying that this price may differ based upon measurements taken by the building inspector and authorized by him. Alderman Otis

Sizemore moved, seconded by Alderman Steve Smith approval to award the crosswalk contract to Edens Development, which is not to exceed \$106,395.00 (final figure), to be adjusted according to the authorized work as verified by the building inspector. This motion passed unanimously.

NEWSLETTER:

Mr. Hammond noted that the newsletter is in the process of being mailed out to all property owners. Notification of the March Board meeting is published in the newsletter, which is scheduled for Saturday, March 13, 1999 at 2:00 pm. The web site was supposed to be online this week, but we have had delays.

**WASTE
INDUSTRIES:**

Mr. Hammond and Attorney Fuss have looked at the Waste Industries contract and it does not appear there is a way to get out of it. Waste Industries did a house count and compared it to what they are charging us. The actual count they are charging us is for 1200 and the house count was 1100+. The decision we have to make is whether we do the billing ourselves or pursue Onslow County and put it in the tax bill. We would have to send out another bill in April and then look at year 2000 to go with Onslow County. Alderman Sizemore asked if there would be a penalty to get out of the contract. Attorney Fuss said that we will be sued for the balance of the contract price. He also noted that before we can make any adjust we need to know how many properties we have out there. If we do put it on the tax bill we will triple the number of people since a bill will be sent to everyone who has property. Attorney Fuss noted that this would be an availability tax, in that every property owner in North Topsail Beach benefits from a universal collection. Alderman Steve Smith questioned the four towns going in on the same contract. Mr. Hammond noted that Surf City has one year left and Topsail and North Topsail's contract runs until 2001. Topsail Beach uses Tons of Garbage. Attorney Fuss noted that it would be cost prohibitive to have Waste Industries do the billing. Mr. Hammond said the most economical way is to go with Onslow County, but we will have to incur the cost of new software. Mayor Bostic requested more figures be available for the budget workshops.

**DONATION OF
PROPERTY:**

Dr. Beck has agreed to donate the property without any stipulations. The property is on Highway 17, south of Dixon School, next to the Onslow County water facility. He is still willing to clear and level the piece of property. Mr. Hammond requested authorization to have Attorney Fuss to check the title. Alderman Steve Smith asked if an environmental study should be done. Terri Potts noted that there is very little wetlands and that the Corps and CAMA have been there and have evaluated every portion of the property. Attorney Fuss felt that in conjunction of development of other property he is looking for a tax write-off. The value of the

property is between Dr. Beck and the IRS and we are not responsible as to the value of the property. The Board authorized the town manager to get in touch with the agencies that surveyed the land and to have the attorney do a title search.

**PAY STUDY
RESOLUTION:**

Attached as Addendum 1 is the Resolution Adopting Written Job Classification and Pay Scale Policy. Alderman Peter Hillyer moved, seconded by Alderman Joe Vecchione, adoption of the Resolution adopting written job classification and pay scale policy. The motion passed unanimously.

**PERSONNEL
POLICY
RESOLUTION:**

Attached as Addendum 2 is the Resolution Adopting Written Personnel Policy. Alderman Joe Vecchione moved, seconded by Alderman Otis Sizemore, adoption of the Resolution adopting written personnel policy. The motion passed unanimously.

**SOUTH
GALLEON BAY
RESOLUTION
AND CONTRACT:**

The Board had reviewed copies of all bids and copies of the DSR's. A description of work to be done from C.R. Peele, in the amount of \$44,500.00, was also reviewed. At the request of Alderman Sizemore a resolution was drafted stating that the Town of North Topsail Beach was acting as an agent for FEMA and CAMA. Attached as Addendum 3 is the Resolution Awarding the Bid for the Dredging of that Portion of the Galleon Bay Canal From Lot 16 South and West to the Intracoastal Waterway. Alderman Steve Smith moved, seconded by Alderman Joe Vecchione to allow the Town Manager to enter into the contract with C.R. Peele. The motion passed unanimously. Alderman Steve Smith moved, seconded by Alderman Joe Vecchione to adopt the Resolution Awarding the Bid for the Dredging of That Portion of the Galleon Bay Canal From Lot 16 South and West to the Intracoastal Waterway. The motion passed 3 to 1.

**ENVIRONMENTAL
RESOLUTION:**

Attached as Addendum 4 is the Resolution in Opposition to Proposed Estuarine Area of Environmental Concern Regulations which has been drafted at the request of the North Carolina Coastal Coalition. Alderman Peter Hillyer noted that the CRC wants to make some stringent rules. Mayor Bostic stated that we've had set back rules for many years, but it's unique to us. The changes will have a big impact on property owners who may have to build back on new standards. There is a 575 ft. area of environmental concern and you can use 25% today, but they will change it to 15%. Alderman Sizemore noted that CRC's whole purpose is to improve water quality, but they may only be able to help maintain water

quality. Every county has representatives on CRC and Melvin Shepard is our representative and he is supposed to stay in touch with the government. But CRC has left out the provision that he stays in touch with local government. Patsy Jordan said that she was in favor of the town writing a resolution. John Flynn asked that we provide them with names they can write to. Terri Potts can provide them. Alderman Steve Smith moved, seconded by Alderman Peter Hillyer approval to adopt the Resolution in Opposition to Proposed Estuarine Area of Environmental Concern Regulations. The motion passed unanimously.

STREET REPAIR CONTRACT:

The Board reviewed bids received for the listed street repairs as a result of Hurricane Bonnie. FEMA came back and adjusted the DSR. The project should take approximately 60 days. Mr. Hammond requested authorization to enter into a contract with C.R. Peele. Alderman Otis Sizemore moved, seconded by Alderman Joe Vecchione approval to accept the contract with C.R. Peele and authorized the town manager to enter into the contract. The motion passed unanimously.

CHAMBER B.O.D.: Mr. Hammond stated that we have received a request from the Greater Topsail Area Chamber of Commerce Board of Directors to have someone attend their meetings held the third Wednesday of each month at 8:00 am. The Board decided to decline at this time.

BUDGET AMENDMENT #1

Mr. Hammond requested approval of Budget Amendment #1, shifting under General Fund Expenditures, \$2000 from Public Works to Administration. Alderman Peter Hillyer moved, seconded by Alderman Steve Smith acceptance of Budget Amendment #1, which moves \$2000.00 from Public Works to Administration. The motion passed unanimously.

Mayor Bostic questioned paying for the MAPS study out of Public Works and to look at the overall dollars.

RESIGNATION OF BARBARA HAYNES:

Alderman Otis Sizemore moved, seconded by Alderman Steve Smith acceptance of the resignation of Alderman Barbara Haynes with extreme regrets. The motion passed unanimously.

Mayor Bostic noted that we will be looking for nominations for the un-expired portion of her term of office, which is up this November. If anyone is interested, please let us know. Ann Penta nominated Sue Tuman.

MANAGER'S
REPORT:

1. Enclosure (1) is the official resignation of Barbara Haynes. I know each Board Member has already received this resignation prior to tonight's Board Meeting, but I want to say that this is one Board Member who has made each decision she makes at heart for the betterment of NTB. We will miss her very much.
2. Enclosure (2) is a copy of the Falcon Cable Rate change. The new rates took effect January 29, 1999 and only a decrease was recorded as indicated.
3. Enclosure (3) is the detailed recall list requested at the last Board Meeting.
4. Enclosure (4) is a letter from Mrs. Patsy Jordan recognizing the response by Sgt. Louis DeNoia, Eric Touissant and Dion Hatfield to a possible intruder call back in November. A copy will be provided for each officer's personnel record.
5. Enclosure (5) are lists of schools attended by some employees for this current budget year. I will provide you with the remaining list at the next board meeting.
6. Enclosure (6) is the 1999 Tax Rate for the surrounding communities asked for at the last board meeting.
7. Just a reminder that on March 11, 1999, DOT will sponsor a Public Meeting for the Draft 2000-2006 Transportation Improvement Program (TIP). It will be from 4:00 to 8:00 pm in the Jacksonville Commons Recreation Center.
8. As noted in the written report to Alderman Sizemore, Jones Onslow has finally provided me a list of all streetlights and their locations on NTB. We currently have 220 lights. With this data, I will try to determine what lights need to be moved or deleted from their current locations. Bill Poe and I will begin working on this issue this weekend.
9. We have recently received the following as adjustment payments for Fran damage totaling \$763.62. This money was received from the League as a result of incorrect payment for insurance claims.
10. Enclosure (7) is a memo from Surf City to its town residents discussing Re-entry Decals to be issued. Is there any interest from the Board for us to pursue this type of Re-entry Pass for NTB.

ATTORNEY'S
REPORT:

Mr. Fuss had nothing to report.

**MAYOR'S
REPORT:**

The issue that keeps coming back is the accommodation tax. Atlantic Beach, Pine Knoll Shores and others have put it to good use. We're going to look at it again since it can benefit the town. People who help tourism in Carteret County realize the value of the beaches and aggressively promote it.

**ALDERMAN'S
REPORT:**

Alderman Steve Smith reported that he still sits on the Joint Utility Commission and that monies are appropriated from the county. He also noted that a presentation was given last month from Wake County where he received good information. Alderman Smith is still in the process of getting the Beach Renourishment Committee together and he will be contacting everyone. Alderman Smith also asked if the military would be asked to help in planting the grass. Mr. Hammond said he can go through the Navy side of the house. There is a review being done by the General Attorney's office to see if it is legal to use prisoners on private property. They can be used on Onslow County property.

Alderman Otis Sizemore was concerned about regaining property from Onslow County since there have been more foreclosures on some parcels. Mr. Hammond noted that Arlene Streng of the Daily News brought a list from Onslow County and is working on a story regarding foreclosures. Alderman Sizemore and Mr. Hammond are going to Raleigh tomorrow to meet with John Dorney regarding the water quality issue. The Division of Water Quality's concern was that we didn't do any testing on the beach before bulldozing to determine what dozing has on the habitat. It could be expensive, upwards to \$35,000.00 and we cannot afford to test. Mr. Hammond said that they are asking us to take one sample of sand and analyze it to see what destruction dozing does to the habitat. We would have to test from April to October. North Topsail Beach is the only beach that needs to do this. Attorney Fuss noted that we wrote a letter asking why we are signaled out. Alderman Sizemore encouraged everyone to contact their State Representatives. Alderman Sizemore voiced his concern over the continued use of sandbags. He did note that they have been permitted by CAMA, so therefore we can't do anything about it since they have to regulate them. He also suggested that we consider not allowing anymore sandbags to be put on the beach and would like to adopt an ordinance to that effect. Alderman Sizemore also felt that we should authorize a dune committee. He has taken pictures of the entire length of Topsail Rd. In order to do this properly we would need an advisory committee to assist the board, which should be composed of property owners on the ocean and 2nd, 3rd and 4th rows. Alderman Sizemore said that he could chair this committee. Mayor Bostic noted that Alderman Steve Smith is starting a beach

renourishment committee. Alderman Sizemore said that there would be some crossovers and his issues would primarily be local and not federal. It was decided to allow Otis to chair a dune committee and asked citizens to contact the board if they are interested.

Alderman Joe Vecchione wanted the consensus of the board to contact county officials to see what our beach medic situation would be this summer. Major concerns are water safety and injuries.

OPEN FORUM:

Ms. Dano asked if people don't show up for town meetings on Saturdays, will we continue them. Mayor Bostic said that we are hoping it will be successful.

Mike Rupert was concerned that our taxes might go up 10 to 15% next year and we have no idea what our finances are and asked for a reader's digest of where we are. Mr. Rupert also suggested keeping citizens informed quarterly. Alderman Sizemore said we would address this issue at the March board meeting. Charlotte Wilmer asked for a tentative agenda for the March 13th meeting and was told that it will be on our Web Site. Ms. Wilmer suggested giving people a reason to come to the meeting. Also, streetlights are an issue and we need to check with the turtle people because the dunes are low enough now and the street lights shine on the beach. Mayor Bostic said that we have an open dialogue with Jean Beazley.

John Flynn asked if we were pushing sand again. Mr. Hammond said that we would start again on Monday. Mr. Flynn also asked what the cost of maintaining the dozer was. Mr. Hammond noted that it is cheaper than hiring someone.

ADJOURNMENT: Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer to adjourn the Board meeting at 9:20 pm. The motion passed unanimously.

Respectfully submitted,

Loraine M. Carbone

Loraine M. Carbone
Town Clerk

No. _____

RESOLUTION ADOPTING
WRITTEN JOB CLASSIFICATION AND PAY SCALE POLICY

WHEREAS, the Town of North Topsail Beach did contract with the North Carolina League of Municipalities for the performance of a job classification and pay study for North Topsail Beach; and

WHEREAS, the League of Municipalities engaged the MAPS Group (Management and Personnel Services), consultants specializing in Human Resource Management and Development, to perform the job classification and pay study; and

WHEREAS, the study was performed by utilizing, *inter alia*, job description questionnaires by all Town employees, on-the-job interviews with many Town employees, discussions with department heads of the Town and compilation of relevant local salary data; and


WHEREAS, on or about October 1, 1998, the study was presented in report form to the Town and it did address, among other things,


- organization charts illustrative of recommended classes and reporting relationships;
- a narrative report summary by department of positions;
- an analysis of competitive salary data;
- allocation of classes to pay grades;
- a proposed salary schedule structure;
- study implementation strategies with associated costs;
- a recommended new personnel policy and benefits revisions; and
- class specifications for each proposed classification; and

WHEREAS, the study has been presented to the Town Board by MAPS personnel at regularly scheduled Town meetings and workshops and, after careful and deliberate consideration, the Aldermen of North Topsail Beach desire to adopt the Personnel Policy and Benefit Recommendations *in toto* and as presented.

NOW, THEREFORE, BE IT RESOLVED by the Town of North Topsail Beach that the Written Job Classification and Pay Scale Policy attached hereto as "Exhibit A" is unanimously adopted and shall be effective immediately.

Adopted this 11th day of February, 1999.


Loraine Carbone, Town Clerk


Marty Bostic, Mayor

No. _____

RESOLUTION ADOPTING
WRITTEN PERSONNEL POLICY

WHEREAS, the Town of North Topsail Beach did contract with the North Carolina League of Municipalities for the performance of a job classification and pay study for North Topsail Beach; and

WHEREAS, the League of Municipalities engaged the MAPS Group (Management and Personnel Services), consultants specializing in Human Resource Management and Development, to perform the job classification and pay study; and

WHEREAS, the study was performed by utilizing, *inter alia*, job description questionnaires by all Town employees, on-the-job interviews with many Town employees, discussions with department heads of the Town and compilation of relevant local salary data; and

WHEREAS, on or about October 1, 1998, the study was presented in report form to the Town and it did address, among other things,

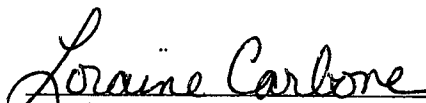
- organization charts illustrative of recommended classes and reporting relationships;
- a narrative report summary by department of positions;
- an analysis of competitive salary data;
- allocation of classes to pay grades;
- a proposed salary schedule structure;
- study implementation strategies with associated costs;
- a recommended new personnel policy and benefits revisions; and
- class specifications for each proposed classification; and

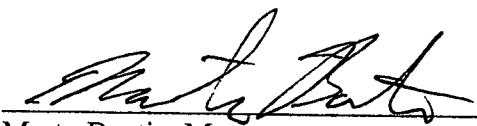
WHEREAS, the study has been presented to the Town Board by MAPS personnel at regularly scheduled Town meetings and workshops and, after careful and deliberate consideration, the Aldermen of North Topsail Beach desire to adopt the Personnel Policy and Benefit Recommendations *in toto* and as presented.

NOW, THEREFORE, BE IT RESOLVED by the Town of North Topsail Beach that the Personnel Policy and Benefits Recommendation attached hereto as "Exhibit A" is unanimously adopted and shall be effective immediately.

FURTHER, IT IS RESOLVED that the Town Manager and Town Attorney are directed to develop a Town policy on drug use and testing and they are further directed to hold orientation sessions with Town employees to examine and review the Personnel Policy and Benefits Recommendation and the Drug Policy, when adopted.

Adopted this 11th day of February, 1999.


Loraine Carbone, Town Clerk


Marty Bostic, Mayor

No. _____

RESOLUTION AWARDING THE BID
FOR THE DREDGING OF THAT PORTION OF
THE GALLEON BAY CANAL FROM LOT 16 SOUTH
AND WEST TO THE INTRACOASTAL WATERWAY

WHEREAS, Galleon Bay is a residential subdivision at the northernmost end of North Topsail Beach which is served by a navigable canal; and

WHEREAS, Hurricane Bonnie did deposit into the Galleon Bay Canal sand and silt and did render the canal unusable; and

WHEREAS, because of its proximity to the New River Inlet, the Federal Emergency Management Agency (FEMA) did approve a DRS which allocated funds for the dredging of a portion of the canal; and


WHEREAS, FEMA and CAMA did not request North Topsail Beach to oversee the bid process and monitor contract compliance because federal funds can only be allocated and disbursed to and through governmental entities; and

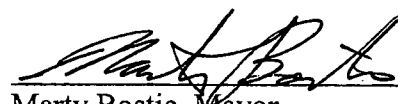
WHEREAS, bids were solicited in accordance with FEMA and CAMA specifications and received by the Town of North Topsail Beach and the contract is ready to be awarded.

NOW, THEREFORE, IT IS RESOLVED that, after due consideration and the publication of the bid amounts, the contract is awarded to _____ in the amount of \$ _____.

BE IT FURTHER RESOLVED and understood that the Town of North Topsail Beach, in acting as an agent for FEMA and CAMA, does not assume any responsibility for the successful completion of the project; does not warrant the results for the purpose intended; and does not in any way deem the Town's participation as agent to establish any precedent for future Town involvement in like projects on private property.

Adopted this 11th day of February, 1999.


Loraine Carbone, Town Clerk


Marty Bostic, Mayor

TOWN OF NORTH TOPSAIL BEACH

Resolution Opposing the Coastal Resources Commission's Proposed Estuarine Shoreline Regulation Changes

WHEREAS, the Town of North Topsail Beach (hereinafter "Town") has gone to great lengths to develop a low density residential community through proper planning and zoning that ensures that development does not significantly impact the water quality of the Town; and

WHEREAS, the Town believes that the current CAMA regulations are adequate in protecting the adjacent waters of the Town; and

WHEREAS, The Town believes in protecting water quality, it also believes that a lot of water quality problems are created from development outside of the Division of Coastal Management's jurisdiction; and

WHEREAS, Waterfront development and tourism is an important commodity of the Town and eastern North Carolina and the proposed regulations would make these forms of development difficult; and

WHEREAS, the proposed regulations, without total grandfathering, would severely limit the ability of individuals to develop their property and may constitute a "taking"; and

WHEREAS, the blanket regulations proposed by the Coastal Resource Commission (hereinafter "CRC") are not suitable for all shorelines; and

WHEREAS, the Division Office in Wilmington and our Local Permit Officer are already overburdened with permit requests and the enforcement of existing regulations and no additional staff has been proposed; and

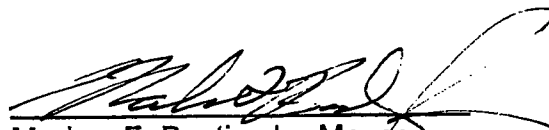
WHEREAS, the Town and other affected jurisdictions have had virtually no input into the drafting of the proposed rule changes.

NOW, THEREFORE, BE IT RESOLVED by the North Topsail Beach Town Council that the Town of North Topsail Beach opposes the proposed expansion of the Estuarine Area of Environmental Concern, the proposed implementation of a fifteen percent lot coverage maximum, the proposed requirement of a seventy-five foot buffer adjacent to all estuarine waterbodies, and the proposed regulations that restrict the use of wooden bulkheads in the Estuarine Area of Environmental Concern; and

BE IT FURTHER RESOLVED that the Town of North Topsail Beach urges the CRS to concentrate its efforts on enforcing the existing regulations; and

BE IT FURTHER RESOLVED that the CRC should suspend further action to implement these changes until each affected jurisdiction has had due time to respond in addition to the scheduled public hearings.

Adopted this 11 day of February, 1999.


Marlow F. Bostic, Jr., Mayor


Loraine M. Carbone, Town Clerk

TOWN OF NORTH TOPSAIL BEACH
SPECIAL BOARD MEETING
FEBRUARY 18, 1999
6:30 P.M.

PRESENT: Mayor Marty Bostic, Aldermen Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

NOT PRESENT: Mayor Pro-tem Steve Smith

QUORUM: Mayor Bostic called the meeting to order at 6:33 p.m. in the North Topsail Beach meeting room. A quorum was not declared.

APPROVAL OF
AGENDA: The agenda was approved as presented.

DISCUSSION ON
REBID OF
CROSSOVERS:

Mr. Hammond noted that we were informed after the board meeting, Thursday, February 11, 1999, that Edens Construction, who submitted the lowest bid, did not have a general contractor's license. Therefore, we did not sign the contract with him and decided to re-advertise for the bids. We put the same package together again. All bids have to be in by Friday, February 26, 1999. Mayor Bostic asked how a contractor will know what to do on Seashore Dr. Mr. Hammond said that the contractors will be informed once they bid and they will go with the building inspector. Mayor Bostic said that the contractor needs to know up front what the building inspector wants to replace. There is nothing in the plans that are specific. Mr. Hammond said that the contractor should determine what has to be done out there since we can't measure it all. Attorney Fuss noted that whatever is done has to meet or exceed our code. It is incumbent upon any contractor to be familiar in what has to be done. It will be inspected before any money is tendered. Mr. Hammond said that the Building Inspector can go with the contractor on a few crossovers to see what has to be done. All wood will be salvaged for future use. Terri Potts said that she will have a more detailed specification for the contractors and the Building Inspector will be working with them. The majority of our crosswalks are gone. The ones remaining need to be demolished or have minor repairs.

John Starzynski can go with the contractors to see four or five crossovers and get prices on the same crossovers when they come in for packages. Attorney Fuss noted that in the "Bid Package", in paragraph four, at the end of evaluations add "and contingent upon final inspection and approval of the building inspector". In the contract, we have to make it clear that the contractor is obligated to put these things to code before payment is received. Alderman Sizemore felt that the penalty assessed for each day past the deadline should be spelled out. It was decided to put the penalty at \$100.00. Charlotte Wilmer asked if the bids that come in are intended to give you the decision as to who you are going to engage in a contractual way, as opposed to something that should be in the description of the way work should be done. Attorney Fuss noted that a delayed damage clause or a requirement of a license will be needed and they have to know that before they bid so we can then affirmatively state that. Mayor Bostic was concerned that several people in the area who do this type of work each have their own style of doing things. The Mayor asked if we are going by the schematic on the map or by code. Mr. Hammond noted that the map is just a sample. Alderman Peter Hillyer thought that the map was misleading. Alderman Sizemore felt that no money should be advanced. The Town can get the material on the site and then settle with the contractor. Attorney Fuss said that it was preferable that if the contractor requires an advance for materials, then the advance should be made as a direct payment to the supplier. The cost of material would be a credit against the contract price. The material would be considered the property of North Topsail Beach. John Flynn asked how many bidders did we have the last time. Mr. Hammond noted that it was four or five. Mayor Bostic requested that Sheri Anderson go through the general contractors and notify them personally by letter or phone those who have contractor's licenses with us. Alderman Sizemore noted that the publication is in the newspaper and contacting individuals was not necessary. Mayor Bostic felt that they've done business here and have bought privilege licenses.

Attorney Fuss said that it was incumbent upon the board to give the Town Manager the authority to enter into the contract upon the opening of the bids and to give him direction. The contract will go to the lowest or the most suitable, the Town will execute the contract and the attorney will review it. Attorney Fuss also stated that upon the opening of the bids, to allow the manager to award the bid. Alderman Peter Hillyer moved, seconded by Alderman Joe Vecchione to give the Town Manager authority to approve the contract to build the 17 hard structures and 4 soft structures by picking that which he deems the best. The motion passed.

CLOSED
SESSION:

Alderman Joe Vecchione moved, seconded by Alderman Peter Hillyer to go into closed session to discuss personnel issues.

ADJOURNMENT: The meeting adjourned at 7:30 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Loraine M. Carbone". The signature is written in a cursive, flowing style.

Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
SPECIAL MEETING
MARCH 11, 1999
6:30 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen Peter Hillyer and Otis Sizemore, Town Manager, Tony Hammond, Town Clerk, Loraine Carbone

NOT PRESENT: Alderman Joe Vecchione, Attorney Bill Fuss

CALL TO ORDER: The meeting was called to order at 6:30 p.m.

APPROVAL OF
AGENDA: The agenda was approved as presented.

REVIEW OF
TOWN'S
FINANCES:

Mr. Hammond reported that we had a letter drafted to the mayor from the Department of Treasury addressing control measures that would be put into place to avoid weaknesses in the town's control system. Mr. Hammond asked Mr. Carroway, the auditor, to address the board.

Mr. Carroway said that most of the issues have been taken care of. We found that we had to make adjustments. These problems occurred before Lydia King, the Finance Officer, started. The quarterly reports are being reviewed by the auditor, as well as the retirement reports. At this time, everything has been cleared up. The Y2K issue has been resolved by the town with new computers. The accounting has been improved and the fund balance is being built up. The hurricanes brought our fund balance to a low point. Evaluations of properties have dropped tremendously and using the same tax rate causes problems. There is a good internal control at this time. Mr. Carroway noted that we are here to help in any way. He also noted that NTB is not the only town who has received such a letter.

Alderman Steve Smith noted that Mr. Carroway made a statement that we would raise taxes, but we will actually cut some expenses. Mr. Carroway said that we cannot buy anymore capital items at this time. Mayor Bostic questioned how the town should proceed with the aerial firetruck? Mr. Carroway stated that the town has already made that decision. Alderman Otis Sizemore also noted that the firetruck has already been decided on. Alderman Sizemore said that we lease cars and computer equipment now. Mr. Carroway felt that leasing is a good idea and that he leases all of his equipment. Sue Tuman had concerns about leasing. Mr. Carroway did note that leasing a vehicle could cost a little bit more than buying. Mr. Hammond said that leasing hurts us in mileage for police cars.

Mayor Bostic questioned the public works budget and the history report for public works. He asked that it be a budget amendment. Ms. King noted that has not been done yet. Mayor Bostic asked what the undesignated fund balance was. Mr. Hammond said that we have to balance the budget for this year to get that figure. The figure we have now is for last year.

Lydia noted that the Money Market Account is our checking account. The balance of the NC Capital Management Trust as of March 5, 1999 is \$537,327.00. Alderman Sizemore stated that money was taken out of the undesignated fund balance after Hurricane Fran. At that time, if a different approach had been taken, it would have been unnecessary to take money out of the fund balance. Mr. Carroway said that it is hard to get a balance from the undesignated fund balance every month.

Mr. Hammond noted that in research done through Disaster Response Technologies, we could collect \$184,000 from FEMA. There is a conglomeration of different projects. There is approximately \$210,000, but there are five buildings in question on demolition and we may have to fight for the \$12,000.00 difference.

Mayor Bostic stated that we have had shortfalls in revenues and one example is interest on investments, which was our cash on hand before. He noted a decrease in revenues and increases in expenditures. Inspection fees are way down. Mr. Hammond noted that we have \$178,000 in back taxes. Alderman Sizemore felt that we should be more aggressive in collecting these taxes. Mr. Hammond said that there was a lot of over estimation on the revenue side, a lot of money didn't come in until the middle of the year.

Mayor Bostic was concerned that we had underestimated retirement, FICA and worker's comp. Mr. Hammond said that they were all overestimated. Alderman Sizemore said that in all fairness, it wasn't the Town Manager's budget. Mr. Hammond said that we have correct figures now. Mayor Bostic noted that the only revenue that exceeded our budget was the 5% of the dune tax. Ms. King asked the board to be aware that the intangible property tax is no longer available. Mayor Bostic questioned why there was no money received under the beer and wine tax. Ms. King said that she would check into that. Mayor Bostic questioned the \$52,000 Local Option Sales Tax from the County. He also asked if a budget amendment would be done. Ms. King noted that there should have been a budget amendment done earlier, but we didn't know how much money was going to be expended.

Mr. Carroway said that by the end of March, they would come here and go over the budget and make an overall judgment before year-end. Alderman Sizemore suggested that we examine carefully all expenditures. Mr. Hammond asked that the board stand by him when employees go to

the board complaining that they can't get what they want. Ms. King noted that we have asked that all purchases be made by the middle of April in order to balance the year-end budget.

Mayor Bostic questioned the reimbursement for long distance calls? Mr. Hammond said that some of Wilmington and Swansboro are long distance, but we still haven't received a reimbursement for those that weren't long distance.

Mr. Hammond reported on the DSR status for Hurricane Bonnie: Roads - paid us \$12,381.00 to date and will probably pay remainder when done; Galleon Bay - has been authorized, but CAMA needs to give us a letter to start; Cart replacements - finished, received \$39,000.00; Equipment labor and material - authorized - received \$56,157.00 - owes us \$18,719.00; Crossovers - authorized for \$128,390.00 - bids close on March 18th; Debris removal - received \$836,224.00; Beach grass - received \$26,209.00; Sand fence - received \$26,220.00.

Alderman Smith questioned charging citizens \$50.00 for plants and fencing. Mr. Hammond said that we are paying to have the sand fence installed, and the grass was a drop in the bucket. Onslow County will pay for their fences and grasses. CAMA will give some funds back to us.

Bob Cassidy asked if we could give an educated number as to where we'll come out at the end of the year in the budget. Mayor Bostic said that our main concern is that we don't want to deplete the savings account. At this time, revenues are not coming in, but there might be a spurt. We want to make sure we have a handle on things. Mr. Hammond noted that we are working on the budget at this time and then we will go into workshops.

ADJOURNMENT: The Special Meeting adjourned at 7:40 p.m.

Respectfully Submitted,

Loraine M. Carbone

Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
PUBLIC HEARING AND REGULAR BOARD MEETING
MARCH 13, 1999
2:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 2:00 p.m. in the North Topsail Beach meeting room and declared a quorum present.

INVOCATION: The invocation was led by the local Girl Scout Troops 107, 211 and 799. Mayor Bostic thanked the troops.

PUBLIC HEARING: LAND USE PLAN:

Zoe Bruner, District Planner with the North Carolina Department of Environment and Natural Resources and Mr. Holland, President of Holland Consulting Planners, Inc., addressed the meeting. Ms. Bruner stated that it is her job to oversee the Land Use Plan and that it becomes part of the Coastal plan. The State worked with the town to extend the contract and funding. Ms. Bruner expressed her appreciation for the opportunity to work with the town. The next step is the adoption of the plan by the town. They will take the plan to the Coastal Resources Commission meeting scheduled for March 24-26, 1999. Ms. Bruner urged people to attend this meeting. She noted that to date all the plans she has reviewed have been approved and all commissioners have received all of the plans. Ms. Bruner noted that she is proud of this plan.

Mr. Holland stated that this document is one of the better plans that they have worked on. The committee, appointed by the board, consists of Chairperson Ginny Hillyer, Vice Chair Rodney Knowles, Secretary Otis Sizemore, Wade Chestnutt, Marilyn Christoph, Pat Dempsey, Marge Lombardo, Bill O'Donnell, Bill Parr, Priscilla Royman, Geraldine Walker and Stuart Wishard. The committee devoted 14 separate meetings in developing this document. Mr. Holland noted that they have received very good input from this committee. The document carries forward with some minor modifications. North Topsail Beach's Land Use Plan has been one of the better documents they have seen. Mr. Holland also noted that it will be helpful to have representatives from the town at the March CRC meeting. Mr. Holland thanked the town staff in preparing this document. It will be heard on Thursday, March 25, 1999 after lunch and then carried to the full commission on Friday, March 26th to approve the plan or not. Mr. Holland recommended representatives to be at both meetings.

The Land Use Plan is a blueprint in how to grow, but also in how to protect your natural resources. It's required to be updated once every 5 years. Becky Heron felt that an overview of the plan is needed. Mayor Bostic pointed out that it's a very in-depth history book. Mr. Holland also noted that it is complex, but there is an overview available. He did say that the hearing was advertised for 30 days and that the plan was available at the town hall or at the county office. Ms. Bruner stated that The Coastal Area Management Act required that a Land Use Plan be done. The guidelines are generic and they look at data about the town and use analytical methods to forecast where we will be in 10 years. It also builds up policies in how the town will handle what happens in the future. Ms. Bruner also noted that they required policies on resource protection, along with economic development, community development and housing mitigation policies.

Fred Allen, of No. Galleon Bay asked if we were going to adopt these regulations today. Ms. Bruner said that we would adopt the policies today. Mr. Allen said that there was no time span for the citizens to evaluate the plan. Ms. Bruner noted that there has been a 30-day period to review it. Alderman Hillyer noted that a policy is what you would like to do, it is not a regulation. We have an opportunity to say we don't like it at a hearing. Attorney Fuss stated that we don't have the regulatory policy in place, that it's only a blueprint, to actually make any changes, an ordinance would have to be adopted. Mr. Holland noted that when you have a major CAMA permit, that permit is supposed to be issued consistent with the policies in your Land Use Plan. A lot of the existing plans are carried forward that influence the CAMA permits. The policies are not required to be followed; they are a statement of intent. You are not bound to take a specific action. The policy is not binding to this board. Mr. Allen asked that if you apply for a CAMA permit and your Land Use Plan says that it is more restrictive, then would you have to come to the board to get a variance. Mr. Holland said no, you would go to the Division of Coastal Management and to get a variance, you would go to the Coastal Resource Commission. Alderman Sizemore noted that the plan is implemented for the town to say what we want to do. Alderman Sizemore also asked that when citizens see public hearings posted that they attend these hearings, since we need their opinions. Mr. Allen was concerned that there are a lot of regulations with agencies telling you what you can't do on your own piece of property.

The public hearing closed at 2:45 p.m.

CALL TO ORDER: The regular board meeting was called to order at 2:55 p.m.

APPROVAL OF AGENDA:

Alderman Sizemore moved, seconded by Alderman Smith, the addition of the board vacancy (7a) and under 14, Closed Session, add possible litigation. The motion passed unanimously.

APPROVAL OF MINUTES:

Alderman Sizemore had some changes to the February 11, 1999 minutes. Under Beautification Committee report add after received over \$1,100.00 "for donation of greening of North Topsail Beach project". Under Waste Industries, change universe to "universal". Under Alderman Sizemore's Report, change "their concern" to "the Division of Water Quality's".

Alderman Sizemore moved, seconded by Alderman Vecchione, approval of the February 11, 1999 Public Hearing and Regular Board Meeting minutes with appropriate changes. The motion passed unanimously. Alderman Vecchione moved, seconded by Alderman Sizemore, approval of the February 18, 1999 Special Board Meeting minutes. The motion passed unanimously.

BEAUTIFICATION COMMITTEE:

Mike Rupert addressed the board. He noted that the certificate program has raised \$1,452.00. These monies will enable the committee to continue to buy plants. The front of Town Hall has been completed and they will be planting the south end fire station. Mr. Rupert noted that all the money received is put into this process and there are still lots of projects to do, including the area around the flagpole and around the police sign. On Arbor Day, a weeping Yaupon will be planted and they will expand existing beds. A plaque was donated to the town and it records the names of donors to the "Greening of North Topsail Beach". The committee is also going to be planting lantana and replacing some shrubs. Mr. Rupert noted that when you make a donation you could make it in the name of someone.

PLANNING BOARD:

Bill O'Donnell addressed the board. All meetings are open meetings and they occur the 2nd Thursday of the month. At the last meeting the committee discussed some issues in regard to the availability of campers being road ready at Roger's Bay Campground and other campgrounds. Mr. Starzynski will address the planning board at their next meeting. The committee approved the final plat for Barton Bay Yacht Club, which will be presented to the board. Dolphin Shores, which consists of 40 lots and is north of St. Regis, will come back before the Planning Board for final plat approval. An issue before the board will be the terms of the members of the planning board. 5 of 6 member's terms expire within 2 months of each other.

**BARTON BAY
COLLEGE
PROPERTY:**

Mr. Walters, of Management Data Systems, addressed the board in regard to the donation of Barton Bay College property. The offer is to donate the restaurant, maybe for a community center or youth center. There are two caveats, the building will have to be moved or sold within two years and Mr. Walters needs to agree to the sale price or the donor will have tax ramifications. The engineer's report was done last October and there are some minor repairs to be made. Mr. Walters met with the town's building inspector today. Mr. Walters said that the tax value is \$137,000. John Starzynski, the building inspector, was concerned over where the building could be placed. The cost of moving the building could be approximately \$25,000.00 for ¼ mile and the further you move it, the more money it will cost. The building itself is sound. Alderman Hillyer was concerned with the amount of money to move it and fix it up. Mr. Starzynski noted that if the town has property we could get hazard mitigation to move the building. Ms. Potts noted that hazard mitigation would try to get property for us. It would take 2 to 3 days to fill out the application and the state is interested in structures in the flood plan. Alderman Sizemore questioned the suitability of the property behind the fire station. Ms. Potts said that the property was wetlands. Mayor Bostic directed Mr. Hammond to look into mitigation and to have him direct the Board as to the direction they will take. Mayor Bostic expressed his appreciation of this offer to the town.

OLD BUSINESS: CROSSWALKS:

Mr. Hammond reported that the first time we went out for bids for the crosswalks, the individual who was chosen had a heart attack. The second time we had three bids and the lowest bid did not have a general contractor's license. The only licensed general contractor was always exceeding bids of FEMA. Mr. Hammond asked FEMA and the state if we could break it down into smaller projects. We have 21 walks that need to be repaired. We went back and re-advertised the bids as 5 projects, less than \$30,000/piece. The closeout for bids is 2:00 p.m. on March 18th. Mr. Hammond requested the board to authorize him to once again accept bids.

WASTE INDUSTRIES:

Mr. Hammond noted that representatives from Waste Industries were at the meeting for any questions. After a review of the single and multi-plex units, we came up with 2502 units. After looking at the calculations, Mr. Hammond suggested that we put this on the Onslow County tax bills as part of a tax service. There have been problems with our database. In mailings alone we spent \$862.00, time and labor \$10,800.00, and printing cost \$466.00. There are a total of 3475 parcel owners and the total cost

will be \$149,320.00. If we take the total cost that they estimate and divide it by the actual number of units that we have as taxable property, it comes up to \$42.95 per year. That amount would take care of Waste Industries alone, but not tipping fees. The average cost is \$30,000/year for tipping fees. The current collection rate we charge is \$120.00 per year. If we charge \$75.00 per parcel, that would give us \$260,120.00. The bottom line is, we have to decide by April 1st to let Onslow County know that we want to go with them. There will be a one-time cost of \$500.00 to set up the database. The bill will go out to each parcel owner on his or her tax bill. Mayor Bostic questioned if the multiplex units were willing to lose control of their pickups. Eric, from Waste Industries noted that based on what they have been receiving, it wouldn't change their pickups. Mr. Hillyer wanted to be sure that this not be a profit-making venture, but would just cover the cost of service. Attorney Fuss asked what percentage of taxable parcels doesn't pay their taxes? It was noted that there is a 92% collection rate at this time. Mayor Bostic said that we would need more time to figure out the billing price. George Hrivnak felt that this should be an option and that government shouldn't have to decide for us what we want to do. Mr. Hrivnak felt that taxes will be escalated and he would rather haul his own trash. Mr. Hammond noted that by adding this to the Onslow County tax bill, it does not add to the tax base and that it is a service, it is not a tax.

Alderman Hillyer moved, seconded by Alderman Smith, authorization to instruct the town manager to have Onslow County collect a dollar amount, to be determined later, for the collection of waste. The motion passed unanimously.

DR. BECK'S PROPERTY:

Attorney Fuss noted that he has searched the property and the only outstanding lien is a deed of trust for another beneficiary. A Deed of Trust in favor of BB&T will need to be released as to the 5 acres so there is no encumbrance. We will also need the purpose of the donated value and all appraisals be placed on donor. Also, any deed prepared would be subject to Mr. Fuss' review. Alderman Sizemore moved, seconded by Alderman Smith, acceptance of the property offered by Dr. Beck with the stipulations stated by Attorney Fuss. The motion passed unanimously.

Attorney Fuss also noted that Dr. Ammon's property is free and clear as long as he places no stipulations on the town.

NOMINATIONS VACANT BOARD SEAT:

Alderman Vecchione noted that he has received more names of individuals who are interested in becoming a board member, and in all fairness felt that we should hold a special meeting in a week to go over

these names. Alderman Sizemore stated that we have had this vacancy since January and we are coming into the budget process and there should be no reason for delays.

Mayor Bostic opened the floor for nominations: Alderman Sizemore nominated Charlotte Wilmer; Alderman Hillyer nominated John Flynn; Alderman Vecchione nominated David Riggs; Alderman Smith nominated Bill O'Donnell. Alderman Sizemore moved, seconded by Alderman Smith to close the nominations. John Flynn won the nomination. Mayor Bostic noted that if Mr. Flynn accepts he will serve out the term of Alderman Haynes.

**ADOPTION OF
LAND USE
PLAN:**

Alderman Sizemore moved, second by Alderman Hillyer to adopt the updated land use plan. The motion passed unanimously.

**ADOPTION OF THE
SUBSTANCE ABUSE
POLICY:**

Mr. Hammond reported that we did not have a substance abuse policy. He reviewed policies of several municipalities and presented it to the attorney. This policy has been presented to all the town employees and we will include it in our personnel manual. Attorney Fuss noted that the policy was one of the directives in the MAPS study. Alderman Sizemore moved, seconded by Alderman Vecchione to adopt the substance abuse policy. The motion was unanimously approved. Mr. Hammond noted that we have made some contacts on testing and TESI is willing to come to the town to test. The nominal cost would be \$18.00/test and they are a certified company.

TAX RATES:

Mr. Hammond gave the Board a chart depicting tax rates and total property tax values of surrounding towns for informational purposes only.

**FINANCIAL SUPPORT
FOR CHAMBER OF
COMMERCE:**

Mr. Hammond reported that the Greater Topsail Area Chamber of Commerce is sponsoring a golf tournament and Triathlon. Alderman Vecchione moved, seconded by Alderman Hillyer that we sponsor one golf hole for the Chamber of Commerce. The motion passed unanimously.

**IMPROVEMENTS TO
21ST AND 23RD
AVENUES:**

Mr. Hammond spoke with John Parker and was told that 21st Avenue is on the Powell bill and 23rd Avenue was only graveled. We need to expend money for road repairs. Mr. Hammond said that since Peele Construction is doing our other road repairs that they could tack it on as a separate

invoice. Alderman Smith moved, seconded by Alderman Hillyer, authorization to enter into a contract with Peele Construction to pave 23rd Avenue and gravel 21st Avenue according to State standards. The motion passed unanimously.

BEACH RENOURISHMENT:

Alderman Sizemore reported that he and Mr. Hammond went to Raleigh to speak with Sen. Ballantine regarding our beach issues and talked about an accommodation's tax. There is very little sand to push, and we will endanger homes if nothing is done. If we lose that resource we will not have anything to attract tourists. We are asking for state support for beach renourishment, but in the meantime, we need to get money together. Onslow County has an occupancy tax, but we get nothing from it. Surf City and Topsail Beach also have accommodation taxes. Alderman Sizemore has asked that it be put in legislation. If we can get an accommodation tax and maintain the dune tax, it will help us to maintain our beaches. We will need resolutions endorsing beach renourishment and an accommodation tax. The Chamber of Commerce has endorsed the project to some degree. The Executive Director gave us a letter endorsing it. We will also need to establish a special beach preservation beach fund resolution and set up trustees for the fund to ensure that the monies are used only for beach projects.

Alderman Smith expressed his appreciation to Mr. Hammond and Alderman Sizemore for addressing this problem with Sen. Ballantine. Mr. Hammond noted that the clean water trust fund money might be used for beach renourishment. Alderman Sizemore asked that we set up the beach renourishment resolution first, the trust fund second and the accommodation tax third. Attorney Fuss will review all of the resolutions.

COASTAL ENVIRONMENTAL EDUCATOR:

Mr. Hammond reported on a letter we received from the NC State University Cooperative Extension Services to fund a Coastal Environmental Educator position. We would have to contribute \$4,000.00 for this position. Mr. Hammond will look into this more fully.

HURRICANE RE-ENTRY DECALS:

Mr. Hammond provided information on what Surf City is doing this year for hurricane re-entry. He asked that we consider using decals on vehicles since they would be safer and you couldn't pass them on to anyone. Other towns are using decals and they change the color every year. Police Chief Salese noted that decals would be easier. Alderman Vecchione requested that we get some prices from printing companies.

Mr. Hammond said that we could color code decals and have primary cars come on first. Other vehicles will not be allowed on until it is safe.

MANAGER'S
REPORT:

MANAGER'S REPORT
MARCH 13, 1999

1. I have received a request from several property owners (who signed a ROE) to come onto their property and remove excess sand located there. Some of the sand was a result of the storm; some may have been pushed there by the contractor. Do we want to remove this sand at the request of the property owner and replace it on the berm? Do we want to handle all ROE's signed after Bonnie?
2. NC D.O.T.'s Annual "Litter Sweep" Spring Roadside Cleanup will take place April 17 – April 30, 1999, just before the Special Olympics World Games and the U.S. Open come to North Carolina. I would like the Beautification Committee to look into this program and establish groups for participation.
3. We have received a letter from Custom Communications mentioning some changes that have already occurred as a result of the new franchise. Hiring more customer service representatives, reduction in complaints, quicker response and according to the authority, complaints to towns and counties have all but disappeared.

Evaluation of lights – Bill Poe and I have been out several times. Looked at our spacing, about every 4th light pole should suffice. Unless there is a bridge close by. South end, came to avenues, what was there was adequate. Once we made shifts, we removed 56 lights off of the island resulting in \$550.00 savings.

DEPARTMENT

HEAD REPORTS: Police Chief Daniel Salese reported that they have applied for some grants. They are involved in a traffic grant to offset some equipment costs. They are working with Britt Motor Sports to patrol waterways and he noted that the town goes by the Coast Guard's regulations. Mr. Hammond noted that we are looking at an ordinance to control jet skis. Another program that the police department is involved with is the Jacksonville Police Department's Crime Stoppers. They are always looking for volunteers. The Police Department is also working with PAVE and are collecting stuffed animals for children affected by violence and trying to provide safe houses for victims. Chief Salese noted that he is online and if anyone needs anything, just contact him. There is also a "Ride Along" program for citizens to see what the department is doing. Since August 98 there have been 722 calls for service; 142 assist motorists; stopped over 700 cars, 183 citations issued; 33 arrests; 301 tickets issued; 520 reports taken; 10 breaking & entering; 42 permits issued.

Thomas Best, Fire Marshall gave an activity report from July 1, 1998 to March 13, 1999:

Calls for service:	123
Mutual Aid Calls:	15

Property Loss in Town:	\$123,735.00
EMS/First Responder Calls:	59
Water Rescue:	9
Brush Fires:	4
Fire Alarm Activations:	17
Motor Vehicle Accidents:	4
Elevator Rescues:	2
Utility Pole Fires:	4
Structure Fires:	4
Smoke Investigations:	4
LP Tank Leaking:	1

Total Personnel Hours:	420 hours 22 min.
Total Personnel Training Hours:	357 hours (1/1/98 to present)

Fire Inspections:	28
Fire Investigations:	6
Fire Prevention Programs:	12 (area schools/others)

Meetings Attended each month:

E-911 Committee; Local Emergency Planning Committee; Area Fire Chief Meeting; town Board Meetings; Onslow County Fire Chief's Association

Other Fire Department Activities:

Hose Testing; Pump Service Testing; Hydrant Testing; Hydro Testing SCBA Bottles; Pump and Equipment Maintenance

Mr. Best noted that they are currently working on updating their ISO information package, this is required to maintain our current rating of Class 6.

Mr. Best also noted that this would not be possible without the assistance of the volunteers and they are always looking for additional volunteers. They certainly appreciate all the help our volunteers provide the department and the Town we serve.

Public Works:

Thomas Best is also acting as public works director at this time. He has been pushing dunes and he is currently finished, unless Terri Potts notes any trouble spots. In regard to beach clean up, Mr. Scrivner and Mr. Bardeaux, volunteered their services to clean the beach. Mr. Best applauded their efforts. There is a new fulltime employee in public works, Jeff John, and he is in training now.

John Starzynski, Building Inspector, reported that his department has given out 114 permits for construction and received \$14,000.00 in revenue. He has made 160 field inspections since Jan. 1, 1999. The new building code changes will come into effect during the new fiscal year. Sheri Anderson has received her permit specialist building level 1 and has attended a Law Administration class. Ms. Anderson now has her Probationary Certificate, which enables her to inspect smaller building jobs. Mr. Starzynski has received 4 standard certificates. He noted that attending schools is important because building codes change. Mr. Starzynski said that he has an open door policy and if anyone has any concerns, to please talk to him.

Terri Potts, Planning and Zoning Officer, reported that there are two subdivisions underway, namely, Barton Bay and Dolphin Shores. Charles Riggs will be presenting another plat for Dolphin Shores. Salty's Pier is progressing extremely well. We have received in the last month and a half, 90,000 plants. Sand fencing is being put up now. We are looking for a piece of land for a park to build a tennis court or some kind of recreational area and are looking at grants for this purpose. Ms. Potts is reviewing the Census 2000 and is working on maps at this time. Hazard Mitigation has given out 2 applications for acquisition and relocation. Ms. Potts asked people to contact her if they are interested in this. The State is interested in property in the flood plain. Ms. Potts applauded Thomas Best in doing a fabulous job in pushing the beach. His work has prevented severe erosion and the hours he has put in is tremendous! He deserves special recognition!

ATTORNEY'S REPORT:

Attorney Bill Fuss had nothing to report.

ALDERMAN'S REPORT:

Mr. Hillyer thanked everyone for coming to the meeting and said that he understands that it is hard to come to meetings. Alderman Smith was glad to see that everyone came out today. Alderman Sizemore said that John Tew sends his regards by e-mail. Alderman Sizemore noted that If you haven't planted your dunes yet, see Terri. People have volunteered to do some planting. There is a list of representatives and state senators and

we will need their support in our beach renourishment efforts. Alderman Vecchione thanked everyone for coming out.

**MAYOR'S
REPORT:**

Mayor Bostic said that it was nice to see children in the audience.

OPEN FORUM:

Mrs. Heron thanked us for having this meeting. She noted that no one wants taxes, but she would be willing to pay more for pedestrian walkways and bike paths. Bill Rogers had concerns about dogs on the beach. Mr. Hammond said that a leash law is drafted.

**CLOSED
SESSION:**

Alderman Vecchione moved, seconded by Alderman Smith to enter into a closed session at 5:25 p.m. The motion passed unanimously.

ADJOURNMENT:

Alderman Vecchione moved, seconded by Alderman Hillyer to adjourn the meeting at 5:45 p.m. The motion passed unanimously.

Respectfully submitted,

Loraine M. Carbone

Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
REGULAR BOARD MEETING
APRIL 1, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore, and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:06 p.m. in the North Topsail Beach meeting room and declared a quorum present.

**APPROVAL OF
AGENDA:**

The swearing in of John Flynn will take place before the Request to address the Board. Alderman Vecchione suggested that Item 7e - "Ordinance Amendment "Domestic Animals" be removed and a public hearing be set to discuss this issue. Alderman Sizemore added 7g - Discussion of Position Vacancies. Alderman Vecchione moved, seconded by Alderman Smith approval of the agenda with the appropriate changes.

**APPROVAL OF
MINUTES:**

Alderman Sizemore had changes to the March 11, 1999 minutes. On the 2nd page, 3rd paragraph, add "from Fema" after "we could collect \$184,000." At the end of that same paragraph, after \$12,000.00 add, "difference". Also on 2nd page, 4th paragraph, change "your" budget to the "Town Manager's" budget. Alderman Smith moved, seconded by Alderman Vecchione approval of the March 11, 1999 Special Board Meeting with appropriate changes. The motion passed unanimously.

Alderman Smith had changes to the March 13, 1999 minutes. On page four, under "Salty's Pier", under "the town needs to agree to the sale price", change town to "Mr. Walter's". Also, the property is not Salty's Pier, it is "Barton Bay College" property.

Alderman Sizemore had some changes. On the 1st page, 5th paragraph, 11th line, change "represents" to "representation". On the 2nd page, 2nd paragraph, 3rd line from the bottom, change "your" opinions to "their" opinions. Alderman Hillyer moved, seconded by Alderman Smith approval of the March 13, 1999 Regular Board Meeting with appropriate changes. The motion passed unanimously.

BEAUTIFICATION**COMMITTEE:**

Committee member Beverly Sizemore reported that planting beds have been mulched. The committee will be planting near the walkovers when they are completed.

ADDRESS THE**BOARD:**

Carl Bogulaski addressed the Board regarding a neighbor who will not agree to have a berm be established in front of his house. He has refused to have sand pushed, which will result in a surge coming right through to jeopardize other homeowners. Mr. Bogulaski said that the town is doing a wonderful job in pushing the dunes and solicited the Town's help in establishing a dune and put plantings at 3808 Island Drive. Mr. Bogulaski lives at 100 Sea Oaks Court. Mayor Bostic instructed the town attorney and town manager to look into this issue. The cut off date is May 1st for pushing. Alderman Sizemore felt that we should look at this issue in a more general light and see what the town can do to require action by property owners or proclaim a public safety issue. Alderman Hillyer felt that we should focus on the immediate problem at 3808 Island Drive and then look at the problem in its entirety. Alderman Hillyer moved, seconded by Alderman Smith to request the town attorney and town manager to look into the dune problem at 3808 Island Drive. The motion passed unanimously. The town attorney and town manager were instructed to look into other problem areas before April 31, 1999.

PAVE:

Muriel St. John, of PAVE "People Against Violence Everywhere", addressed the Board. All the PAVE functions are done by volunteers. The group has the full cooperation of the Police Chiefs in all four area towns. PAVE has five tentative projects planned: 1. Women's volunteer program; 2. Anger Management Workshop; 3. Safe house program; 4. Counseling for victims of domestic violence; and 5. Non-violence public education. 25 police cars are supplied with stuffed animals "Kare Bears", for children who may have been traumatized and are in need of comfort and care. Volunteers are on call 24 hours a day. Abuse can happen to everyone. Abuse can be physical, psychological or sexual.

Ms. St. John asked for monetary support from the Town and asked the citizens to volunteer their services.

OLD BUSINESS:**Crosswalk Progress:**

The contracts were received and all bids closed on March 18, 1999 at 2:00 p.m. We received 4 bids and 3 of the 4 contractors were awarded bids: Classic Dream Builders – Project 2 & 3; Antinori Marine Construction – Project 1 & 5; Krystal Construction – Project 4. Contracts were developed and initiated and May 31, 1999 is the deadline for all construction.

There will be some modifications, especially on the North end since some of the dune line has been cut away by the high tides. Some crosswalks will not go out as far. The Building Inspector will go with the contractor to go over what has to be done. Mr. Hammond reported that the Corps is pumping sand out of Galleon Bay. At this point the Corps is stopping their pipe at Oyster Lane. 214,000 cubic yards are being pumped. Thomas Best said that they are supposed to run to Topsail Reef, Building One. They are moving south as they pump. Alderman Smith asked if the County has started working on their crosswalks. Mr. Hammond said that they haven't started yet, but are cleaning up the accesses at this point. Mr. McGinn addressed the Board and stated that he tried to take a walk last week and couldn't get on the beach because of the fencing. He was quite irritated and called the media. Mr. McGinn did speak to Mr. Hammond and the problem was taken care of. Mr. McGinn also wanted to thank Bill Poe for saving his life a couple of years ago and he would be eternally grateful to him.

Update on Street Repairs:

Peele Construction has started to repair the streets. Mr. Peele has been instructed that once repairs were ready to start, and if it looks as if it would be more extensive than FEMA estimated, that we would need to recall FEMA to re-inspect. He was also informed of the need for accounting of time sheets, accurate material utilized and exact amounts of work done.

Resolutions of Intent:

Mr. Hammond noted that there were four (4) resolutions presented at the last meeting. Mr. Hammond asked for any comments, changes, and should we consider to hold a Public Hearing? Mr. Hammond suggested that the Board look at the resolution for an accommodations tax first. Senator Ballantine is looking at a blank bill at this time. A Special Meeting will be held on Saturday, April 10, 1999 at 2:00 pm. Mr. Fuss suggested that the accommodation tax be slated for action. The other three (3) resolutions certainly enter some new concepts we have to go through. The Board decided to hold a Special Meeting for discussion and possible action on the accommodations tax resolution and the others would be just discussion.

Re-Entry Passes:

Information was given to the Board regarding re-entry passes. Mr. Hammond noted that we are looking at 2 separate color decals (one for the south end and one for the north end. The board was asked if they wanted to pursue this issue or continue with paper passes. The majority of the Board decided that decals would work out best. Sue Tuman noted that we have a lot of out of town owners who fly in and rent a car. They would have to get a temporary permit. Mr. Hammond agreed that there should be some consideration for this. The lead-time in getting the decals is 4 to 6 weeks. Mr. Hammond will have dollar figures for the April 10th meeting.

NEW BUSINESS: Solid Waste Service Fee:

The following information is provided to establish the North Topsail Beach SWSF for the 99/00 tax bill.

Estimated Contract Cost	\$149,328.00
Estimated Tipping Fee	<u>35,000.00</u>
Estimated Total Cost	\$184,328.00

Total Tax parcels	3476
Actual Cost per tax parcel	\$53.03
Suggest tax billing	\$60.00

At this rate it will allow a \$24,232.00 surplus in the general fund balance to supplement any additional pickups or unforeseen expenses associated with solid waste cleanup. Rogers Bay actually has 2 lots and only 2 people pay taxes. Alderman Sizemore felt that every lot owner should pay. The Rogers Bay property is advertised as deeded. Attorney Fuss said that this is a misnomer and he will look into it. Alderman Smith moved, seconded by Alderman Hillyer to accept the \$60.00 Solid Waste Service fee that property owners will pay for the year. Alderman Sizemore felt that we should include in the motion that the attorney will look into Rogers Bay. Attorney Fuss noted that we would have to look at what was granted and we may have to alter the resolution. Alderman Smith felt that we should deal with the Rogers Bay situation at a later time. The motion was approved 4 to 1 with Alderman Sizemore opposing. A citizen reported that Roger's Bay's specific rights is 1/500 undivided interest.

99/00 Audit Contract:

Mr. Hammond noted that submitted for approval is the 99/00 Audit Contract from Thompson, Price & Co., P.A. Certified Public Accountants. The total bill is \$9,250.00. Alderman Smith moved, seconded by Alderman Vecchione to accept the 99/00 audit contract. The motion passed unanimously.

Ordinance Amendment "Parks & Recreation":

Mr. Hammond stated that several months ago the board asked him to look at rules for jet skis. Mr. Hammond pulled sample ordinances and suggested changes. Alderman Vecchione suggested that we first get the Police Chief's input and put this on the agenda at the May meeting. Sue Tuman asked if it was possible to see what the current ordinance is. Attorney Fuss suggested that any new language be underlined and if there is language being deleted, to put that in brackets.

Vacancy to Planning Board:

Alderman Sizemore noted that John Flynn has to submit a written resignation from the Planning Board. Alderman Flynn's term will be up 2000 in April. Mayor Bostic opened the floor for nominations to the

Planning Board. Alderman Sizemore nominated Charlotte Wilmer. Alderman Flynn noted that we did have an application from Ronald Coy. Alderman Hillyer moved, seconded by Alderman Smith to solicit a motion to close the nominations. The motion passed unanimously. Alderman Vecchione moved, seconded by Alderman Sizemore to appoint Charlotte Wilmer and Ronald Coy to the Planning Board Committee. The motion passed unanimously.

Position Vacancies:

Alderman Sizemore noted that the town has two positions open; the Assistant Fire Marshall and a police officer and said that we should consider if we have to replace these positions. Alderman Sizemore noted that citizens say we have too many officers. Mr. Hammond stated that we have already hired a police officer at an entry level. The new officer's name is Brian Deel.

Alderman Smith said that he understood Alderman Sizemore's concerns, but that he would like to pursue the Assistant Fire Chief position. Alderman Smith felt that we need someone on the north end of the beach. Mr. Hammond noted that if we don't hire an assistant and just hire a fireman and bring him in as an hourly wage employee, overtime will be time and a half and will end up costing us more. Bill Poe noted that we are getting into the busy season and if we hire at an entry-level position, offering \$25,248.00, that it is ample enough of money to live on the North end. The Town needs the coverage and Mr. Poe asked that we don't digress with programs that have already been started. He also stated that when Thomas Best is on vacation or on another call you need chief officer material to cover. Mr. Poe stated that he certainly would encourage the Board to fill this position immediately and not lose what we have in place. Mr. Hammond said that the Assistant Fire Marshall position is being advertised in three papers, the Internet, the International County Manager's Association Newsletter, Employment Security Commission and the North Carolina League of Municipalities periodical "Southern City". Alderman Sizemore said that he wanted the board to discuss replacing this position so that citizens can hear what others think since we need to justify the way we spend money. Alderman Smith noted that not filling the position would affect our ISO rating and response time is important for fire and medical. Mr. Dale noted that this position is top priority. Alderman Vecchione noted that he is a volunteer fireman and there have been many times that he has received calls and Bill Poe was there before the truck arrived. It is crucial to have someone supervise the volunteers. Alderman Smith asked the town manager that the board meet the candidates.

MANAGER'S
REPORT:

MANAGER'S REPORT
APRIL 1, 1999

Mr. Hammond introduced Roy Tootle as the new Public Works Supervisor, who will start work on May 3, 1999. Mr. Tottle expressed his appreciation to the Board and citizens.

1. Enclosure 1 is a synopsis of the CRC meeting last week in Atlantic Beach. It was prepared by Jeff Hudson and addresses proposed changes to the establishment of their new policies. They have turned it over to the facilitator.
2. Enclosure 2 – Topsail Reef Board of Directors has invited the Board members and their families to join them on a Pig Picking Saturday, April 24, 1999 at 1:00 p.m. Please call Linda at 328-1250 if you have questions.
3. Enclosure 3 is a statement from Falcon Cable notifying North Topsail Beach of a rate increase effective June 1, 1999.
4. Enclosure 4 is notification from CAMA establishing grant funds for local Planning & Management Grant program. I would like you to give me input if you want us to pursue this.
5. Enclosure 5 is notification from CAMA establishing Public Beach and Coastal Waterfront Access Fund's Grants.
6. Enclosure 6 is a synopsis of what these grants may be used for. Is there a desire by the Board to pursue either of these grants?
7. The Land Use Plan was adopted by the CRC on March 26, 1999. There were only 2 questions at the preliminary hearing on March 25, 1999 and it passed unanimously on March 26, 1999.
8. I have incorporated the North Topsail Beach Substance Abuse Policy into the Personnel Policy established by the MAPS Group. It is now effective and we are moving on a monitoring program.
9. Street repairs are underway, Galleon Bay is underway and the crosswalk repairs are underway. All projects will be completed by May 31, 1999.
10. I received a call from Mr. Bryan Riggs who purchased a surplus vehicle in 1998. When the previous Town Clerk issued the Title, they transferred the Title to the 92 Fire Truck. The error was not realized until Mr. Riggs tried to sell the vehicle. As a result of this mistake, he is out approximately \$500.00 and has asked the Town to help defray this additional expense. His expenses are as follows:

\$210.00	Tax
35.00	Title Fee
10.00	New Title
50.00	Lost Title
200.00	Decrease in sale price due to Title mess-up and having to wait.

It was not his error, but an error on the part of the previous Town Clerk. Mr. Hammond suggested that we split the cost to defray his loss. Alderman Steve Smith felt that we should pay nothing. Attorney Bill Fuss said that he would support whatever decision the board makes. No action was taken.

11. I have asked the Building Inspection Department to start enforcing our nuisance ordinance. There are properties with debris and old structures that need to be removed or repaired and there are properties that are again encroaching on the public row hampering transition to and from the beach. Law requires it and we will send them a letter of notification and give them 30 days to comply. At that time we will take action. I ask the Board to back us up on this issue to get the town cleaned up.
12. I received a letter of thanks from the North Carolina Shore and Beach Preservation Association for joining their efforts to preserve and protect North Carolina beaches.

Mr. Hammond also reported that he met with Don Green from the state and a representative from FEMA and presented them all of the DSR's from Fran that were outstanding. The only one rejected was for road repairs for Goldsboro Lane because Goldsboro Lane was in a Cobra zone. We lost \$3,000.00 on that. If our figures are correct, we will get approximately \$207,000.00 back. Even after paying Disaster Response Technologies for all of their research, we still clear in excess of \$3,000.00. Disaster Resource Technologies found a document, signed by Onslow County, that stated that once everything was completed after Fran, they would reimburse us for administrative work. They came up with bill of \$1,600.00 and we received a check this week from Onslow County. Out of the demolition work, there was about \$22,000 that was expended for four buildings, plus the motel. Disaster Response Technologies came up with enough documentation for reimbursement for the motel, so we will get \$12,000 from FEMA on that. There was an additional \$10,000.00 for four other structures that FEMA feels that even though North Topsail Beach documented that we paid for it, we can't prove by written documentation when it was actually done and FEMA's contention is that all of the debris and demolition work was done under Onslow County's contract, they therefore paid Onslow County. If we want the \$10,000.00, we will need to go to Onslow County. We can't find any documentation on this issue. It was a one-year contract. Mr. Hammond's personal opinion is that if we tried to push FEMA on the \$10,000.00, it would jeopardize the \$200,000.00. Mayor Bostic noted that the Board voted on it and it should be in the minutes. The mayor asked Mr. Hammond to contact Jeff Holland.

ATTORNEY'S

REPORT: Mr. Bill Fuss noted that there are more headlines in the papers from legislators relating to beach issues. Mr. Hammond and Alderman Sizemore are getting a good response from our representatives, but we don't have the resources to lobby. The Board should consider a citizens adhoc lobbying committee where people can do the town's bidding. We need to keep the town in the forefront. Mr. Fuss suggested setting up a workshop and soliciting input from citizens. Dan Tuman felt that we should put our heads together and decide which direction the Board wants the citizens to go. Attorney Fuss noted that the board has to set the agenda, and identify the issues that are important to the town. We will discuss this issue further on April 10th.

Charlotte Wilmer noted that State Rep. Ronnie Smith has drafted a bill for DENR to establish a strategy and propose a plan which would include beach renourishment projects. Ms. Wilmer felt that we should attempt to get a handle on this and not have towns competing for their support and federal dollars and adopt a resolution to support this.

MAYOR'S

REPORT: Mayor Bostic reported that Doug Howell was our ambassador after Fran and that he has good information on mitigation. Everybody relates to the barrier islands and the high costs. The meeting Mayor Bostic attended was very informative. Alderman Steve Smith suggested contacting Emergency Management for more information

ALDERMAN'S

REPORT: Alderman Joe Vecchione said his good-byes to Bill Poe. Alderman John Flynn said that he appreciates the opportunity to serve citizens especially with the budget coming up and he will be looking for input from the citizens. Alderman Otis Sizemore welcomed Alderman John Flynn as a new Board member. Alderman Sizemore also asked when the budget workshops would begin. Alderman Sizemore requested that everyone write to Representative Robert Grady, and to copy Sen. Ballantine and Rep. Warwick, and let Rep. Grady know we are not happy with his lack of support for beach renourishment. Rep. Grady wrote to Alderman Sizemore and sent articles in support of his own issue. The Jacksonville Commissioners and Sen. Ballantine are also upset with Rep. Grady. Alderman Steve Smith welcomed Alderman John Flynn to the Board. Alderman Smith also wished Bill Poe and his family the best of luck. Alderman Peter Hillyer gave his congratulations to Alderman John Flynn and said his good-byes to Bill Poe. Alderman Hillyer also felt that we shouldn't beat on Rep. Grady, but give him reasons of why he is wrong. We need to be diplomatic.

OPEN
FORUM:

Sue Tuman thanked Bill Poe and wished him good luck. Mrs. Tuman also noted that in regards to animal control, as President of Top Cat, she was disappointed that she was not contacted for her input for an ordinance. She noted that they have taken care of over 400 cats in this town. Alderman Vecchione said that we would have a public hearing on this issue.

ADJOURNMENT:

Alderman Vecchione moved, seconded by Alderman Hillyer to adjourn the meeting at 9:30 p.m. The motion passed unanimously.

Respectfully submitted,

A handwritten signature in black ink that reads "Loraine M. Carbone". The signature is written in a cursive, flowing style.

Loraine M. Carbone
Town Clerk

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TOWN OF NORTH TOPSAIL BEACH
SPECIAL MEETING
APRIL 10, 1999
2:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Joe Vecchione and Otis Sizemore, Town Manager, Tony Hammond, Town Clerk, Loraine Carbone

NOT PRESENT: Attorney Bill Fuss

CALL TO ORDER: The meeting was called to order at 2:00 p.m.

**APPROVAL OF
AGENDA:**

A briefing by Mr. Dave Clark regarding the privatizing of wastewater was added to the agenda. The agenda was approved with the addition.

**WASTE WATER
SYSTEM:**

Mr. Clark addressed the Board. A Joint Utility meeting was held, at which time, representatives from all the towns and Camp Lejeune, signed a resolution of intent to pursue the formation of a countywide wastewater system. When this resolution of intent is adopted, one purpose is to research the feasibility of incorporating the federal utilities, i.e., the wastewater system on Camp Lejeune, into that countywide utility system. Provision in Federal Law directs the military wherever feasible to privatize wastewater, gas, electrical, and as a result, Navy facilities has sent a request for information from the Navy seeking interest in acquiring the military utilities on Camp Lejeune. There is a 2-step process. We have to submit to the Navy by May 21, a letter of intent, that can be no longer than 20 pages. They want a submission from any interested party that has the desire and ability to acquire the wastewater systems on Camp Lejeune. Since we don't have a water sewer authority in Onslow County, we held meetings with the City of Jacksonville. We want to put together the strongest proposal. Based on the response that the Navy receives, they will evaluate and determine if there are in fact qualified entities in existence to acquire and operate these systems at cost savings to the military. The only way they can privatize is if the construction and maintenance costs can be cheaper for a military base to become a customer. They have to see if it is less expensive to be a customer than own the system themselves. We have to show our abilities of operating a system on Camp Lejeune. They have capability of producing approximately 13 million gallons of water a day. On the wastewater side, they have a new plant. If we can acquire these base utilities, when growth takes place in Onslow County, there is water available for that growth and there is wastewater capacity. We could sewer the unsewered parcels of Onslow County. It's important that this submittal be as strong as it could possibly be. By putting in a joint proposal that will affect Jacksonville and

the base, with our licensed operators, the County has a strong level of experience and the city has strong experience in wastewater. The second step is a formal request for a proposal. It is possible that an authority could be formed. We need to determine if we have to sell bonds to acquire these assets. The Authority does not have a bond rating since it is not established. We will need to provide a level of service equal or better and costs equal or less and do it in compliance with all the laws. There is another meeting on Monday, April 12, 1999 at 3:30 p.m. in the Onslow County Manager's office. We have six weeks to put together the first submittal. There will be private companies that will also submit proposals. We have experience in the geology and in operating wastewater plants. We will have to put together the financial end. As we extend into the County, fees can keep down the operating costs.

Alderman Sizemore noted that if privatization is accomplished by an out of state company, that this is not what the county is looking for. Mr. Clark agreed, since if a private entity came aboard, they must be granted a franchise, would have to go through public hearings, and wouldn't be able to reap the additional benefits of tap fees. The initial proposal was to clean up the New River, which is the overall County strategy to achieve that goal. Mr. Sizemore also asked if there was any state money? Mr. Clark noted that it is more readily available to an authority rather than a private entity. Mr. Hillyer asked if there was anything that we could do? Mr. Clark noted that in their second meeting that was held, they divided up tasks. The Navy is looking for: 1. Demonstration of capability of owning such a system; 2. Financial capacity to operate a utility system; 3. Statement showing we have understanding, obligation to continue service; 4. Understanding of any franchise requirements; 5. Understanding state and federal laws dealing with operating water systems. Arcadis is doing a feasibility study and has done up maps. The towns could be willing to join the authority. Alderman Smith noted that he is on the Joint Utility Commission and he has heard nothing about this issue. Mr. Clark stated that he thought there was some contact made with the Navy in Norfolk and they were asked to get the ball rolling. He also noted that they have been in contact with a consultant. At the end of the discussion, Mayor Bostic thanked Mr. Clark for his presentation.

DISCUSSION
AND POSSIBLE
ACTION:

ACCOMMODATION TAX RESOLUTION:

RESOLUTION NO. _____

RESOLUTION REGARDING AN ACCOMMODATIONS TAX FOR THE TOWN OF NORTH
TOPSAIL BEACH

WHEREAS, the Town of North Topsail Beach desires to protect the Public Beach and the adjacent Dune System, and

WHEREAS, the practice of "beach bulldozing" affords only temporary respite from the ravages of great storms which afflict the Town of North Topsail Beach, and

WHEREAS, Beach Renourishment has been demonstrated to be an effective method of accomplishing this goal; and

WHEREAS, Beach Renourishment is a highly expensive undertaking which is beyond the means of the Town of North Topsail Beach to accomplish without special taxation; and

WHEREAS, the Town of North Topsail Beach does not enjoy the privilege of an Accommodations Tax, as do the towns of Surf City and Topsail Beach;

NOW, THEREFORE, BE IT RESOLVED, that the Town of North Topsail Beach, through State Senator Patrick Ballantine, does request that the Legislature of the State of North Carolina adopt a Local Act enabling the Town of North Topsail Beach to impose a tax of three (3) percent on the gross proceeds from rental income within the Town of North Topsail Beach with all proceeds from such tax to be held within a special Trust Fund for Beach Renourishment and Dune Stabilization.

Adopted this _____ day of _____, 1999.

Marlow F. Bostic, Jr.
Mayor

Loraine M. Carbone
Town Clerk

Mr. Hammond noted that the attorney looked at the original resolution and made a few changes. Senator Ballantine agreed to a blank bill, but asked for a resolution.

Alderman Peter Hillyer moved, seconded by Alderman Joe Vecchione to adopt the Accommodation Tax Resolution. The motion passed unanimously.

DISCUSSION: BEACH RENOURISHMENT RESOLUTIONS:

Alderman Sizemore noted that in regard to the Trust Fund Resolution, we need someone who is not directly connected to the Town of North Topsail Beach. We need to show that funds that are collected are not going into the general fund. We have to demonstrate our good faith effort to citizens and to the legislature. Alderman Flynn said that it was premature to include a special tax district since we don't have one yet. Mayor Bostic noted that we already have a special account, the dune account and couldn't this qualify as a separate account? Alderman Sizemore felt that the dune fund does not guarantee protection of that money, but a special trust fund would guarantee it since it sets it aside from any other program the town might have. Mr. Hammond stated that a lot of areas are establishing these special trust funds. Mayor Bostic had concerns with this type of trust fund since whoever is put in charge may not want to take the money out of it. Alderman Sizemore noted that this trust fund resolution will help our accommodation tax resolution. Charlotte Wilmer suggested that we think carefully before setting up a separate body to approve the spending of funds and that we should change that part of the resolution. The committee should be advisory only and the Board should have control. Ms. Wilmer also suggested that we set it up so that private individuals can bequeath assets so it can be tax deductible. Bill Rogers felt that this is a good start, but he disagreed that what we have will guarantee that these funds will be spent on what we want it for. A trust is fine but you have to protect it and the board should have control, which will guarantee that the funds are used correctly.

Mr. Hammond reported that we are all trying to do Beach Renourishment as an Island wide project. Alderman Smith noted that we were directed by Congressman McIntyre to go forward with this. Alderman Sizemore said that he has spoken with our representatives and that he believes that if this town and the other towns don't protect our beaches we will not have homes. We have to address beach renourishment today.

In regard to the Special Tax Districts Resolution, Alderman Sizemore has had some comments from citizens who have suggested a graduated tax, a special tax for the Cobra zone, and an impact fee for the Cobra zone. This is another attempt to get this started. We have to look at creative ways to fund this. Alderman Flynn felt that we would create two types of citizens. The North Topsail Beach charter talks about the inhabitants being a body politic. We want to protect the coastal and estuarine areas. We shouldn't delineate the water

front people. Forcing public beaches to support this for the people who happen to have dune front property didn't make sense to him. Alderman Flynn agrees with the aim of the resolution to increase Town revenue, but he is not in favor of the means. Alderman Sizemore noted that Holden Beach and Ocean Isle Beach, as a method of raising money, have adopted this. It is legal for the Town to set up tax districts as long as they are applied fairly. Alderman Hillyer noted that it is unrealistic and he appreciates Alderman Sizemore's searching for different ways for more revenue, but this one is not a good one.

Mayor Bostic noted that we have lost a great deal of our tax base since the hurricanes. Marge Lombardo agreed in not taxing certain groups and asked if we have thought of setting up a way for people to donate money to a beach renourishment fund. Mayor Bostic noted that it could be added to the trust fund. Fred Allen said that everyone knows that something has to be done right away and most of the people here would be willing to do whatever we have to do. Mayor Bostic said that we are fortunate that we have the intercoastal waterways and the Corps has said that they will always give us the sand when they dredged. One problem though is that CAMA will not allow a lot of the sand to be placed on the beach.

The consensus of the Board was not to establish the Special Tax District.

Alderman Sizemore suggested that we note in the Trust Fund Resolution that we will have individuals serve as advisors to the Board of Alderman and the elected board will make any ultimate decisions. Alderman Flynn felt that this Resolution needs to be totally reconstructed. Alderman Smith recommended that the Town Manager check with other municipalities to make sure we don't leave anything out.

Alderman Sizemore noted that if we establish a trust fund we could channel the money. We can hold public hearings and get citizen's input on the resolutions. The public is going to have to share part of the burden.

Mayor Bostic noted that when Fran hit it helped that we had a dune tax, and we were the only town that did that in all of coastal North Carolina. Alderman Sizemore felt that we have the disadvantage of Cobra zones and we could look to get some property re-classified out of the Cobra zone.

AD HOC LOBBYING COMMITTEE:

Mr. Hammond reported that Attorney Fuss' concern was that we didn't have anyone designated that could lobby for North Topsail Beach. One suggestion was that Charlotte Wilmer has some experience in this area. Alderman Flynn felt that we should have an Island type lobbying committee and bring this up at a Four Town meeting. Mayor Bostic noted that Bill Furney helped them in a lawsuit and represented them at Congress. He worked with the governor and was in

Public Relations for Neuse River. He knows the history of Topsail Island and would be a good source for us since he knows all the key players. Mayor Bostic suggested that we see what the other towns are doing now and don't wait for the next Four Town meeting. Charlotte Wilmer said that she was interested in helping to develop the coalition. Mayor Bostic asked Ms. Wilmer if she would chair the committee and she said she would have to think about it. We need to establish a committee now and Mayor Bostic appointed Mr. Hammond as chair at this time.

BUDGET AMENDMENT #2:

Mayor Bostic noted that under inspections and zoning, there is an overexpenditure on employee training. Mr. Hammond reported that when John Starzynski was hired he was to go to all levels of plumbing, electrical and fire classes. Under his contract, each certificate he receives gives him a pay increase of 2.5%. He has completed all but two classes. Mayor Bostic questioned taking the classes all in one year. It was suggested that a freeze on training be implemented until further notice. Alderman Flynn asked if department heads were told that there was no requirement to spend the rest of their funds. Mr. Hammond said that he has not encouraged them to spend anymore in their budgets. This budget did not match the revenues since previous staff budgeted more going out than what was coming in. For example, they estimated \$20,000.00 for mechanical permits and right now we have \$4,465.00. We will have trouble balancing this budget. Previous staff took money out of FICA and 401k to balance the budget and they shouldn't have. Tickets and fines were also overestimated. Mr. Hammond noted that the budget that was developed last year was not bare minimum, but this year he is working at bare minimum and there is no leeway to pad their budget. I have assured department heads that if they give me a well-prepared budget without padding, we will fight the board with it.

Alderman Sizemore agreed that the fees in the previous budget were budgeted high.

RECESS: Alderman Steve Smith moved, seconded by Alderman Joe Vecchione to recess this meeting at 4:10 p.m. until Monday evening, April 12, 1999 at 6:30 p.m. The motion passed unanimously.

Respectfully Submitted,

Loraine M. Carbone

Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
BUDGET WORKSHOP
APRIL 12, 1999
6:30 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Joe Vecchione and Otis Sizemore, Town Manager, Tony Hammond, Town Clerk, Loraine Carbone

NOT PRESENT: Attorney Bill Fuss

CALL TO ORDER: The April 10, 1999 meeting that was recessed was called to order at 6:35 p.m.

BUDGET AMENDMENT: Budget Amendment #2 is to balance some of the categories that were overspent in some of the departments. Alderman Peter Hillyer moved, seconded by Alderman Steve Smith to adopt Budget Amendment #2 as presented to the Board. The motion passed unanimously.

Alderman Smith complimented Lydia King on the clarity of the budget reports. Alderman Sizemore said that we need to look hard at expense and revenue. Alderman Sizemore also asked if it made any sense to fill any vacancies. Mr. Hammond noted that we have saved on the Public Works Supervisor's salary and it will be decreased from the previous supervisor. The Assistant Fire Marshall will be employed at the lower level and is a necessity. Mr. Hammond felt that these areas should balance out.

Alderman Peter Hillyer moved, seconded by Alderman Joe Vecchione to adjourn the recessed meeting at 6:45 p.m. The motion passed unanimously.

CALL TO ORDER: The Budget Workshop was called to order at 6:45 p.m.

BUDGET WORKSHOP: Mr. Hammond reported that adjustments have been made from Department Heads. We've brought it down to the bare minimum right now. Some areas have gone down and some have gone up. Postage and mailing is all under administration. Utilities are under one line item. Advertising was moved under one line item. This is where you will see different changes. We asked employees not to inflate their budgets. They were asked for an estimate to run their departments. This is the bottom line. We've looked at revenues. The revenues budgeted last year were grossly overestimated. This year's is drastically different. Mr. Hammond noted that this is our first draft for the Board to review.

Mayor Bostic asked where the tax base came from. Lydia King, the finance officer, called Onslow County for a valuation and was given the estimated total of \$239,007,502. These are estimated figures as of April 8, 1999. Mayor Bostic asked that these figures be checked into again.

Alderman Flynn asked that we check mark what we feel positive about on the revenue side next time. Mr. Hammond noted that the taxes might change depending on valuations.

Alderman Sizemore suggested payment in lieu of open spaces. Rather than dedicate open space the developer would give money to the town. Alderman Sizemore asked if we should adopt a policy to give the Planning Board direction. Mayor Bostic noted that the formulas are already in place and the Board should have a representative at the Planning Board to see what they feel. Alderman Sizemore said that he would attend the meeting. The consensus of the Board was that they would make this a priority as recommended by the Planning Board.

The question of increasing the filing fee was discussed. We will address this at the next meeting. Municipal elections will take place at the Town Hall.

Mr. Starzynski noted that our permit fees are lower in most cases. Our building permits are higher. Houses are where we generate most of our income. Mr. Starzynski was conservative on plumbing and electrical and questioned raising the zoning fee.

Mayor Bostic asked if \$200.00 was enough for training under Public Works. Thomas Best said that he was assured by John Tew that it would be enough.

Mayor Bostic felt that the Dune money should be in a separate account. Mrs. King noted that it was in the general fund.

Mayor Bostic was concerned that the paint for the dozer was high and the machine was not prepared properly. Mayor Bostic also felt that the repair of the dozer should come out of the dune fund. Alderman Sizemore wanted to discuss that since we could be criticized for doing that. Mr. Hammond said that we need to follow up on Rep. Warwick since he talked about a bill, attaching a \$50,000 grant in regard to the dozer.

It was noted that Inspections and Zoning are two separate departments now.

Mayor Bostic asked that copies of the budget be available for citizens.

Alderman Flynn felt that everything was detailed, but had concerns with the valuations. Mr. Hammond noted that the only thing we can do, up to the last minute, is check with Onslow County and see what the valuation is. Mr. Hammond will talk with the Tax Collector tomorrow. Alderman Flynn was dubious about basing our revenue on what Onslow County will tell us.

RECESSED:

The Budget Workshop recessed at 8:35 p.m. to Thursday, April 22, 1999 at 7:00 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Loraine M. Carbone". The signature is written in a cursive, flowing style.

Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
BUDGET WORKSHOP
APRIL 22, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Joe Vecchione and Otis Sizemore, Town Manager, Tony Hammond, Town Clerk, Loraine Carbone

NOT PRESENT: Attorney Bill Fuss

CALL TO ORDER: The April 12, 1999 meeting that was recessed was called back to order at 7:05 p.m.

**BUDGET
WORKSHOP:**

Mr. Hammond noted that this budget is a rough draft. There are still changes that will be made and it is for comments only. Mr. Hammond has spoken with the Institute of Government and they condoned what we are doing. There were some changes that the board suggested at the first workshop. Those changes are marked as "CP" for correction. The dollar amount from the tax office regarding valuations was checked on again today, this is still a good figure, but it is still subject to change. The valuation is \$239,007,502.00 as of April 8, 1999, which is an increase from last year. Alderman Hillyer was concerned over the difference between revenues and expenditures. Mr. Hammond said that we still have to balance it, but it is much less significant than four weeks ago. Mrs. King noted that last week the election expenses were not included. Mr. Hammond also noted that the filing fee would be raised to \$25.00 by a resolution. Alderman John Flynn felt that the draft presented was not in balance and that there was not a great deal of value in going through line items. Alderman Flynn also requested that a budget with a 10% budget line be presented so that it could be discussed more easily. Alderman Hillyer noted that he did not have enough knowledge of what the various departments needed and does not know what is reasonable and not reasonable. Alderman Hillyer also noted that these changes have to be made by the town manager in concert with the department heads. Alderman Sizemore also felt the same way and said that the town manager's job is to present the budget and budget message and that the board should not be preparing a budget for the town. Alderman Sizemore also said that last year the Board had to do that, but this year they don't. He noted that he has confidence in the town manager. Mr. Hammond said that the only reason we are here is that the Board wanted workshops now, but we were not ready. Alderman Vecchione said that it would cut down on confusion if the town manager presented the budget when completed. Mrs. King noted that the budget is already close because of cuts. Alderman Smith asked how much was carried over from last year? Mr. Hammond noted that we wouldn't know until we get the audit.

Alderman Smith felt that there would have to be an overall percentage cut from all the departments. Alderman Sizemore felt that we couldn't give a percentage to cut a budget across the board. Alderman Flynn asked how long it would take to adjust the budget. Mrs. King said that department heads know where they can cut and the budget will have to be given back to department heads. Mrs. King also noted that we have cut each department three times already and not to expect a drastic change.

Alderman Sizemore stated that several departments have planned for overtime and he suggested that if employees can't get work done during daytime hours, that some citizens would have to wait. Mr. Hammond noted that when employees attend meetings they often receive overtime since they can accumulate just so much of comp time. Alderman Sizemore suggested that the Board realize this when they call a meeting, and if employees don't have to be here, don't let them attend. Mr. Hammond also noted that overtime also reflects on worker's comp, insurance, etc. and he does not want to underestimate like last year.

Mayor Bostic stated that there are items that we don't have to buy and he has a lot of questions on line items and wanted to justify it to the citizens. Alderman Flynn said that no one mentioned that we wouldn't look at it, but it is too out of balance at this time. We need a much tighter package in two weeks and then we can go through it in detail.

The next budget workshop will be held on May 5, 1999 at 7:00 pm.

ADJOURNED: The meeting adjourned at 7:30 pm.

Respectfully Submitted,



Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
SPECIAL BOARD MEETING
APRIL 29, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

NOT PRESENT: Alderman Joe Vecchione

CALL TO ORDER: Mayor Bostic called the meeting to order at 7:05 p.m. in the North Topsail Beach meeting room and declared a quorum present.

Mayor Bostic welcomed County Manager Ron Lewis and Commissioners Tony Padgett and Larry Fitzpatrick.

APPROVAL OF AGENDA: Item 6 - Cama Grant for Regional Hazard Mitigation Plan and Geographic Information System (GIS) Development was added to the agenda.

TOPICS OF DISCUSSION: Mr. Roland Gunn, of R.D. Gunn and Associates discussed lobbying for Island related issues with the Army Corps of Engineers, Dept. of Interior, FEMA and other federal agencies.

Mr. Hammond also talked to Mr. Gunn's partner, Bob Gaines, who also has experience in lobbying. Our interest is Beach Renourishment and changing some of the Corps policies, along with cleaning out the Intercoastal Waterway and getting the Corps to pump directly on the beach. We also need to address the Cobra issue.

Mr. Gunn noted that he and Mr. Gaines work for different firms located in the D.C. area. Mr. Gunn concentrates on congressional issues and Mr. Gaines works on administration. Mr. Gunn's specialty is in economical development and land use policy. He has a good line of access to the Corps through Senator Warner. The main project for North Topsail Beach is the beach renourishment project. If you want to change the way the Corps does the dredging, there would have to be a change in the policy and we could probably persuade them to use this island as a test. Mr. Gunn would work with Mr. Hammond and the other towns to put together a marketing package that they could take to the Clinton administration.

Alderman John Flynn asked if they have considered President Clinton's past viewpoint on beaches and why would this change they're thinking and also, why would congress do this for us. Mr. Gunn said that our local constituents would want to and our Senators are key players. He didn't think there would be any local opposition to this.

Mayor Bostic noted that a lot of the material that the Corps dredges is not compatible with our beach. We have a limited sand source that is

compatible and what we receive annually or semi-annually is from the waterway. The muck that's out there that they dredge every 10 years is not compatible. We have an inlet that is plugged with sand that is compatible. It's cleaned out with hopper dredges and carried out to the sea. We would need a pipe line dredge if we funded it and it could cost several million dollars. We don't have a sand source that is sufficient. Our goal is to get sand on our beach.

Alderman Otis Sizemore noted that we possess 100% of the cobra zone on Topsail Island. Half of the cobra zone could be removed from that designation easily. Mayor Bostic noted that Cobra issues go beyond beach renourishment. The savings to citizens that do own dwellings will be fantastic. Alderman Sizemore said that we have to protect the wildlife and if the beach goes we won't have any wildlife. We need to preserve the beach for tourists and wildlife. Alderman Sizemore asked Mr. Gunn if he could deal with independent local governments and two counties. Mr. Gunn noted that he had the responsibility of dealing with all of the governments in the jurisdictions he worked in. Mayor Bostic asked Mr. Gunn what his timeframe would be. Mr. Gunn noted that before we engage him, we have to figure out exactly what we want to do. He stated that he couldn't do a good job unless he has a clear understanding of what you want him to do. Mayor Bostic said that the local Corps has given us suitable material when it has been available. Mr. Gunn felt that it was good that we have such an excellent relationship with the Corps.

Mr. Hammond noted that one of the projects that Mr. Gunn has worked on was a lake project and the other was in Maine regarding storm drains.

Alderman Flynn asked Mr. Gunn that if we were able to give him a mission statement, would he have some feel of what length of time and expense it would take. Mr. Gunn said that we would hope to break it up and get it in place by the next fiscal year and would try to move it forward in the next appropriation cycle. Mr. Gunn noted that he would meet with the congressman in this area and meet with the two senators and see how far they are willing to go and if they would devote a staff member to work with us.

Mayor Bostic asked Mr. Gunn if he has ever been involved in Cobra issues. Mr. Gunn said no, but he does know people at the Corps. Mayor Bostic said that the short term is maintenance and the long-term issues are finding a sand source and the Cobra issue.

Alderman Sizemore noted that we can't apply for help independently, yet the other towns were invited and they did not come to this meeting.

Mr. Gunn stated that it would be helpful for everyone to work together on this. Alderman Sizemore said that there are two possible sources for sand, we have one and Topsail Beach has one.

Mr. Gunn noted that his contract would be \$5,000/month. He guaranteed that we will get their best efforts and full and complete information about what they do. Mr. Hammond noted that \$60,000.00 is not high if you divide it by five.

Alderman Sizemore made a proposal to the Onslow County Commissioners to come to North Topsail Beach and see first hand what is going on at our beach. Alderman Sizemore also offered the use of his vacation rental as long as it was before Memorial Day. Commissioner Padgett said that North Topsail Beach is a vital part of Onslow County and that we are not forgotten and working together is viable. Commissioner Padgett also noted that Congressman Jones represents Onslow County solely and is a good contact. He also said that we need to take one step at a time. Cobra and sand is an issue and the turtle issue is major. The Onslow County Commissioners have met with the state representatives and they are concerned about the beach. The County is spending a lot of money on beach accesses and it benefits everyone. Commissioner Padgett said that as far as committing dollars, he could not do that himself, but he is willing to see what options we have. He also said that we will need to work collectively and he would have liked to have seen the other towns at the meeting.

Commissioner Fitzpatrick said that it was critical to get all the towns together and to get sand back on the beach. He said that this should be our prime number one option to look at. He also noted that we have endangered species and if the beach is washed away it will harm the turtles. Mayor Bostic said that we would also need sponsorship by the Onslow County Commissioners. We cannot solicit support from County citizens without the Commissioner's support.

Alderman Sizemore noted that he has a good relationship with Surf City and he can speak to them. He also said that we have to take the first step and he has spoken to the Onslow Commissioners twice at their meetings.

Mayor Bostic asked Alderman Sizemore to address the board at the Surf City Board meeting on Tuesday night and report to us on May 6th. Alderman Smith said that he would try to get on Topsail Beach's agenda. Alderman Sizemore said that we need to speak to Pender County Commissioners. Commissioner Padgett said that he could probably get Surf City to talk with their commissioners and then have a meeting with all of us. We need to plan our strategy and go from there. We are one community, the beach is important to all of us.

Mr. Gunn noted that the two most intriguing things that he has heard is the endangered species issues and that there are so many absentee owners. He asked that we communicate with them and have them contact their representatives.

Alderman Sizemore said that he could generate a customer list of 300. Attorney Bill Fuss said that we would be shocked at who has contacts on this island. He has done closings for people who know big contributors. Mayor Bostic agreed that we have a lot of well-known people who have vacationed here.

Commissioner Fitzpatrick noted that the timing is right for beach renourishment because Representatives Smith and Redwine have introduced a bill supporting this and we need to get behind them and make sure it gets through the senate.

Mayor Bostic said that we have to do this as a group, and hopefully we can get everyone to come in with us. Commissioner Padgett said that he thought that the Onslow County Commissioners would be willing to help. This would be a good resolution for all the towns to adopt. We need to start a campaign to save the beach.

Mr. Hammond discussed the possibility of the four towns looking at a municipal airport. Mr. Gunn noted that there is federal transportation money out there for an access road to the airport. The town is not eligible for community development block grants, but the County is. Mr. Gunn said that looking at the Spoil Island, we could do a feasibility study. He said that we could build something on the land to go with the marina, i.e., restaurant, hotel, and shops. There are at least four excellent sites here. Alderman Flynn asked Mr. Gunn if he required from us mission statements for all the projects and would that be the next step. Mr. Gunn said that he looks at himself as the tool and that we have to tell him what to do.

Mayor Bostic asked Alderman Smith if his committee could come up with the task. Alderman Smith said that they would have to meet right away.

County Manager Ron Lewis said that there is no question that we need to lobby our representatives and noted that the County does have friendships out there. Mayor Bostic noted that at some point in time we would definitely need monetary help from the County. Commissioner Padgett said that he doesn't have a problem with that. County Manager Ron Lewis said that the County Board has had a couple of retreats at North Topsail Beach and the Board would prefer to do a day trip. Mayor Bostic said that we can make the arrangements and asked the Commissioners to get back to Mr. Hammond as soon as possible.

Mr. Gunn expressed his appreciation to the North Topsail Beach Board of Aldermen and the Onslow County representatives.

Mr. Hammond discussed the possible interest in purchasing a small airport in Holly Ridge. He has not received much input from Topsail Beach and Surf City. The gentleman who owns the airport does have some private people who are interested in purchasing it. Mr. Hammond asked the Board if they wanted to continue pursuing this issue. Alderman Hillyer noted that he didn't have enough knowledge and was skeptic of four part owners. Mr. Hammond stated that there are grants out there, but asked if we wanted the liability. Alderman Smith felt that we have the Jacksonville and Wilmington airports and was concerned that taxpayers may have to support this project and there would not be any interest. Alderman Sizemore said that we are not talking about heavy planes, just single engine planes. He felt that it was an intriguing idea, but would like to know more about it. Alderman Sizemore also noted that the airport could be leased out to an operator and it might be a key to growth in the area. Alderman Flynn felt that private aviation folks don't have a problem with an hour's drive. He only knows of three people who have planes and they go to Wilmington. Alderman Flynn also felt that our plate is full right now and we have enough projects to last us for many years.

Mayor Bostic thought that the airport was a good idea, but he agreed with Alderman Flynn that our plate is full and he was also concerned about the cost to the town in the future. Alderman Smith suggested that we ask for input at the next 4 town meeting to see if they want to continue with this issue.

Mr. Hammond reported on the Topsail Island CAMA Grant for Regional Hazard Mitigation Plan and Geographic Information System (GIS) Development. County Manager Ron Lewis asked why couldn't we have a county wide GIS system.

Mr. Hammond noted that this is something he looked at last year. Commissioner Padgett said that if we have a terminal and the plan, that there is no need to duplicate services since the County's system is a state of the art system.

Board consensus was to take no action at this time.

Mr. Hammond discussed the 20-year Growth Management Plan to assist North Topsail Beach in identifying development and growth. The total cost of the grant is \$32,000.00. Mr. Hammond asked for concurrence from the Board to pursue this or not. Alderman Flynn felt that the data they will put together seems to be worthwhile. Mr. Hammond noted that it is a 12-month project and that this is a preliminary proposal.

Alderman Peter Hillyer moved, seconded by Alderman John Flynn to sign the North Carolina Division of Coastal Management, Local Planning and Management Grant Program grant application. The Motion passed unanimously.

ADJOURNMENT: The meeting adjourned at 9:05 p.m.

Respectfully submitted,


Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
PUBLIC HEARING AND REGULAR BOARD MEETING
MAY 6, 1999
6:30 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

NOT PRESENT: Alderman Joe Vecchione

Mayor Bostic called the Public Hearing to order at 6:35 p.m. in the North Topsail Beach meeting room.

PUBLIC HEARING: The Public Hearing was on the Parks and Recreation ordinance. The new sections addressed were: Solicitation on beaches; Authority of North Topsail Beach police officers to swimmers; Operation of boats in manner endangering bathers; Operation of motorboats, etc. in a reckless manner; Operation of motorboats, etc., while intoxicated; Operation of jet skis; Storage of sailboats.

Mayor Bostic asked if a State Statute regulates surf fishing. Attorney Fuss noted that you cannot regulate fishing itself but can regulate their actions while fishing. Ann Penta asked if any signs would be put up this year, especially regarding the rip tides and noted that we have had signs laminated in the past, but they were never put up. Mr. Hammond will look into that.

Mayor Bostic noted that he attended a meeting where the question was raised regarding swimmers and surfers on the beach during storms. Attorney Fuss said that he didn't want anything in this provision as being construed as putting our officers in the position of making decisions that lifeguards would make. He said that once you undertake a duty, even though you are under no legal duty to do so, you are liable. The enabling statutes are in place for these model ordinances. We should add language to say that we can't determine safety of water. Attorney Fuss will reword Section 10-29, "authority of North Topsail Beach police officers as to swimmers". Alderman Hillyer questioned #2 under solicitation on beaches, "promote the health, safety welfare and morals of all persons using the beach". Alderman Hillyer thought that we should delete "morals". Attorney Fuss stated that the term depends on what type of solicitation we are trying to stop. In Section 10-44 - "Storage of sailboats", strike decal and put permit.

ADJOURNMENT

PUBLIC HEARING: Alderman Steve Smith moved, seconded by Alderman Peter Hillyer to adjourn the public hearing at 6:50 p.m.

CALL TO ORDER: Mayor Bostic called the meeting to order at 7:00 p.m. in the North Topsail Beach meeting room and declared a quorum present.

**APPROVAL OF
AGENDA:**

Under new business "project graduation" was added. Alderman Sizemore added the progress of the accommodation tax bill. The agenda was approved as presented.

**APPROVAL OF
MINUTES:**

Alderman Hillyer moved, seconded by Alderman Flynn to approve the minutes of the Regular Board Meeting of April 1, 1999. The motion passed unanimously. Alderman Smith moved, seconded by Alderman Hillyer to approve the minutes of the Special Board Meeting of April 10, 1999. The motion passed unanimously. Alderman Smith moved, seconded by Alderman Sizemore to approve the minutes of the April 12, 1999 Budget Workshop. The motion passed unanimously. Alderman Flynn moved, seconded by Alderman Smith to approve the April 22, 1999 Budget Workshop. The motion passed unanimously.

**REQUEST TO
ADDRESS THE
BOARD:**

Beautification Committee:

Lois Rupert reported that the committee has planted about 150 lantana plants. The next thing they would like to do is to finish the bed at the north end. Mrs. Rupert stated that the money that has been publicly donated to the Beautification Committee be carried over to the year 2000 budget which will enable the committee to use the money to buy more plants. Mr. Hammond assured Mrs. Rupert that this would be done. Mayor Bostic asked if they could find any wildflower seeds. Mrs. Rupert noted that they have been looking at wildflower mats.

Mr. Parrish - Sand Issue on North End:

Mr. Parrish addressed the board. He stated that his house was taken away during one of the storms. He does not have a dune or any sand fence. He asked, on behalf of 5 homeowners and several people behind them, to construct a dune behind 3 properties. They would need to haul in dirt and he was asked to secure 3 bids to do the work. Mr. Parrish asked that the dune be constructed and fencing be put up and that we purchase some vegetation for those lots. He also stated that there is a lot of misinformation and was told that the pushing of the sand would take place earlier. (Mr.

Parrish lives at 2320 NRIR) He stated that prior to the renourishing program we could have pushed sand and that the town pushed a lot that was next to his. His lot was pushed only one time and was told that the lot was skipped because of sandbag issues with CAMA. He went to CAMA and asked under what authority they were prohibiting constructing the dune. Mr. Parrish stated that Bob Stroud has met with them twice and has told them that under no circumstances have they prohibited putting dunes there and he was amazed that there was no dune. Mayor Bostic asked if sand was available now. Mr. Parrish said there was no sand and part of what was renourished is gone. One solution is hooking up a pipe through the Corps, but that could entail a lot of red tape. The only solution is to haul in dirt and create a sand dune. Mr. Parrish said that at issue is the storm that took away the only vegetation they had. He said he would appreciate a letter from the Town stating that we would be glad to create vegetation there. Mr. Parrish again requested that the Town create a sand dune by hauling dirt in and put up sand fencing. Mayor Bostic asked if Mr. Stroud gave a timeframe to put sand on top of the sandbags. Mr. Parrish said that they are covered now under 5 feet of sand and that his problem is vegetation.

Mr. Hammond said that we have sand and we have plants. Mr. Hammond asked Mr. Parrish to get 3 bids for a private contractor because we don't have the manpower to construct 3 berms. Mr. Parrish's concern is, will the town pay the contractor. Mayor Bostic said he wants to do his part, but realizes that we're talking about a lot of money per foot. Mr. Parrish said that we should have pushed prior to the re-nourishment. Mayor Bostic noted that the town dozer pushed one time this year before the lunar high tide. Mr. Parrish said that they were skipped over. Mr. Hammond noted that he was at their property and Bob Stroud and Janet Russell told us not to push until the lunar high tide was over. Mayor Bostic noted that he could understand both sides. The prices range from \$12,000 to \$4,000 to hire a contractor. Alderman Sizemore stated that there is no problem getting sand and we have sand fence and vegetation. Alderman Sizemore noted that we need a policy because if we do for one we do for all. Attorney Fuss stated that what we do here does not set a precedent. We should listen to each request and make determinations on facts on a case by case basis. Alderman Hillyer asked if Mr. Parrish was willing to split the difference with the town. Mr. Parrish said that it was fair to say if we do that with everyone that he would split the cost, but he couldn't answer for the other residents. Mayor Bostic said that the intent was to push the town only one time and that there were areas where there wasn't enough sand and we may have done it a second time. Mayor Bostic said that the problem he has is the price, therefore, he has to justify it in his mind and to other citizens. The work could take 3 days for our employees to do and we can produce the equipment.

Mayor Bostic said that we would need to get a letter from CAMA authorizing it to be done. Mr. Hammond will contact Mr. Stroud tomorrow. Mr. Parrish wants a letter stating that he doesn't have a sand dune and give him time to put down vegetation. The attorney will draft a letter. The aldermen agreed to help Mr. Parrish and to determine exactly what that help would be after speaking with Mr. Stroud. Mr. Hammond noted that we would need "hold harmless agreements". Attorney Fuss said that he would like faxed copies of agreements from the other residents. Mayor Bostic stated that we would do what we can do in three days at no cost to the residents.

Ann Penta asked if the sand was clean sand. Mayor Bostic noted that they did not sift any sand, but big debris was pulled out. Ms. Penta noted that when we did our dunes ourselves, we had to have clean sand and CAMA had to check it. Mayor Bostic noted that CAMA has looked at the sand that came out of Galleon Bay. Mr. Hammond said that CAMA did look at it and said to put it back on the berm.

OLD BUSINESS: Ordinance Amendment to "Parks & Recreation:

Changes to the Ordinance suggested at the Public Hearing will be reviewed by Attorney Fuss. No action was taken at this time.

Update on Street Repairs:

As of April 26, 1999, Peele Construction has started the last stage of street repairs in accordance with project approval by FEMA. Completion date is delayed because of the rain last week. Alderman Sizemore mentioned that Topsail Road is bad.

Cross Walk Progress:

We're almost done with all of our crosswalks and will be under what FEMA has authorized. The anticipated cost may vary with modifications.

Re-entry Decals:

The cost of 5000 decals would be \$900.00. The timeframe is 2 weeks for ordering. We can order them in different colors and the price is the same with or without the logo. Alderman Hillyer said that he likes the decals because they are harder to lose. Sue Tuman noted that she had her card laminated. She also stated that there would be a problem for people who fly down and rent a car. Lois Rupert asked why we should spend additional dollars for a decal system when cards were effective. Terri Potts noted that each person who is issued a pass, that there is a number on the pass, and if people change their addresses they let us know. We

also have a list of residents and mark down if they have received a pass and everyone is familiar with this system.

The consensus of the board was to stay with the cards.

Improvements to 21st Avenue and 23rd Avenue:

C.R. Peele is in the final stages of completing this contract. 21st Avenue has been graded and 23rd Avenue has had improvements.

Increase Building Permits:

John Starzynski, Building Inspector, stated that we need to take action to increase our fees. A Public Hearing was held on February 11, 1999 to discuss this, but no action was taken. We were looking to adopt all the new codes. We charge \$30.00 plus square footage right now. Mr. Starzynski asked if the Town should issue permits for asphalt, etc. Alderman Sizemore said that we should abide by what the State wants. Mr. Starzynski said that we have adopted a code on grading, driveways, etc. Ms. Potts said that when anyone comes in for a CAMA permit, most places require a CAMA permit and concrete is included with that. Alderman Sizemore said that we need a control on this and asked John to re-word it. Permit values are raised according to market trends. Mr. Starzynski suggested raising the permit fees to approximately \$40 and to leave the square footage the same. Attorney Fuss noted that as houses get bigger, Mr. Starzynski's work time is longer. Mayor Bostic had concerns that citizens would not be able to afford to repair their homes if the fees are higher. Mr. Starzynski noted that fences will be taken out of the ordinance and he will add beach crossovers, piers, docks and bulkheads.

Alderman Otis Sizemore moved, seconded by Alderman Steve Smith to approve the changes to the Ordinance and to increase permit fees to approximately \$40.00. The motion passed unanimously.

NEW BUSINESS: Bid Request and Basic Contract Approval:

Mr. Hammond noted that he has contacted the State and FEMA in developing a bid request for services and a State/FEMA approved contract. The attorney has reviewed these. Mr. Hammond also noted that he has received a letter back from the State that told us that if we seeked bids, that it was up to the attorney if we were legally within the State to do it. Mr. Hammond asked the board to give him authorization to request bids for debris removal. Mayor Bostic said that we need to cover the first 72-hour issue first. The big contractors will be competitive and we could be neglecting our smaller contractors. Alderman Smith noted that a local contractor

could get the roads cleared quicker. Mr. Hammond stated that the contractor must be here on day one. Alderman Smith felt that it was a good idea to have something set up ahead of time. Mayor Bostic thought that the contract seemed to be too broad. Attorney Fuss noted that we always have the right to reject all bids and if we want to break it down for response time, that's a simple matter to do. Mayor Bostic said that his concern is that if Grubb's gets the contracts, they won't have all their equipment here. Mayor Bostic did not think that FEMA would allow more than one contractor on the job. Alderman Flynn suggested that this issue should be tabled since there is too much to review at this time. Attorney Fuss said that we could include the first 72 hours with this same contract. Also, with the forecasting abilities they have now, the bidders should be on line. The theory behind this is essential and correct. You are attempting to guarantee timely cost performance. Mr. Hammond said that he was trying to avoid getting someone at the last minute. Mayor Bostic noted that when Grubb's came into the picture there were a dozen contractors waiting to do some work. Alderman Flynn didn't think that we needed to wait, but we do need to see what the county is doing. Mr. Hammond said that he did not want to go with the county and that we did very well on our own. The state is not going to turn the contract over to the county like they did with Fran. It won't happen again, it's up to each municipality. Mayor Bostic felt that we should tackle the 72 hours first and as time allows to look at this later. We need to have a bank of contractors who are willing and able to work. We can have a sit down workshop with them.

Resolution of Intent to Increase Filing Fee to \$25.00:

Attorney Fuss found out that it is illegal to raise the fees. He went to the state and we can only do what we currently do, which is 1% of the annual salary of the board and the mayor.

Sue Tuman asked if at every election we could vote here. Mayor Bostic noted that they would have to disband Turkey Creek and they have more registered voters there. We don't qualify.

Resolution of Intent – Joint Utilities Resource Team (JURT):

On April 19, 1999, the Onslow County Board of Commissioners unanimously approved the Resolution of intent concerning the JURT in their response to the Request for Information from the Department of the Navy. They have submitted an unsigned copy of the Resolution of Intent approved by the Board of Commissioners for your consideration and signature. Alderman John Flynn moved, seconded by Alderman Steve Smith to sign the Resolution of Intent – Joint Utilities Resource Team (JURT). The motion passed unanimously.

Town Hall day:

The North Carolina League of Municipalities is holding a "Town Hall Day" on June 2, 1999 in Raleigh. Mr. Hammond asked if there was any interest to let him know.

Coastal Environmental Educator Update:

Mr. Hammond looked into this issue deeper and felt that we can get the same resources from the state for free.
There was no action on this issue.

Personnel – Evaluation of "Town Manager":

Mr. Hammond asked the Board to establish a date for his first annual evaluation.

Request from Patsy Jordan to Remain on the Planning Board:

Patsy Jordan's seat expired on May 2, 1999. She has requested to remain on the Planning Board. Alderman Smith moved, seconded by Alderman Sizemore to reappoint Patsy Jordan to the Planning Board. The motion passed unanimously.

Project Graduation:

Mayor Bostic noted that Dixon High School is asking for a donation for Project Graduation. Alderman Smith moved, seconded by Alderman Hillyer that we give \$100.00 for Project Graduation.

**MANAGER'S
REPORT:**

1. We are in receipt of a letter from Governor Hunt, thanking North Topsail Beach for submitting its Resolution opposing the CRC's proposed guidelines in coastal area management.
2. The issue of sand being pushed at Mr. Bogulaski's property has been resolved.
We talked to the neighbor....
- 3, We have received a letter from Mr. Fred Allen, President, North Galleon Bay Property Owner's Association, giving us (North Topsail Beach) the right and authority to utilize sand removal from their canal and storing at the designated spoil site as we need it for berm repair and construction.
3. I would like to thank Ms. Pat Mechan for her letter of acknowledgement for the North Topsail Beach Police department and the fine work they do for the residents of North Topsail Beach. In particular, the friendly attention of the P. D. clerk, officers and Police Chief Danny Salese.

4. The copies of the North Topsail Beach Land Use Plan has been completed and delivered.
5. Mrs. Charlotte Wilmer has offered her services to chair the Lobbying Committee. Upon the Board's approval, I will ask her to seek nominations and set up the committee. She does wish the Board to establish its priorities so they may concentrate in these areas of concern.
6. Emerald Isle will hold their 20th and last Beach Festival this month. I would like the Board to consider endorsing a North Topsail Beach Blue Grass Festival for the year 2000. If there is an interest, I will begin to pursue this issue. Mayor Bostic said that Manteo is taking that over. I feel close ties to the military and we could probably do something simple with them. But we are talking money and we don't have it. Mr. Hammond noted that he is looking for private backing. Steve thought it was a good idea. Otis, these types of festivals get overcrowded through the years. Mr. Hammond said that he would continue to look into this.
7. We have received a letter of thanks from the Dempsey's for action taken by the Board of Aldermen in addressing the issue on the North end.
8. Fran FEMA reimbursement has been forward to FEMA in Atlanta after initial FEMA (Raleigh) approval. Continued monitoring will ensure this reimbursement reaches North Topsail Beach prior to June 30, 1999. On May 3, 1999, we received a Fran reimbursement of \$16,050.00 and a Bonnie reimbursement of \$9,060.00.

**ATTORNEY'S
REPORT:**

North Galleon Bay developed easements last year so we will need to look at that carefully. At the last meeting we discussed trash collection at Roger's Bay and they were kind enough to give Mr. Fuss some information. Mr. Fuss has received results back and his next step is to contact the attorney for Roger's Bay. There have been 500 undivided interests under 2 tax parcels.

**MAYOR'S
REPORT:**

Mayor Bostic asked Terri Potts how the trees have been going. Ms. Potts said very well and more beach grass will come in next month. We haven't been reimbursed yet by CAMA. Mayor Bostic stated that we are having our budget workshops and have recessed our last meeting until next Wednesday night at 7:00 p.m. Draft budgets are available for citizens. He asked citizens to talk to the board members prior to the meetings for their opinions.

**ALDERMEN'S
REPORT:**

Alderman Flynn questioned the enforcement of the nuisance ordinance. Mr. Starzynski noted that he is doing research and is sending letters out. Alderman Flynn also asked if pushing sand is totally forbidden now without approval of CAMA. Ms. Potts said that it is turtle season and you must go through Wildlife Resources

for emergency purposes only. Alderman Sizemore noted that we need citizen input on budget workshops and asked that citizens call him and discuss it. Alderman Smith also welcomed everyone to budget workshops. Alderman Smith noted that he has been asked by the Chairman of County Commissioners to get involved with the Youth Council for Government to get youths to participate and let them come to our meetings. The main thing is to promote youth in government. It has been approved by the school board. Alderman Smith has to contact the principal at Dixon. Alderman Hillyer noted that we never responded to Muriel St. John of Pave to her request for a donation and should decide at our next meeting what we want to do.

Mr. Hammond showed the plaque that the Town received for successfully participating in the National Flood Insurance Program Community Rating System.

ADJOURNMENT: Alderman Sizemore moved, seconded by Alderman John Flynn to adjourn the meeting at 9:15 p.m. The motion passed unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "Loraine M. Carbone".

Loraine M. Carbone
Town Clerk

**TOWN OF NORTH TOPSAIL BEACH
BUDGET WORKSHOP**

May 12, 1999
7:00 PM

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen Peter Hillyer, Otis Sizemore, Joe Flynn and Joe Vecchione, Town Manager Charles Hammond.

NOT PRESENT: Town Attorney, William Fuss and Town Clerk Loraine Carbone.

CALL TO ORDER: Mayor Bostic called the Budget Workshop to order at 7:12pm in the North Topsail Beach meetings room and declared a quorum present.

BUDGET WORKSHOP:

Tony Hammond the Town Manager, presented the Board of Alderman with a Budget Message for the Fiscal Year 1999/2000. The Town Manager wanted to present this proposal to the Board for their review and possibly set a date for a Public Hearing to pass the proposed budget. The proposal submitted to the Board from the Town Manager is enclosed for review. The budget, including revenues and expenditures for each department has been proposed in accordance with the Local government Budget and Fiscal Control Act. The requirement that all obligations be encumbered on the appropriate record will be realized. The proposed annual budget for the period beginning July 1, 1999 and ending June 30, 2000 is herewith presented. The total requirements being assessed against the General Fund Accounts is \$1,781,151.13 but with the Police Asset Account of \$9,616.28, the total budget is \$1,790,767.41. The Town Manager requested the Board set a budget public hearing for June 3, 1999 (Saturday) to receive citizens' input. The Town Manager explained that the proposed budget is only a .918% increase over last year's original budget that was submitted. To balance the proposed budget will require an .06 cent tax increase. In summary, in order to meet the expected expenditures of the proposed 99/00 budget, the tax rate must be increased from .39 cents to .45 cents. This will place \$23,566.61 into the Contingency Line Item and balance the budget. If however the Board wishes to increase the Fund Balance to accepted State Levels, they may wish to choose an alternate tax rate based on the figures provided in the enclosed message. Mr. Vecchione question the Town Manager about the property tax base figure which was reported to be \$239,000,000.00. Mayor Bostic had concerns that some of line items total did not match.

line item totals did not match. He questioned the Finance Officer and the Town Manager that the expenditures should match the revenues. In particular, the Mayor questioned line item 301-5 the Dune Revenues. Mayor Bostic and Alderman Vecchione questioned Ms. Terri Potts on the amount of the CAMA grant money and did she feel confident that the town would receive that amount of money. Ms. Potts informed the Board that she did feel confident that the town would receive that much and possibly more from CAMA. The Mayor questioned the Town Manager on additional line items and also felt that some of the revenues were inflated and did not represent a true figure. The Mayor questioned the Finance Officer about the tax base and what part of the tax base was being set-aside for the dune restoration fund. The Mayor asked the Board for agreement on the percentage rate of 96% as the base line for the collection of taxes. Alderman Flynn asked Ms. King what items could be changed and then presented to the Board. Alderman Vecchione questioned Ms. King on why is the police fund figured into the budget, should it be separate. Ms. King explained that the police fund is separate, but that all monies must be figured into the General Fund Balance. Alderman Flynn addressed some concerns with the Police Chief, Danny Salese, which he has received from citizens. Those concerns were about the number of police and the number of Police vehicles. Mr. Salese explained that during the early 90's the police vehicles were not maintained and actually cost the Town more money than they do now. Mr. Salese explained that Each officer is responsible for the up keep and maintenance on their vehicles. In addition, the Public Works Department services all the police vehicles. Mr. Salese pointed out that with the amount of police that the town employs, the crime rate has actually lowered. Mr. Salese stated to the Aldermen that decreasing the size of the police force would raise police safety issues and their response time to citizens. Alderman Flynn stated that in the long run the crime rate is down on the island. Alderman Flynn questioned the Fire Chief, Mr. Thomas Best on purchasing items for the Fire Department. Were the items that he was requesting necessary? Mr. Best explained what items were necessary and which items were not. The Mayor asked the Fire Chief was he asking for the essentials. Alderman Vecchione requested that the Board go into a closed session to discuss some budget items. The Mayor stated that a closed session must be published to the public. Alderman Otis Sizemore recommended having the next board meeting on Saturday, either the 5th or the 12th of June. The Mayor called a recess at 8:30 p.m.

The Mayor called the budget workshop back to order at 8:39 p.m. Alderman Vecchione rescinded his request for a closed session.

The Mayor questioned Mr. John Starzynski, the Building Inspector about his estimated revenues for his department. Mr. Starzynski assured the Mayor that his statistics were accurate. Alderman Flynn asked the question about the island reaching possible build out. Terri Potts stated that it is hard to say at this time, because of waiting for a decision from CRC. Alderman Vecchione asked Mr. Starzynski about zoning and the county providing information about building out on the island. Mr. Starzynski also reminded the Board about the increase in fees. The Mayor questioned Terri Potts about CBRA and zoning and buildable lots. The Mayor asked Ms. Potts if she was comfortable with her figures. Also what was the percentage of buildable lots left on the island. Ms. Potts stated that 80 percent of the lots are buildable because vegetation was planted and CAMA has become more lenient. The Mayor asked the Town Manager to look at the new fire truck payments on the proposed budget. The Mayor is not in agreement with cutting that payment, and making up the difference within the next couple of years. The Town Manager stated that the final nine payments would be raised by a total of \$4,000.00. The reason this was done was that two police vehicles would be paid off. The Mayor asked if there were any more questions. The Mayor discussed the differences in the proposed budget and line items. Alderman Hillyer questioned the Mayor about building the fund balance. The Mayor stated that one way to add to the contingency is, if departments only spend 70% of the proposed budget, the remaining money would go into the undesignated fund balance. Alderman Hillyer asked about a tax increase and stated that a tax increase would not be that much. Alderman Vecchione stated that there might be other alternatives that they can look into, it will require a special meeting, but could save the town a significant amount of money. Alderman Hillyer stated that he has read some articles about disasters, the articles stated that it takes five to ten years to recover from the them, that the toughest year is the third year. Alderman Sizemore stated that the dune restoration figure is very high and he has concerns about the amount. In addition, he stated that the town would be required to help with money on the Beach Renourishment Project. And that the money is not currently in the town's account, this does not help the town advance towards a viable beach renourishment project. The Mayor stated that during Bertha, the town spent money out of the dune fund for the repairs to the frontal dunes. Alderman Sizemore questioned the policy on pushing the sand dune. The Town Manager stated that he had received a letter from the Department of Water Control, and we can not continue to push without a monitoring program. Alderman Smith stated that the population understands that the Board is trying to save the dunes. Sometimes the public questions

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the spending of the different departments and feels that the spending needs to be looked at and minimized down. Alderman Smith has concerns over the budget proposal and does not like that it already has a tax increase figured into the amounts of the proposed budget. The Mayor asked if the contingency fund would be added to and felt that some items can wait until next year to buy for the departments. Alderman Smith complimented the Finance Officer on her efforts with the budget. Alderman Sizemore stated that the Board needs to do something with the current proposal that they were given by the Town Manager. Alderman Flynn felt that some items were not in the proposal that were in the previous one. Alderman Vecchione stated that he would like the town attorney present at the next budget workshop. The Mayor suggested having the public hearing for the budget workshop on June 5, 1999, at 2:00 p.m. The Board will have the next budget workshop on Wednesday 19 May 1999. The Town Manager addressed the salaries and personnel issues. The Town Manager questioned the Board about the direction they want him to proceed on the proposed budget.

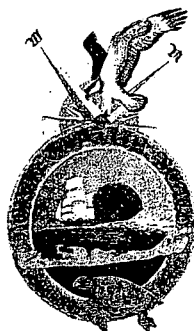
ADJOURNMENT: The Mayor adjourned the budget workshop at 9:40 p.m.

Respectfully submitted:

A handwritten signature in cursive script, reading "Sue A. McLaughlin".

Sue A. McLaughlin

Town Of North Topsail Beach



To: Honorable Mayor and Board of Aldermen

From: Charles A. Hammond, Town Manager, North Topsail Beach

Date: April 12, 1999

Re: BUDGET MESSAGE FOR FISCAL YEAR 1999/2000

The proposed annual budget for the period beginning July 1, 1999 and ending June 30, 2000, is herewith presented. The total requirements being assessed against the General Fund Accounts is \$1,781,151.13, but with the Police Asset Account of \$9,616.28 the total budget is \$1,790,767.41.

The budget, including revenues and expenditures for each department has been proposed in accordance with the Local Government Budget and Fiscal Control Act. The requirement that all obligations be encumbered on the appropriate record will be realized. A monthly report will be rendered to the Board of Aldermen, which will indicate the cumulative status of revenue and departmental expenditures for each fund.

We hereby request the Board set a budget public hearing for June 03, 1999 at 6:30 p.m. in the North Topsail Beach Town Hall meeting room to receive citizens input. This date will be published as required by law.

Property Tax Rate:

The General Fund Property Tax rate for fiscal Year 1998-1999 was thirty-nine cents (.39) per 100 assessed valuation. Five cents (.05) of this recommended .39 was set aside in the Dune Renourishment/Dune Stabilization Fund as requested by the Board of Aldermen. The remaining thirty-four (.34) was used for town operations. This following recommendation is made after giving due consideration to the many complex facets comprising this proposed budget for 99/00.

With the current tax rate of .39 cents, anticipated revenue from ad valorem taxes based on current valuations of 239,007,502 is \$932,129.26. This is a short fall of 119,837.89 between expected revenues of 1,637,746.63 and anticipated expenditures of 1,757,584.52.

The proposed budget is only a .918% increase over last year's original budget submitted. If the Board of Aldermen feels the urgency and need to cut expenditures even further, please be advised that it is against my advice to cut the expenditures because I feel we are at the bare minimum.

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To balance the proposed budget will require an .06 cent tax increase. This will place \$23,566.61 into the Contingency Line Item which will be utilized to balance the budget, but even this will not restore the fund balance to recommended state levels.

To determine what would be placed into the Contingency Line item to balance the budget at a specific tax rate the following is provided:

Proposed Tax Rate	Budget \$1,757,584.52
.39 cents \$ 932,129.26	Short fall of \$119,836.89
.41 cents \$ 979,930.75	Short fall of \$ 72,036.40
.42 cents \$1,003,831.51	Short fall of \$ 48,135.64
.43 cents \$1,027,732.26	Short fall of \$ 24,234.89
.44 cents \$1,051,633.00	Short fall of \$,334.15
.45 cents \$1,075,533.76	Plus \$ 23,566.61
.46 cents \$1,099,434.51	Plus \$ 47,467.36
.47 cents \$1,123,335.26	Plus \$ 71,368.11
.48 cents \$1,147,236.00	Plus \$ 95,268.85
.49 cents \$1,171,136.76	Plus \$119,169.61
.50 cents \$1,195,037.51	Plus \$143,070.36

Revenue Highlights:

The dollar amount shown in the current year taxes reflects an increase of last year's tax base.

General Fund Undesignated Fund balance is estimated to be approximately 368,356.00 as of the 97/98 audit.

Expenditure Highlights:

The general fund budget provides for the operation of the town, the maintenance and operation of equipment and buildings, the payment of debts incurred by the town, salaries and fringe benefits for employees, acquisition of limited equipment items to ensure the effective operation of town government.

Expenditures for all departments have been estimated to provide funds for all required expenditures such as personnel cost, committee expenditures, vehicle maintenance, needed supplies and materials, employee training, minimal capital outlay equipment and payment of the Town Hall construction loan obligation.

Capital Outlay Expenditures:

The minimal capital outlay expenditures (fire hose and purchase of a chassis for a fire truck) are important to maintain the safety, health and welfare of our citizens and to provide additional equipment to maintain our 6 fire rating.

Personnel:

North Topsail Beach is fortunate to have a dedicated, qualified professional staff that often repairs/maintains equipment and works to provide exceptional service to citizens and save the town funds, often on their own time. Without this dedication and caliber of employee the town would experience a much higher operating cost.

As a service oriented entity, functions of the town will continue to be extremely labor intensive. Therefore, to ensure a successful, progressive future, a motivated, qualified and stable work force will continue to be the most valuable asset for the town.

Proposed salaries include normal cost of living increase and merit pay if eligible. Group insurance, longevity, 401(k) and retirement benefits will continue to be provided on the same level as this current year. I believe the benefits provided by the town enable us to obtain and keep qualified, professional employees. Competent, motivated long-term employees provide better service to the town and its citizens. In addition, it saves the town in unemployment and training cost.

The proposed salary increase does not include the Town Manager. The Town Manager's salary and benefits are established by the Board of Aldermen and merit increases or changes must be initiated and authorized by the Board.

Refuse Collection:

I propose we franchise the solid waste collection vendor the current contract with Waste Industries to include all solid waste collection within North Topsail Beach and a solid waste service fee of \$60.00 be added to all 3472 parcels of property on North Topsail Beach. This fee will be assigned to all property owners to include multiplex units and will generate a revenue of \$208,920.00 that will cover the estimated cost of \$149,328.00 for the Waste Industries contract and an estimated \$30,000 for tipping fees. After anticipated expenditures there will be \$29,592.00 remaining in the line item and reserved for a solid waste service use only. This will also serve to handle any additional pickups or unexpected expenditures.

Summary:

With the figures provided, it is my suggestion that in order to meet the expected expenditures of the proposed 99/00 budget, that the tax rate be increased from .39 cents to .45 cents. This will place \$23,566.61 into the Contingency Line Item and balance the budget. If however the Board wishes to increase the Fund Balance to accepted State levels, they may wish to choose an alternate tax rate based on the figures provided above. For each .01 cent increase, \$23,900.74 is generated and placed in the Contingency Line Item, which is the same as the Fund Balance.

Sincerely



Charles A. Hammond

Town Manager

TOWN OF NORTH TOPSAIL BEACH
BUDGET WORKSHOP
MAY 19, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Joe Vecchione and Otis Sizemore, Town Manager, Tony Hammond, Town Clerk, Loraine Carbone, Attorney Bill Fuss

CALL TO ORDER: The May 12, 1999 meeting that was recessed was called back to order at 7:06 p.m.

BUDGET WORKSHOP: Mayor Bostic expressed his appreciation for the good turnout. He explained that this is still a budget workshop.

Mr. Hammond reported that they have made more cuts. Mr. Hammond read the Budget Message #2 for Fiscal Year 1999/2000.

To: Honorable Mayor and Board of Aldermen

From: Charles A. Hammond, Town Manager, North Topsail Beach

Date: May 19, 1999

Re: BUDGET MESSAGE #2 FOR FISCAL YEAR 1999/2000

The proposed annual budget for the period beginning July 1, 1999 and ending June 30, 2000 is herewith presented. The total requirements being assessed against the General Fund Accounts is \$1,731,295.49, but with the Police Asset Account of \$9,616.28 the total budget is \$1,740,911.77.

The budget, including revenues and expenditures for each department has been proposed in accordance with the Local Government Budget and Fiscal Control Act. The requirement that all obligations be encumbered on the appropriate record will be realized. A monthly report will be rendered to the Board of Aldermen, which will indicate the cumulative status of revenue and departmental expenditures for each fund.

We hereby request the Board set a budget public hearing for June 05, 1999 at 2:00 p.m. in the North Topsail Beach Town Hall meeting room to receive citizens input. This date will be published as required by law.

Property Tax Rate:

The General Fund Property Tax rate for fiscal Year 1998-1999 was thirty-nine cents (.39) per 100 assessed valuation. Five cents (.05) of this recommended .39 was set aside in the Dune

Renourishment/Dune Stabilization Fund as requested by the Board of Aldermen. The remaining thirty-four (.34) was used for town operations. This following recommendation is made after giving due consideration to the many complex facets comprising this proposed budget for 99/00.

With the current tax rate of .39 cents, anticipated revenue from ad valorem taxes based on current valuations of 239,007,502 at a 96% collection rate is \$909,844.09. This is a short fall of 129,834.03 between expected total revenues of 1,611,077.74 and anticipated expenditures of 1,740,911.77.

The proposed budget is only a .1% increase over last year's original budget submitted. If the Board of Aldermen feels the urgency and need to cut expenditures even further, please be advised that it is against my advice to cut the expenditures because I feel we are at the bare minimum.

To balance the proposed budget will require a .06 cent tax increase. This will generate 1,748,746.06 in revenues against 1,748,746.06 in expenditures by placing \$7,834.29 into the Contingency Line Item which will be utilized to balance the budget, but this will not restore the fund balance to pre-storm levels.

Revenue Highlights:

The dollar amount shown in the current year taxes reflects an increase of last year's tax base. General Fund Undesignated Fund balance is estimated to be approximately 368,356.00 as of the 97/98 audit.

Expenditure Highlights:

The general fund budget provides for the operation of the town, the maintenance and operation of equipment and buildings, the payment of debts incurred by the town, salaries and fringe benefits for employees, acquisition of limited equipment items to ensure the effective operation of town government.

Expenditures for all departments have been estimated to provide funds for all required expenditures such as personnel cost, committee expenditures, vehicle maintenance, needed supplies and materials, employee training, minimal capital outlay equipment and payment of the Town Hall construction loan obligation.

Capital Outlay Expenditures:

The minimal capital outlay expenditures (fire hose and purchase of a chassis for a fire truck) are important to maintain the safety, health and welfare of our citizens and to provide additional equipment to maintain our 6 fire rating.

Personnel:

Proposed 99/00 budget incorporates a reduction in staff of 1 person.

North Topsail Beach is fortunate to have a dedicated, qualified professional staff that often repairs/maintains equipment and works to provide exceptional service to citizens and save the town funds, often on their own time. Without this dedication and caliber of employee the town would experience a much higher operating cost.

As a service oriented entity, functions of the town will continue to be extremely labor intensive. Therefore, to ensure a successful, progressive future, a motivated, qualified and stable work force will continue to be the most valuable asset for the town.

Proposed salaries include normal cost of living increase and merit pay if eligible.

Group insurance, longevity, 401(k) and retirement benefits will continue to be provided on the same level as this current year. I believe the benefits provided by the town enable us to obtain and keep qualified, professional employees. Competent, motivated long-term employees provide better service to the town and its citizens. In addition, it saves the town in unemployment and training cost.

The proposed salary increase does not include the Town Manager. The Town Manager's salary and benefits are established by the Board of Aldermen and merit increases or changes must be initiated and authorized by the Board.

Refuse Collection:

I propose we franchise the solid waste collection vendor the current contract with Waste Industries to include all solid waste collection within North Topsail Beach and a solid waste service fee of \$60.00 be added to all 3472 parcels of property on North Topsail Beach. This fee will be assigned to all property owners to include multiplex units and will generate a revenue of \$208,920.00 that will cover the estimated cost of \$149,328.00 for the Waste Industries contract and an estimated \$30,000 for tipping fees. After anticipated expenditures there will be \$29,592.00 remaining in the line item and reserved for a solid waste service use only. This will also serve to handle any additional pickups or unexpected expenditures.

Summary:

With the figures provided, it is my suggestion that in order to meet the expected expenditures of the proposed 99/00 budget, that the tax rate be increased from .39 cents to .45 cents. This will place \$7,834.29 into the Contingency Line Item and balance the budget. If however the Board wishes to increase the Fund Balance, they may wish to choose an alternate tax rate based on the figures provided under separate cover.

Mr. Hammond also read from a memo regarding comparisons of other towns and alternative proposed tax rates.

Mr. Hillyer noted that Surf City has collected \$340,000 from the accommodation tax. Topsail Beach has collected \$290,000 from sales tax and accommodation tax. Mayor Bostic said that we collect \$90,570.00.

Mayor Bostic asked if any citizens reviewed our proposed budget. He explained that if we remain at .39 we would have to drastically cut expenditures and then we would have to cut services. Once we get the budget balanced, we have to see how we can raise our fund balance over a reasonable amount of time. Mayor Bostic has asked citizens personally for their input since we do need guidance from the citizens. Mayor Bostic asked the citizens what their position was, cutting services or raising taxes? Mr. Hammond noted that if you take the actual valuation the figures don't match because we are in a 96% collection rate. Mr. Allen noted that the trash pickup is more than what he needs. During the summer the pickup is twice a week and Mr. Hammond noted that we have a contract stating that. Mayor Bostic stated that we pay cheaper rates than any other areas. Next year will be \$60.00 per year, per tax parcel. Mr. Allen noted that the police protection is excellent, but asked if we have too many officers.

Charlotte Wilmer stated that last year the tax rate was .29 and we have seen a third increase. She noted that there are alternative funding sources, i.e., look at impact fees, land transport fees. There are alternative income sources. Ms. Wilmer also suggested looking at a 2-year budget cycle. She is willing to support a freeze for 2 or 3 years at .39.

Alderman Steve Smith asked what our fund balance was before the storm. It was 1.4 million. Alderman Smith's proposition is to cut each expenditure 10% and leave the .39 tax rate. We have good services, but we have to spend a lot of money. Alderman Smith also felt that we could still maintain these services at .39. Alderman Sizemore agreed at holding at .39, but said that we can't cut 10% from the departments. Alderman Sizemore presented his proposal for the Board that shows a tax rate of .40 plus an additional .2 for the fund balance. This plan calls for elimination of four positions, two positions in administration and two in the police department. Alderman Sizemore also suggested that Public Works reduce the part-time salaries by half. He suggested that citizens could pick up trash on the beach.

Alderman Sizemore questioned our CAMA reimbursements. CAMA has not sent us a reimbursement since the second quarter of 98 because they stated that paperwork did not get in on time. We have to be careful of how

our money is spent. Alderman Vecchione agreed with Alderman Sizemore. Alderman Vecchione said that the only way to save money is that we have to make cuts. He suggested that the town attorney be here to talk over some options of eliminating some positions. Alderman Flynn noted that the budget presented tonight already included eliminating one position. Alderman Flynn did not believe that we could eliminate two police officers.

Questions again came up regarding the CAMA reimbursements. Mr. Hammond noted that this past quarter, that the CAMA Officer Ms. Potts missed her deadline by two days. In regard to the reimbursement from the beach grass, Bob Stroud did not forward the forms to Raleigh for a couple of weeks. (This could have been at the time that his son passed away). He did approve the payment and as far as I know they will be paid.

Alderman Sizemore noted that it is on the taxpayer to balance the budget. We have to start looking at the expense side. Alderman Smith noted that we did the MAPS Survey, but we did not include the money in our budget to make increases. Mr. Nun said that he is still interested in raising money. He asked about the accommodation tax. Mayor Bostic noted that the State is not approving it. Mr. Nun also noted that we would always face these problems if we can't generate revenues. Alderman Smith noted that the tax valuation after the storms hurt us, but it is coming back now. Mayor Bostic noted that we are still over 200 homes short. We are faced at raising taxes or a compromise in between. If we decide on anything less than .45, there will be a major reduction in staff. Mayor Bostic suggested giving the Public Works Director position to Thomas Best. He stated that Public Works is working better than they ever have. Mr. Brown asked when the re-evaluation would take place. Mayor Bostic said not until next year. Our dollar valuation will go up, but the amount of homes will not. Mayor Bostic asked Mr. Brown how he felt about a .45 tax increase. Mr. Brown said it's an easy way to solve the problem, but when the re-evaluation comes in, it won't come down. He believes that we should freeze it at .39. Mayor Bostic said that it comes down to cutting staff. We have been cautioned by the State to increase our fund balance. Sue Tuman noted that she would be willing to go to .45 and would hate to cut services. A citizen asked if we could depend on the County for police protection. Mayor Bostic noted that the response time would not be as good. Also, the law requires this town to provide adequate police protection. Our insurance carrier requires that our officers have a 5-minute response time. Mr. Dale asked that if we raise taxes would we chase people from moving here? Mayor Bostic said that we are thinking about that. Sue Tuman believes that we need 2 police officer on at all times. Chief Salese noted that our service is to patrol and we are visible at all times.

Mayor Bostic noted that we do have some payments coming off of the Town. Alderman Smith said that the County has said that they will support us with beach renourishment, but we haven't received any support in the past and felt that we need more revenue from our County. Alderman Flynn said that we need more revenue and the land use plan that was engendered by our citizens basically said that they want this town to remain as it is without commercial development. That may need to be looked at to increase the flow of revenue. The Board has gone over the expenses; the services are not excessive. A small amount of fat is necessary. Alderman Flynn also felt that this year is critical since we will be paying off some of our debt and re-evaluation will help us and development will also help us. Alderman Flynn stated that there has to be a tax increase.

A citizen asked how much money have we received from grants, FEMA and any other reimbursements. Mayor Bostic said that we could get that information.

Alderman Peter Hillyer moved, seconded by Alderman John Flynn to go into a closed session to discuss personnel issues and litigation.

CALL TO ORDER: The meeting was called back to order at 9:10 p.m.

Alderman Hillyer said that he wants a .45 tax increase because the Town is a service business. He stated that we have a good group and he did not want to see anyone go. He also noted that taxes have been cut two or three times in the past. .45 still doesn't leave much for the fund balance. Alderman Hillyer has read a study of disasters and it takes five to ten years to recover from a disaster and the crucial year is year three. We are dealing with reality with this budget. Alderman Hillyer would like to go to .45 tax rate and it would only require letting go of one person. Alderman Smith felt that we should let it stay at .39. If it goes into a contingency fund, he would be willing to go to .42. Alderman Sizemore said that his proposal is on record, .40 for general fund plus .2 for contingency and reduce staff by four. Alderman Vecchione said that he would like to see it stay at .39, but in reality we would probably have to go to .42 with elimination of at least 2 people. Alderman Flynn said that this is the hard year with the most difficulty with the revenue. He supports a .43 tax rate because he does not believe in cutting the police department. Alderman Flynn would prefer .42 without the town being jeopardized. Alderman Smith said he would still like to look at his 10% cut. Alderman Hillyer said that the trouble with a 10% across the board cut is that it is not fair to each department. Mayor Bostic asked if the board would be willing to cut the police department? Alderman Hillyer said no, Alderman Smith said yes, Alderman Sizemore said yes, Alderman Vecchione said no, and Alderman John Flynn said no.

Mayor Bostic said that making payments on the new fire truck is questionable. We have to build the fund balance. Mayor Bostic asked how could we sell the citizens on beach renourishment when we need money to lobby for this. We already have a bare budget. We have to do the right thing and justify it. Mayor Bostic said that we have to make a decision this evening since the town is our responsibility. Alderman Smith said that he would go to .42. Alderman Flynn asked if the town manager had any comments about positions. Alderman Smith said that we have looked at incorrect numbers in the past. Alderman Sizemore suggested that we all get together on Monday night with something down on paper. Alderman Sizemore said that he has proposed something and so has Alderman Smith and he wanted everyone to take a position.

Alderman Hillyer said that .45 is fine with him and he will not make cuts arbitrarily to departments.

Mayor Bostic asked Ms. King to have ready the 10-year plan for our next meeting on Monday, May 24, 1999 at 7:00 p.m.

Alderman Sizemore encouraged citizens to be at our meetings.

RECESS:

Alderman Smith moved, seconded by Alderman Flynn to recess the meeting at 9:50 P.M. and to reconvene on Monday, May 24, 1999 at 7:00 p.m.

Respectfully Submitted,


Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
BUDGET WORKSHOP
MAY 24, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Joe Vecchione and Otis Sizemore, Town Manager, Tony Hammond, Town Clerk, Loraine Carbone

CALL TO ORDER: The May 19, 1999 meeting that was recessed was called back to order at 7:05 p.m.

BUDGET WORKSHOP: Mayor Bostic announced that this is not a Public Hearing. We have had a lot of citizen input this past week. Mr. Hammond reported on the break down of the North Topsail Beach lease payments.

Mr. Hammond also presented a list of employees stating their salaries, buy out, vacation and comp time that would have to be paid if their positions were eliminated. Mr. Hammond also prepared the third budget message because figures have changed. The last budget was on one position cut; this one is for the elimination of two positions. The tax rate of .45 will put \$33,177.02 into the contingency line item.

Following is the Budget Message #3:

To: Honorable Mayor and Board of Aldermen

From: Charles A. Hammond, Town Manager, North Topsail Beach

Date: May 24, 1999

Re: BUDGET MESSAGE #3 FOR FISCAL YEAR 1999/2000

The proposed annual budget for the period beginning July 1, 1999 and ending June 30, 2000 is herewith presented. The total requirements being assessed against the General Fund Accounts is \$1,730,722.98, but with the Police Asset Account of \$9,616.28 the total budget is \$1,740,389.26.

The budget, including revenues and expenditures for each department has been proposed in accordance with the Local Government Budget and Fiscal Control Act. The requirement that all obligations be encumbered on the appropriate record will be realized. A monthly report will be rendered to the Board of Aldermen, which will indicate the cumulative status of revenue and departmental expenditures for each fund.

We hereby request the Board set a budget public hearing for June 19, 1999 at 2:00 p.m. in the North Topsail Beach Town Hall meeting room to receive citizens input. This date will be published as required by law.

Property Tax Rate:

The General Fund Property Tax rate for fiscal Year 1998-1999 was thirty-nine cents (.39) per 100 assessed valuation. Five cents (.05) of this recommended .39 was set aside in the Dune Renourishment/Dune Stabilization Fund as requested by the Board of Aldermen. The remaining thirty-four (.34) was used for town operations. This following recommendation is made after giving due consideration to the many complex facets comprising this proposed budget for 99/00.

With the current tax rate of .39 cents, anticipated revenue from ad valorem taxes based on current valuations of 239,007,502 at a 96% collection rate is \$909,844.09. This is a short fall of 104,491.30 between expected total revenues of 1,602,720,94 and anticipated expenditures of 1,707,212.24.

The proposed budget is only a .1% increase over last year's original budget submitted. If the Board of Aldermen feels the urgency and need to cut expenditures even further, please be advised that it is against my advice to cut the expenditures because I feel we are at the bare minimum.

To balance the proposed budget will require a .05 cent tax increase, but will not significantly increase the fund balance. A .06 cent increase will generate 1,740,389.26 in revenues against 1,740,389.26 in expenditures by placing \$33,177.02 into the Contingency Line Item which will be utilized to balance the budget, but this will not restore the fund balance to pre-storm levels. This includes eliminating two positions. If the desire is to increase the contingency line item even more, it will require the elimination of additional positions or a higher tax rate.

Revenue Highlights:

The dollar amount shown in the current year taxes reflects an increase of last year's tax base.

General Fund Undesignated Fund balance is estimated to be approximately 368,356.00 as of the 97/98 audit.

Expenditure Highlights:

The general fund budget provides for the operation of the town, the maintenance and operation of equipment and buildings, the payment of debts incurred by the town, salaries and fringe benefits for employees, acquisition of limited equipment items to ensure the effective operation of town government.

Expenditures for all departments have been estimated to provide funds for all required expenditures such as personnel cost, committee expenditures, vehicle maintenance, needed

supplies and materials, employee training, minimal capital outlay equipment and payment of the Town Hall construction loan obligation.

Capital Outlay Expenditures:

The minimal capital outlay expenditures (fire hose and purchase of a chassis for a fire truck) are important to maintain the safety, health and welfare of our citizens and to provide additional equipment to maintain our 6 fire rating.

Personnel:

Proposed 99/00 budget incorporates a reduction in staff of 1 person.

North Topsail Beach is fortunate to have a dedicated, qualified professional staff that often repairs/maintains equipment and works to provide exceptional service to citizens and save the town funds, often on their own time. Without this dedication and caliber of employee the town would experience a much higher operating cost.

As a service oriented entity, functions of the town will continue to be extremely labor intensive. Therefore, to ensure a successful, progressive future, a motivated, qualified and stable work force will continue to be the most valuable asset for the town.

Proposed salaries include normal cost of living increase and merit pay if eligible. Group insurance, longevity, 401(k) and retirement benefits will continue to be provided on the same level as this current year. I believe the benefits provided by the town enable us to obtain and keep qualified, professional employees. Competent, motivated long-term employees provide better service to the town and its citizens. In addition, it saves the town in unemployment and training cost.

The proposed salary increase does not include the Town Manager. The Town Manager's salary and benefits are established by the Board of Aldermen and merit increases or changes must be initiated and authorized by the Board.

Refuse Collection:

I propose we franchise the solid waste collection vendor the current contract with Waste Industries to include all solid waste collection within North Topsail Beach and a solid waste service fee of \$60.00 be added to all 3472 parcels of property on North Topsail Beach. This fee will be assigned to all property owners to include multiplex units and will generate a revenue of \$208,920.00 that will cover the estimated cost of \$149,328.00 for the Waste Industries contract and an estimated \$30,000 for tipping fees. After anticipated expenditures there will be \$29,592.00 remaining in the line item and reserved for a solid waste service use only. This will also serve to handle any additional pickups or unexpected expenditures.

Summary:

With the figures provided, it is my suggestion that in order to meet the expected expenditures of the proposed 99/00 budget, that the tax rate be increased from .39 cents to .45 cents. This will place \$33,177.02 into the Contingency Line Item and balance the budget. If however the

Board wishes to increase the Fund Balance, they may wish to choose an alternate tax rate based on the figures provided under separate cover.

Alderman Sizemore questioned if we would have an increase in our cable franchise tax. He also asked about privilege taxes and has asked our attorney to look into an additional privilege tax. Ms. King reported that this is money from the state. Mayor Bostic asked if we would get a lesser amount next year? Ms. King will check into that.

Mr. Hammond noted that he eliminated the Public Works Supervisor position. Mr. Best has asked for an additional \$2,000.00 to cover this position, on top of the \$6,000.00 he is now receiving.

Mayor Bostic questioned the flood insurance and asked if it would go up. Mr. Hammond noted that he has not heard that they would increase.

Mayor Bostic asked the board members if they wanted to accept the budget as presented, Alderman Hillyer said yes; Alderman Smith said no; Alderman Sizemore said no; Alderman Vecchione said no; Alderman Flynn said no.

Alderman Flynn asked if the town would save money by having the County handle some services. Mayor Bostic said that he was asked to contact the County to see if they could cover inspections. Mayor Bostic spoke with the County Manager and he said that it was a doable item, but there were several things to talk about and he would need his commissioners' approval. The Mayor spoke with John Starzynski about what may happen and told him that it would be a board decision. The savings to the town would be approximately 2 1/4 cents to eliminate it. Mayor Bostic noted that there is the convenience that is debatable and we have invested in personnel, but there are questions to be asked. There will be no cost to the town, but no revenues to the town if the county takes over. There will also be no input from the town if we don't like the job their inspector does. It is something we need to debate. Do we abolish the inspection department, will the citizens suffer or will they gain from it? As a matter of economics, citizens would gain. Alderman Hillyer asked the reality of having someone from Jacksonville do inspections and would there be long delays?

Alderman Sizemore stated that board members were to come tonight with a written statement and suggested that every Board member provide their information. Mayor Bostic asked if anyone brought budgets. Alderman Smith is sticking to his 10% overall cut. Alderman Flynn did not hear the dollar value that we would be saving in inspections. Mayor Bostic said the savings would be \$51,350.11, which is roughly 2.15 cent towards the tax rate. That does not include the incidentals that go with that. Basically the

inspection department is costing the town .03 cent to run. If we had a reduction of building permits, it would make that higher. We are down from where we were last year in building.

Alderman Flynn said we are talking over .02. Mayor Bostic said the impact on the citizens would be that Mr. Starzynski has been here on Saturdays and that would no longer happen. As a matter of economics it might be better to turn it over to the County. We need to let the County know since they will have to hire someone.

Alderman Vecchione noted that we still have the public work's position to decide on. In regards to the inspection's department, that is something to look into and he has and doesn't see any other way to go.

Alderman Vecchione asked if we would give Mr. Best what he has proposed. Mayor Bostic did not agree with the increase, but public works has run the best that it ever has. He stated that he wouldn't be too critical about the extra \$2,000.00 since he doesn't want to jeopardize the response time. Mayor Bostic noted that Public Works, Police and Fire are working together better than ever before. Alderman Vecchione suggested keeping Thomas Best in administrative in public works.

Alderman Vecchione said that in order to keep down overtime in the Police Department, reserve officers can be hired at \$8.00/hr. and the overall cost will be lower when a regular officer has to go to court. Reserve officers are only called in when needed. This can cut on police overtime. Chief Salese said that more reserves would help, especially in monitoring the dunes.

Alderman Vecchione said that the money out of the uniform fund needs to be put back in.

Alderman Smith questioned reinstating uniforms when we are thinking of cutting out a whole department.

Alderman Sizemore stated that his proposal was for a .42 tax rate and the elimination of two employees, but if we need to cut more we will have to. He also reiterated on the reduction in other departments, which he presented last week to the Board.

Alderman Smith kept with his 10% cut on each budgeted item. Alderman Flynn noted that at the first proposed budget, the town manager was told to have a 10% decrease and his comment at that time was it would be impossible and the town could not operate. Alderman Sizemore questioned if we could actually cut all departments 10%. Mayor Bostic said that we have a public hearing scheduled for public review. We will be

told at that time what to adopt. Mayor Bostic noted that anything less than \$50,000 in the contingency fund would cause us problems. The contingency is there for any unbudgeted items as far as expenses go. It has to be as high as it can be. Mr. Hammond said that he is not comfortable in cutting this budget any more. Alderman Sizemore said that he gave specific reasons for his cuts. Mr. Hammond said that this is at the bare minimum.

Alderman Hillyer said that he did not understand the magic barrier of .42 since it is not a huge sum of money, a .06 increase is not high. He also stated that he does not know what it takes to run the various departments. We have a good budget, but we don't have enough in our fund balance. Alderman Hillyer also said that it is most logical to have at least a .06 cent tax increase since we have a town to run. Alderman Sizemore asked where was the concern in 96 and 97 over the fund balance.

Alderman Flynn noted that the budget presented is in fact a very tight operating budget. He looked for the fat, but came up with pennies. Alderman Flynn also stated that the only way that he is driven to increase the amount of money in our savings account is to see if there is a function that we can get by without. We need to see if the county can provide us with support services. Alderman Flynn said that if we would take that option we would still be paying a .45 tax, that would be an increase over the .39, but for once we would have an easement. We could take care of our necessary services without cutting the budget to the bone. Alderman Flynn suggested going with .45 to build up our nest egg.

Mayor Bostic said that the town manager has to justify every purchase and his goal is to build the fund balance. He noted that just because it is in the budget, he does not want it to be spent. The only other place he can see to cut would be the inspection's department. It's a decision we have to make tonight in all fairness to the department and to Onslow County. Mayor Bostic asked the Board to make this decision now. The meeting recessed for 5 minutes.

Mayor Bostic called the meeting back to order at 8:45 p.m. The Mayor asked for citizen's input on eliminating the inspections department.

Sam McGinn appreciated the efforts of the Board. He noted that he has been here for a long time when there wasn't an inspection's department. The homes that were built before Jeff Holland became the building inspector are gone. Mr. McGinn noted that John Starzynksi is qualified on all levels. He is doing his job and going by the code. He noted that if he needs a permit he would have to go to Jacksonville if we go with the County. He also said that he is the first one who wants to cut expenses,

but we have a competent manager and we should lay it back in his lap to cut it more.

Sue Tuman stated that her original house was built with County inspections and her house was taken down to the ground. She could not imagine the problems that people would have with building in this town if we don't have an inspection's department. We will pay in the long term.

Patsy Jordan stated that she has been a realtor for 11 years and deals with all the towns on the island. She couldn't imagine not dealing with an inspection's department. She had to deal with county before that and it was impossible to get them down here. They always wanted a pay back. Cutting the inspection dept. would save .03 and she wants her .03 in the inspection department. Ms. Jordan also spoke on behalf of the Realtor's Association.

Wayne Anderson asked Mayor Bostic whom he represents and asked the Mayor if he suggested eliminating the department. Mayor Bostic said that he wanted to know how Mr. Anderson's feelings were in the matter of the budget only and that he could not answer personally since his wife is in the inspection's department. Mr. Anderson noted that a few contractors would love the Town to get rid of the inspection's department and he didn't think the citizens would benefit. He asked again where the Mayor came up with this idea and stated that his concern is personal and the voice of the people. Mayor Bostic said that there were several people in the audience that demanded that we look at it. Last Friday, there were four others who thought it was a good idea. Mayor Bostic said that if the citizens ask me to look into something I would. He will do all his best to be open-minded about any issue that comes up in this town. The Mayor also stated that in all honesty he has gone to 100 citizens and debated that question. Mayor Bostic said that he would not be criticized by someone who is not a resident. My first goal is to satisfy the citizens.

Mayor Bostic said that the people who have spoken have wanted to keep the inspection's department and asked if anyone disagreed with that. Alderman Hillyer recalls the stories about the County and thought that we could do much better with our own department. Alderman Flynn said that the citizens are negating the function and are looking at a .45 tax.

Debbie Conklin asked why the inspection department was ever created? Alderman Hillyer stated that the inspections were not done very well and they were drive by inspections. There was also a lack of ownership from the County. Ms. Conklin said that she has been here since 1977. She worked for a developer and made many trips to Jacksonville. Ms. Conklin asked if we have another hurricane how much money does the town need. Alderman Vecchione said we don't have enough if we get hit with a

Nor'easter. Ms. Conklin noted that it could be possible that having an inspection's department might be a luxury we can't afford now. We need a contingency fund. No one wants to cut anything, but it may not be a reality for us this year.

Mayor Bostic noted that we have hammered at this budget with no decisions being made. Alderman Sizemore said that he received a letter from Nurham Warwick and he introduced a bill for the town to get \$50,000 under an appropriation bill. There is no guarantee that we will get it, but it's a step in the right direction. Mayor Bostic asked Terri Potts if we would get the grant. Ms. Potts noted that no grant is a sure thing, but if we do get it, it will be used for beach renourishment.

Alderman Smith asked Mr. Hammond what Sue McLaughlin's duties are. Mr. Hammond noted that she maintains the data systems, web site, works with Gibraltar, trouble shoots problems, does the quarterly newsletter, fills in for planning board or board meetings, and works with FEMA and CAMA.

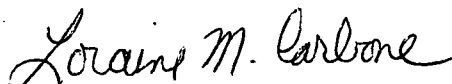
Mayor Bostic said that the proposed budget calls for a .45 tax rate, keeping inspections and suggested that we send it to the citizens at a public hearing. Mr. Hammond said that the budget is cut as far as it can be cut. Alderman Smith suggested going to .46 with .01 in the contingency fund. It was noted that there are still two positions to be cut with this proposal. Alderman Flynn asked that in the event there is a greater amount of revenue does all the money go automatically into the reserve fund at the end. Mayor Bostic said that the auditor would do that. If we have an income shortfall again we will be in trouble. Mayor Bostic said that he would rather not go with .46 and supports .45.

Alderman Vecchione noted that we still need to decide on what we will do regarding Thomas Best's proposal of increasing his salary another \$2,000.00 to take over Public Works. This would make his pay approximately \$41,000.00. Alderman Sizemore said that he has a problem with anything over \$40,000 except for the town manager and could not support it. Alderman Sizemore could not see increasing our taxes and in turn giving more money to an employee. Mr. Hammond noted that if we don't do it we will have to hire someone else and it will cost more.

Alderman Vecchione moved, seconded by Alderman Flynn to go forward with the proposed budget in hand, allowing the .45 tax rate and have the citizens review it at the public hearing scheduled for June 19, 1999 at 2:00 p.m. The motion was passed four to one with Alderman Sizemore opposing.

ADJOURNMENT: Alderman Vecchione moved, seconded by Alderman Flynn to adjourn the meeting at 9:30 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Loraine M. Carbone".

Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
REGULAR BOARD MEETING
JUNE 3, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer and Otis Sizemore, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

NOT PRESENT: Aldermen Joe Vecchione

QUORUM: Mayor Bostic called the meeting to order at 7:05 p.m. in the North Topsail Beach meeting room and declared a quorum present.

**APPROVAL OF
AGENDA:**

Additions to the agenda included: under request to address the board add presentation by Tax Collector Ken Joyner; after open forum add a closed session; delete 6d (annual personnel evaluation of Town Manager); under 7b (Personnel Policy Amendment) add the 401 k amendment. Alderman Sizemore added a petition from Topsail Rd. Alderman John Flynn moved, seconded by Alderman Steve Smith to approve the agenda with the appropriate changes.

**APPROVAL OF
MINUTES:**

Alderman Hillyer had a change to the April 29, 1999 minutes on page 2, second paragraph add "on Topsail Island" after cobra zone. Alderman Peter Hillyer moved, seconded by Alderman Steve Smith approval of the April 29, 1999 Special Board Meeting minutes. The motion passed unanimously. Alderman Steve Smith moved, seconded by Alderman John Flynn approval of the May 6, 1999 Public Hearing and Regular Board Meeting minutes. The motion passed unanimously. In the May 12, 1999 minutes, first page, change 4 to \$. Alderman Steve Smith moved, seconded by Alderman Peter Hillyer approval of the May 12, 1999 Budget Workshop minutes. The motion passed unanimously. Alderman John Flynn moved, seconded by Alderman Peter Hillyer approval of the May 19, 1999 Budget Workshop minutes. The motion passed unanimously. Alderman Steve Smith moved, seconded by Alderman Peter Hillyer approval of the May 24, 1999 Budget Workshop minutes. The motion passed unanimously.

**REQUEST TO
ADDRESS THE
BOARD:**

KEN JOYNER – TAX OFFICE:

Ken Joyner thanked the Board for allowing him to meet with them January 1, 2000 will be the next County revaluation. Revaluation is done

because Onslow County is required by statute to evaluate property by market value and it must be reassessed every 8 years. The last one was in 1992. Revaluation can be contracted out of house or it can be done in-house. In 1992, Commissioners established within the Tax office a revaluation division with county staff. All staff appraisers are certified. They are also required to analyze property transactions. They understand all statutes. When property is sold or transferred the tax office follows it. In 1998 there were 2,758 sales in Onslow County. 40% of sales are confirmed directly. There is a parcel count showing the Townships. Stump Sound is the 2nd largest township in the County. Mr. Joyner noted that they take like properties that show tendencies that sell in a comparable way. There are 473 different neighborhoods. A property record card includes valuable information for the appraisal.

If you disagree with the new value, (which will be mailed out in September), informal hearings will be held to explain the process. They will ensure that everything is correct on the property record card. After the hearing, if you are still not satisfied, the County has set up a Board of Equalization and Review. This Board is comprised of real estate brokers. After this, if you are still not happy, you can go before the board at the NC Tax Division. You should bring a recent copy of an appraisal of your property and pictures of the inside and outside of your property. Values did not increase from last year but from 1992. There is an 8-year period of appreciation. The purpose is not to increase taxes but to equalize values. Final determinate is not known until the budgets are finalized.

Mr. Joyner asked if there were any questions. Charlotte Wilmer asked if the tax rate is determined after the budget is developed. Mr. Joyner noted that you have a town budget that tells you what you need and new assessed values will be based on last year's tax rate. There could be a difference in the tax rate.

BEAUTIFICATION COMMITTEE:

Sue Tuman reported that they are not having meetings until September, but they are still taking care of flower beds.

PLANNING BOARD:

Patsy Jordan reported that Mr. Coy and Ms. Wilmer were welcomed to the Planning Board and that she was re-appointed as Chairperson. The Building Inspector gave a report on RV parks. Dolphin Shores was approved as a subdivision. Training sessions were also discussed.

LD BUSINESS: BARTON BAY:

Charles Riggs requested final approval for Barton Bay Yacht Club. There are 8 single-family lots with 2 access easements. There is a major CAMA

report on this project. Mr. Riggs noted that when the dredging is completed we will write a letter of refinement.

The water plan has been approved by Onslow County and sewer plans have been approved. There is an open recreational area requirement. This project will also provide boat slips. This is covered by Federal Flood Insurance. Alderman Sizemore asked if they could guarantee that there would be no septic tanks. Mr. Riggs noted that it will be North Topsail sewer and water, but he does not have the permit in his hands. Alderman Flynn asked if there are any performance bonds? Mr. Riggs said yes. Alderman Steve Smith moved, seconded by Alderman Peter Hillyer to approve the final plat for Barton Bay Yacht Club. The motion passed unanimously.

DOLPHIN SHORES:

Mr. Parker reported that they have all of their permits. The Major CAMA permit is expected anytime. They eliminated 10 boat slips at the end of the public pier portion. Mr. Parker noted that they may still be able to attain 10 slips, but it was easier to withdraw them from the application at this time. The project is the same as before. Bonds have been posted. The public portion of the pier will be built. The association will maintain the pier with no expense to the town. Alderman Sizemore had a concern with the location of the pier since it was adjacent to the firehouse since it may cause some traffic near the firehouse. Mr. Parker noted that this issue was discussed the last time at the Planning Board. At that time, the Planning Board was concerned that the soundside be more actively used. The ocean front area is now available and the 10 slips are gone. If people park there you should ticket them. Alderman Sizemore questioned cash in lieu of pier. Mr. Parker noted that the pier is a passive recreation use, it cannot have boats and the pier is also an amenity for the development. People who live in this project want the opportunity to walk to the sound. Alderman Steve Smith moved, seconded by Alderman Peter Hillyer to approve the final preliminary plat for Dolphin Shores. The motion passed unanimously.

RESOLUTION OF INTENT – BEACH RENOURISHMENT:

Mr. Hammond read the resolution.

Sue Tuman asked if we should add in Turtle nesting as a reason for renourishment. The Board decided to amend the resolution and add "whereas, the Public Beach provides a nesting habitat for loggerhead turtles". Alderman Peter Hillyer moved, seconded by Alderman John Flynn to approve the Resolution Supporting Beach Renourishment and to add in the turtle issue. The motion passed unanimously. Following is the amended resolution:

RESOLUTION NO. _____

RESOLUTION SUPPORTING BEACH RENOURISHMENT

WHEREAS, the Town of North Topsail Beach recognizes that its greatest asset is the Public Beach which is enjoyed by thousands of residents and visitors each year; and

WHEREAS, this asset has been seriously injured and depleted by great and horrendous storms since 1996; and

WHEREAS, the Public Beach provides a nesting habitat for loggerhead turtles; and

WHEREAS, these same storms have also severely damaged the dune system which protects property of the citizens of the Town of North Topsail Beach and infrastructure owned and maintained by the State of North Carolina and Onslow County; and

WHEREAS, the Town of North Topsail Beach desires to renourish, preserve and protect the Public Beach together with the protective dune system, and realizes that there is an insufficient supply of sand on the Public Beach for this purpose; and

WHEREAS, it having been demonstrated that Beach Renourishment is an effective method for protection of the public Beach and the Dune System,

NOW, THEREFORE, BE IT RESOLVED, that the Town of North Topsail Beach hereby makes its beach renourishment a top priority and calls upon agencies of the State of North Carolina and the Government of the United States of America to endorse, encourage, support, and provide necessary funding for Beach Renourishment for the towns of Topsail Island.

Adopted this ____ day of _____, 1999.

Marlow F. Bostic, Jr.
Mayor

Loraine M. Carbone
Town Clerk

PAVE REQUEST FOR FUNDS:

At the April meeting, Muriel St. John addressed the Board as to what the PAVE organization does. She asked the Town of North Topsail Beach to consider a donation to help run and support the operation.

Sue Tuman noted that she didn't know how active the organization is at this time. She suggested that we look at this issue next year. Mayor Bostic suggested that we address this at our budget workshop and find out what they are doing as an organization.

UPDATE ON PARRISH PROJECT:

At the last board meeting the board approved the town to construct a berm in front of the 3 structures that have no berm. Bob Stroud staked a berm line, but we cannot get our vehicles in there to put the sand in. We could take the sand in and put it on the sides and get a Bobcat to move it. Mr. Hammond asked the Board if we want to do this. Mayor Bostic thought Mr. Parrish said that we didn't push at all, but they have been pushed. Mr. Hammond said that the lunar high tide took all the sand. Mr. Parrish wants sand underneath their decks. They feel that the town should still do this, but we will have to rent a Bobcat. We can place sand on the beach and they will have to agree to move it themselves. The consensus of the Board is to have the Town dump sand at a designated spot where they can move it themselves. The homeowners have to agree to do this. It shouldn't take more than 2 days to do this. Alderman Steve Smith moved, seconded by Alderman Peter Hillyer to allow public works to dump sand in a designated area after the homeowners agree that they will pay for a Bobcat to move the sand. The motion passed unanimously.

CROSS WALK PROGRESS:

Mr. Hammond reported that the crosswalks are finished and we have paid all final bills. Onslow County is not finished at this time with their crosswalks.

UPDATE ON STREET REPAIRS:

As of May 31, 1999, Peele Construction has completed street repairs in accordance with project approval by FEMA.

Alderman Sizemore asked that we look at 3rd and 4th Streets to see if they were paved originally. Alderman Sizemore also noted that he has signatures of 55 people concerned with the conditions of Topsail Road. Every property owner demanded that the State do something about the condition of that road. If the State won't maintain it then they should give it to the town to take care of it. Mr. Hammond noted that he has had the State out here twice and they have said they will get to it eventually.

Thomas Best reported that he met with Patrick Riddle last week and they talked about Topsail Rd. They will come back this summer when it is hot

enough for the road to take the process. In regard to 2nd and 3rd and 4th Streets, they are in the process of implementing French drains. The consensus of the Board was to have the attorney work on a resolution for Topsail Road.

PARKS AND RECREATION ORDINANCE:

Changes were discussed at the May 6, 1999 Board Meeting and have been addressed. Attached is the ordinance with corrections. Alderman Sizemore felt that the wording in 5 b was not clear. Attorney Fuss noted that we could put a colon following "bothersome and obnoxious manner" and thereafter put a semi colon after each issue and add the word "to". after solicit property. This would apply to all statements thereafter. Alderman Flynn asked that when we modify the ordinance do we need to do anything about signage to advise these people of the legality of these actions.

Alderman Steve Smith moved, seconded by Alderman Peter Hillyer to approve the Parks and Recreation Ordinance as amended. The motion passed unanimously.

98-13

AN ORDINANCE AMENDING CHAPTER 10 ARTICLE II, DIVISION 1 AND ARTICLE III

SECTION I:

Chapter 10 – Parks and Recreation, Article II, Division 1 and Article III by adding the following addition:

Addition: Add under Article 11, Division I, Section 10-21 and 10-29 in its entirety the following:

Sec. 10-21. Solicitation on beaches.

- (a) *Findings.* The council of the city has made the following findings:
- (1) That the public beach is a public area which is open and accessible to all persons;
 - (2) That the public beach is maintained and subjected to reasonable regulation by the town in order to promote the health, safety and welfare of all persons using the beach;
 - (3) That the public beach provides a unique area for all persons to pursue peaceful relaxation and quite enjoyment in a reasonable manner;

- (4) That the public beach has been and continues to be a unique public recreation area, different in respect to all other public areas within the municipality;
- (5) That it is desirable and necessary to preserve the unique nature of the public beaches and to protect all persons who utilize the beaches from undue annoyance, disturbance and inconvenience.
- (b) *Certain activities on beaches prohibited.* It shall be unlawful for any person, organization, society, association or corporation, or any agent, member or representative thereof, directly or indirectly, to, in a bothersome and obnoxious manner: solicit property; to business or financial assistance of any kind; to distribute free product samples; admission passes; or entry tickets; to conduct any sales or rental business; to sell or offer to sell any article; good; publication; subscription; or other thing of value, in the area previously defined in this chapter as the public beach.
- (c) *Exception.* This section shall not apply to the operation of water safety franchises granted by the council for the purpose of ensuring lifeguard services on the beach.

Sec. 10-29. Authority of North Topsail Beach police officers as to swimmers.

- (a) Those persons who shall be duly appointed as police officers of the town, shall have the power and authority to supervise, regulate and or prohibit physical activities and swimming on the beaches and in the Atlantic Ocean and waters of the Sound, when in the estimation of those officers, hazards or dangers exist that constitute threats to the health, life or safety of a person or persons within the waters or immediately contiguous areas.

Nothing herein shall be construed to impose a duty upon the North Topsail Beach Police or Town Officials to patrol the beaches, act as lifeguards or make such determination on a daily basis. The North Topsail Beach Police, as well as North Topsail Beach assumes no responsibility for accidents as a result of someone's negligence.

- (b) Any person who shall fail to obey the directions and instructions of the personnel with regard to any of the matters and things above set forth over which they have power and authority, shall be guilty of a misdemeanor, and shall be subject to arrest by the personnel and shall be subject to punishment as provided in N.C.G.S. 160A-285.

Addition: Add under Article III, Section 10-40 to 10-44 in its entirety the following:

Sec. 10-40. Operation of boats in manner endangering bathers.

It shall be unlawful for any person to operate or pilot a boat or jet ski in the waters of the Atlantic Ocean abutting the town within 100 yards of the shore line of the town or elsewhere along the public beach in any manner as to create a hazard to bathers.

Sec. 10-41. Operation of motorboats, etc., in reckless, etc., manner.

No person shall operate any motorboat, jet ski or other vessel or manipulate any skis, surfboard or similar device in a reckless or negligent manner so as to endanger the life, limb or property of any person.

Sec. 10-42. Operation of motorboats, etc., while intoxicated.

No person shall operate any motorboat, jet ski or other vessel or manipulate any skis, surfboard or similar device when intoxicated or under the influence of any narcotic drug, barbiturate or marijuana.

Sec. 10-43. Operation of jet skis.

It shall be unlawful to operate any jet ski in the waters of the Atlantic Ocean abutting the town within 100 yards of the shore line during the period from May 16 to September 30 of any year, except that jet skis may be launched from and returned to the beach on a course approximately perpendicular to the beach. When launching or returning as described above, the jet ski shall be operated as slowly as surf conditions shall permit and in such a manner as to avoid all swimmers or other persons in the water. For the purposes of this chapter, the term jet ski shall include wave riders and any other similar vehicles by whatever name.

Sec. 10-44. Storage of sailboats.

- (a) It shall be unlawful to leave any sailboat on the public beach after sunset and before sunrise each day except as provided herein:
 - (1) Sailboats may be left overnight on the public beach provided the sailboat mast is lowered or all rigging is secured so that it will not make noise when blown by the wind.
 - (2) Any sailboat on the public beach shall be positioned so that it does not restrict access by the public to the beach from any dune walkover or street end or obstruct passage by individuals or emergency vehicles moving along the beach.
 - (3) When positioning or moving a sailboat, care must be taken to avoid any damage to the dune system. It shall be unlawful to place a sailboat on a dune or move a sailboat over a dune under any circumstances.
 - (4) Sailboats left on the beach overnight must display on the starboard stern a beach permit issued by the town police department. Passes will be valid for the calendar year in which they are issued and shall be issued at no cost to the registrant. They may be obtained from any member of the North Topsail Beach Police Department. To obtain a permit the applicant must provide the following information on a form provided by the police department:

- a. Name and address of the owner.
 - b. Name and address of the applicant if not the owner.
 - c. Day and evening telephone numbers where owner may be contacted.
 - d. Description of the sailboat to include registration or title information.
 - e. If not a resident of Onslow County, the local address and telephone number at which the applicant may be reached and the date on which the applicant will be leaving the local area.
- (b) It shall be unlawful to store a sailboat on private property unless the rigging is secured to prevent the loud and annoying noises which frequently occur when the wind blows through the rigging from being heard on any other private property.
- (c) Sailboats which are left on the beach in violation of the provisions of (a) above for a period in excess of seven consecutive days may be removed by order of the chief of police. After being removed such sailboat shall be kept in storage for no less than 90 days during which time every reasonable effort will be made by the chief of police to identify the owner of the sailboat and provide notice to the owner that the sailboat has been removed and impounded. Such notice shall include the fact that the owner may reclaim the sailboat by satisfying any fine which may be due for violating the provisions of this section and by paying the cost of removal and storage. If the sailboat's owner has not been identified by other means within 30 days of impoundment, the chief of police shall cause a notice to be published in a newspaper of general circulation in Onslow County that the sailboat has been impounded and may be reclaimed as provided above. An impounded sailboat which has not been claimed by the rightful owner after 90 days may be sold and any proceeds of the sale remaining after the expenses of the sale, the costs of removal, storage and publication of notice have been paid shall be transferred to the general fund of the town.

SECTION II: All laws and clauses in conflict with this ordinance amendment are hereby repealed.

SECTION III: This amendment shall be effective immediately upon adoption.

DULY ADOPTED THIS _____ DAY OF JUNE, 1999.

Marlow F. Bostic, Jr.
Mayor

Loraine M. Carbone
Town Clerk

BID REQUEST AND BASIC CONTRACT APPROVAL:

This issue was discussed at the last board meeting. The Contracts have since been broken down to 72 hours only and regular contracts. Attorney Fuss noted that in each contract the board has the right to bring in other contractors as needed. When someone accepts the contract you have a

guarantee that you have someone to start work. Mr. Hammond also has proposed an advertisement to start looking for contractors. Alderman John Flynn moved, seconded by Alderman Steve Smith to approve the 72 hour bid request and basic contract and also the advertisement to have contractors bid on the project. The motion passed unanimously.

WASTE INDUSTRIES, INC. AMENDED CONTRACT:

Mr. Hammond noted that the attorney has some fine-tuning to do in regard to the contract. The ordinance provides that a citizen can contract with another hauler and we need to change that. We also need to see how we can dovetail and phase in the multiplex units. We also need to see when their contracts expire. This issue was tabled at this time.

NEW BUSINESS: REQUEST FOR FUNDS BY TOPSAIL HIGH SCHOOL:

Mr. Hammond noted that we have a request from Mr. Andy Price at Topsail High School, to donate \$35.00 to help advertise their Gospel Concert. This concert is being provided in order to help raise funds for baseball equipment and uniforms. An ad will be placed in their program if we donate to this cause. Sue Tuman noted that Topsail is in Pender County. No action was taken on this issue.

PERSONNEL POLICY AMENDMENT:

Mr. Hammond requested Board approval to amend the Town Personnel Policy, Article III (Pay Plan) Section 15 (Hourly Rate of Pay). The suggested change is to replace [in the same salary range as the full-time employees] to read negotiated between the employee and the Town Manager. Alderman Peter Hillyer moved, seconded by Alderman Steve Smith to approve the personnel policy amendment, Article III, Section 15. The motion passed unanimously.

Mr. Hammond requested a change to Personnel Policy "Supplemental Retirement Benefits".

We need to delete the amounts of contributions. We cannot determine the percentages. BB&T determines it at 3%. This is consistent with State law. Alderman Steve Smith moved, seconded by Alderman John Flynn to approve the deletion of the amounts of contributions to the personnel policy citing "Supplemental Retirement Benefits". The motion passed unanimously.

JEFFERIES' PROPERTY:

Mr. Hammond reported that we have a bid proposal from C.R. Peele Construction to gravel the Jefferies' property at a cost of \$7,335.00. The Onslow County Board of Commissioners have unmarked \$10,000.00 that was dedicated for bike paths and authorized its use for parking lot improvements. Mr. Hammond requested the board to approve this cost for the Jefferies' property. Alderman Peter Hillyer moved, seconded by

Alderman John Flynn to allow the Town Manager to contract with C.R. Peele for \$7335.00 to gravel Jefferies property. The motion passed unanimously.

REQUEST FOR FUNDS:

Mr. Hammond reported on the request from the North Carolina League of Municipalities for a pledge of \$100.00 to help in the campaign to support a short fall in the General Assembly appropriations to renovate and expand the Institute's home, the Knapp Building. Alderman John Flynn moved, seconded by Alderman Peter Hillyer to approve a pledge of \$100.00 to the North Carolina League of Municipalities. The motion passed unanimously.

RESOLUTION OF INTENT – JENKINS WAY:

Mr. Hammond noted that a Resolution of Intent was drafted to accept as a Town street that portion of Jenkins Way owned and maintained by the state of North Carolina. The intent is to grade the shoulders and expand this as additional beach parking for the public. Sue Tuman noted that Ann Penta's home has no access at this point. She has no driveway and this has been the state's responsibility, but the state has done nothing. Mayor Bostic noted that we need to find out the specifications and we should table this issue at this time.

Terri Potts, noted that Ms. Penta is landlocked. She paid over \$8,000 to have repairs done. When the bridge maintenance came out they dug the entire road up. Ms. Penta is working with DOT to get to her property to replace what the maintenance crews destroyed.

BEACH RENOURISHMENT PROJECT:

Mr. Hammond noted that he has arranged for Mr. Howard Marlow to attend a North Topsail Beach Briefing on Thursday, June 17, 1999 at 7:00 p.m.. He was referred from Ocean Isle Beach as he is managing their beach renourishment project. Mr. Marlow has been doing beach projects for over 20 years. His fee is nominal. \$1,000/month to \$2,000/month. During the heavy stages the most he charges is \$3,000/month. Mr. Hammond has spoken with Surf City and Topsail Beach. Attorney Fuss noted that now that the Board has said let's do it, we need to send a written letter to Topsail Beach and Surf City.

DISCUSSION OF SEWER PUMP STATION:

Alderman Sizemore noted that citizens have complained about the odor coming from the sewer station. Attorney Fuss stated that permits would be honored by the new owners. An odor may indicate that there is a problem. Alderman Sizemore requested that he see the conditional use permit and that we should adopt a policy that no original document leave this building, and that it should have been photocopied. Attorney Fuss said that the Board should authorize him to open a dialogue with them. Benny Tripp said that it was never said that there would not be an odor,

but he will check into the masking agent. Mr. Tripp also noted that the Town did not want us to test the water. At that time we agreed to pay for it, but to date have not had that done. Alderman Steve Smith recommended to the Town Manager that we get some water samples.

MANAGER'S REPORT:

1. At the request of Alderman John Flynn, I have provided you a copy of the current North Topsail Beach Storm Preparedness Plan for review and comment. Each employee has been provided a copy and have been instructed to review their role and responsibility. The phone system at the EOC (Dixon Elementary) will be activated once the determination is made that a storm has the possible potential of threatening North Topsail Beach. Routine meetings will be set by Onslow County as we get further into the season and North Topsail Beach will be a valuable player at each meeting. We can discuss this at the next board meeting to see if you agree with this plan.
2. I will be out of town on personal business from June 4 to the 7th. Also, I will be attending the NC City/County Manager's Conference June 10 – 12, 1999.
3. We are still planning a presentation by Howard Marlow on June 17, 1999 at 7:00 pm on a beach renourishment project. Again, this is someone who is currently employed by Ocean Isle Beach and their Town Manager Gregory Taylor has highly recommended him. Surf City and Topsail Beach have also been invited to attend.
4. I have received a petition from 20 homeowners in the Coastal Drive area of North Topsail Beach. This petition addresses the building located at 221 Coastal Drive. The request is to have this building removed for non-conformity. This issue has been referred to the Town Attorney for comments. Attorney Fuss noted that the real issue is whether it is a nuisance since our ordinance is specific. We can remove a nuisance and charge the cost to the homeowner. The town has adopted a series of ordinances, and if found to be true by the building inspector, he will give the property owner notice. The appropriate action for the Board is to direct the Building Inspector to investigate the code of ordinances and report to the Board for further direction. If he finds it is a nuisance he can take action, but the board should direct him. Alderman Sizemore noted that there are two structures near the firestation and asked if we could also have the inspector look at other structures. Mr. Hammond stated that this issue has been a concern since December and nuisance letters have been going out. The

consensus of the board was to instruct the Building Inspector to look into this. Attorney Fuss again noted that he has the power whether you direct him or not since it is his duty to enforce. You can direct the Town Manager to direct him to identify properties. Mr. Hammond stated that he has asked the Building Inspector to go out on Wednesdays to look into this and take pictures. Property owners have 30 days to comply or we will put a tax lien on their property.

5. I will be speaking at the Richlands Town Hall on June 8, 1999 at 7:00 p.m. on the Beach Renourishment Resolution we have requested them to sign.
6. At a Mayor's meeting, the mayor and Alderman Smith talked to Gavin Smith, and asked him if he would talk to us about mitigation. He has agreed to come to North Topsail Beach to address us on this issue. Mr. Hammond asked if we wanted to do a Saturday meeting in July. The consensus of the Board was to have the July Board meeting on a Saturday.

MAYOR'S REPORT: Mayor Bostic noted that he was glad to see such a busy Memorial Day weekend.

ALDERMEN'S REPORT: Alderman Flynn noted that there were about 25 instances where people have climbed dunes and that we need to stay on top of that. Alderman Flynn also stated that sometime ago we decided to table an issue of domestic animals on the beach. He has had comments about that issue and suggested that we move that to the July meeting.

OPEN FORUM: Mr. Lukarelle noted that it is nice to have a Town Manager that is accessible.

CLOSED SESSION: The Board went into Closed Session at 9:30 p.m.

ADJOURNMENT: The meeting adjourned at 11:30 p.m.

Respectfully submitted,


Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
SPECIAL BOARD MEETING
JUNE 17, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk

NOT PRESENT: Alderman Joe Vecchione and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:05 p.m. in the North Topsail Beach meeting room and declared a quorum present.

APPROVAL OF AGENDA: After the presentation, discussion of comp time was added and a closed session was also added to the agenda. The agenda was approved with the above changes.

PRESENTATION
BY HOWARD
MARLOW:

Mr. Hammond introduced Howard Marlow who was referred by Congressman McIntyre. Mr. Marlow noted that he is a lobbyist and he came to Washington 30 years ago and worked for a U.S. Senator at that time. He became a lobbyist more than 20 years ago. 10 to 12 years ago he got involved in beaches. His firm has represented a number of municipalities. One is the town of Venice, Florida where they had a problem getting federal funds to repair their beach. There is a wide sandy beach there now because of the commitment of the community. Since then his firm has been involved in a number of communities. Mr. Marlow also noted that his firm is the only one that deals directly with beach projects. They have an expertise that is important to our community. Mr. Marlow is also involved with the American Coastal Coalition. We need to make the preservation of our sand line a priority. This administration has a policy of not supporting any new shore protections. Congress has added to the budget for existing projects and they are trying to be responsible to the shoreline areas.

The policies of the Corps and administration made a determination that recreation was not a feasible purpose for renourishing beaches.

The process to obtain funds begins with a Reconnaissance study by the Corps. This is paid for by federal funds, authorized by Congress and appropriated by Congress. This study determines if they should take a serious interest in the project. If the Corps says that there is an interest, they will proceed. The next stage is a Feasibility Study. The Feasibility

Study takes 2 to 3 years. The Reconnaissance Study is 100% federally paid. The Feasibility Study is 50% federal and 50% non-federal. It can be a combination of state and local funds or a private interest can fund it. The Corps will propose a budget. The Corps will provide advice for in-kind funding. The difficulty the Corps will have is to determine where the sand source is. It will cost more to go further out for the sand; it is better to stay within 3 to 5 miles. Authorization is very important. From the authorization stage, we have appropriations. The feasibility study will set an overall price tag for the project. You can have input into the study. Appropriations at this point get into a larger sum of money. The total initial cost of renourishing the beach could be 10 to 15 million dollars, perhaps more. 65% is paid by the federal government, 35% non-federal. There are stages to go through first. You can do it alone or go to the state or do a patchwork project, which is a short-term solution.

Because of the inlets we have stopped the sand from coming down. We have to figure out how to make it all sustainable. There are some artificial reefs that can be used as underwater break waters.

A project involves getting from reconnaissance study to sand on the beach. It can take 7 years. You need to make a determination from the community to go forward. If the Corps feels that you are not serious in following through the next stage, they will put it at a low priority. The Wilmington Corps is one of the best. The issues here are commitment.

Mr. Marlow noted that a lobbyist becomes helpful since this is an area of expertise. Members of Congress usually don't have the manpower or time to get involved. Part of Mr. Marlow's job is knowing what to do and when to do it, looking for funding sources and overcoming objections by the Corps. Mr. Marlow also stated that persistence and knowledge works. We assist your delegation. We're familiar with all 4 representatives. Working with the Corps is another way. Our job is to get them to do what they should be doing and as fast as possible. The relationship we have with the district is very important. It's also important that we know key people in Congress.

You have a beach that is eroding and an infrastructure that is in jeopardy. Your environmental issues are important and are federal interests. The case can be made and if you want to pursue this we can help you.

Mayor Bostic noted that we have the Cobra zone to deal with that will raise our cost for the 13 miles. We've had the corps do a presentation for us before. Mr. Marlow said that the cobra issue would be made during the reconnaissance study. We can see how we deal with this problem at the beginning of the study. The issue will be - can they use federal money to renourish the beach. Federal money renourishes public beach, not private

property. Alderman Sizemore stated that he would not vote for beach renourishment unless we had easements from property owners. Mr. Marlow noted that the federal government requires horizontal access. Alderman Sizemore stated that we have three towns on this small island and it will be a complicated issue and asked if it would be difficult to do three projects vs. one project. Mr. Marlow said that once one community starts the others would follow. The beach doesn't know the lines of the towns so the Corps is trying to do things on a regional basis. The hardest issue is Cobra and the sand source. They would have to take a look to see if it would be too costly to get you sand. Mr. Marlow's indication is that if the Corps is positive you will find the other towns joining you. A federal project is a 50-year project. The government will continue to come in and cost share because sand moves over time.

Alderman Flynn asked how they determine the fee schedule. Mr. Marlow said that they prefer to say that this project will take a certain time per month, put it on an annual basis and split that into 12 equal parts. We stay in touch at all times and let you know the status and what we need from you. Alderman Flynn asked what the estimate was for the reconnaissance portion? Mr. Marlow said that the estimate is about three months of work at \$10,000 to \$12,000. Once the appropriation comes in we help you work with the Corps. Most of the contracts we have run \$3,000 to \$4,000/month over a period of a year.

Andy Hedrick, Town Manager of Surf City, asked Mr. Marlow at what point did he get involved with Ocean Isle. Mr. Marlow stated that he got involved with them 3 to 4 months ago and they hired us up to June of this year with the option of hiring them for a longer period of time. The issue there was that the Corps of Engineers said that they will need \$200,000 in federal money in getting their easements and they were on their own getting their easements. Mr. Marlow talked to a couple of people in the Wilmington District and if they moved with more aggressiveness, they could get into construction in fiscal year 2000. We asked for 5.6 million instead. We had to work with Congressman McIntyre and others. We had to go to the Senate side quickly for our request. Both Senators wrote letters requesting 5.6 million.

The projects that are getting the construction dollars are projects that are being assisted. How you structure this is important and you need to make it as attractive as possible for others to join you. Mr. Hedrick asked that if a community has limited funds, would you be better off investing on the front end or back end of the project. Mr. Marlow said that his inclination is the front end.

The corps will do a cost estimate of what the long-range cost would be for the 50-year commitment. In general, the periodic renourishment can be

just as expensive as the initial project. Every time they come back it will be a cost share project.

Linda Knowles asked if the first cost is due the first day it starts? Mr. Marlow said that the non-federal share would be due at the time they complete construction (renourishment of beach). There will be commitment of money before that time. The State has been cooperating in renourishing.

Charlotte Wilmer asked if the 2nd and 3rd year is a half million dollars? Mr. Marlow said yes, but it does not have to be paid all at once. You would have to look at your local funding sources also. Ms. Wilmer also asked if FEMA gets involved in this? Mr. Marlow said that they do nothing with shore protection. Ms. Wilmer noted that we have a small number of property owners and how much leverage do we have? Mr. Marlow said that the numbers are not the issue, it's the commitment and need of the community and your ability to prove this is important. Senators are asked to prioritize their issues. The competition becomes great.

Alderman Flynn asked that if we started this on July 1, when might the Corps start. Mr. Marlow stated that we are too late this year and it would be next year, October 1, 2000 before we could start. They could not begin the study, but we need to get the authorization. We may be able to reprogram funds if we promise to ask for appropriations next year. The study could begin October 1, 2001. The Reconnaissance Study could go quickly. Getting an authorization for a Reconnaissance Study can occur almost any time of the year. We need to work with the Corps.

Mayor Bostic asked that to get us through this stage, what would it cost the town to hire you to get us through that phase. Mr. Marlow said between \$3,000 and \$4,000/month - times 12. Linda Knowles asked if all three towns joined in with us would it be the same amount? Mr. Marlow noted that it would cost a little more because of different issues, but it would not be tripled.

Ms. Wilmer asked how much of the work would Mr. Marlow personally be doing. Mr. Marlow said he would be involved 80% of the time.

The Board thanked Mr. Marlow for his presentation.

COMP TIME PAY OUT:

Mayor Bostic noted that we have an employee who wants to cash out his comp time. Mr. Hammond read a letter from Police Chief Danny Salese requesting that he be paid for half of his time, which will be 240 hours, equivalent to \$3,904.80. Mayor Bostic noted that everyone was given a comp time pay out sheet. Mr. Hammond recommended to the Board that

we would have to do it sooner or later. If we wait after July we have a 2% cost of salary increase. The police officers rated comp time before they became salaried. This amount is what was accumulated before Mr. Salese was put on salary. The cap is 240 hours per year and anything beyond that you have to pay them. It's 480 hours for fire personnel. Mr. Hammond said that it would have to come out of the salary line item. Alderman Smith asked how comp time and vacation time is monitored since it is out of line. Mr. Hammond said that they could accumulate 240 hours of vacation - anything over - use it or lose it. No one has ever enforced it in the past. Mr. Hammond noted that he gave everyone a memo stating that whatever they had they would lose if they didn't use it within the allotted time. You can't lose comp time.

The consensus of the Board was to pay Danny Salese the amount requested by him.

**CLOSED
SESSION:**

The Board of Aldermen went into Closed Session and asked Mr. Hammond and Ms. Carbone to leave. Personnel issues were discussed and no action was taken.

ADJOURNMENT:

Alderman Peter Hillyer moved, seconded by Alderman Steve Smith to adjourn the meeting at 9:15 p.m. The motion passed unanimously.

Respectfully Submitted


Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
PUBLIC HEARING
BUDGET 99/00
JUNE 19, 1999
2:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk

QUORUM: Mayor Bostic called the meeting to order at 2:01 p.m. in the North Topsail Beach meeting room and declared a quorum present.

BUDGET

DISCUSSION: Mr. Hammond read the Budget Message #3.

The proposed annual budget for the period beginning July 1, 1999 and ending June 30, 2000, is herewith presented. The total requirements being assessed against the General Fund Accounts is \$1,730,722.98, but with the Police Asset Account of \$9,616.28 the total budget is \$1,740,389.26.

The budget, including revenues and expenditures for each department has been proposed in accordance with the Local Government Budget and Fiscal Control Act. The requirement that all obligations be encumbered on the appropriate record will be realized. A monthly report will be rendered to the Board of Aldermen, which will indicate the cumulative status of revenue and departmental expenditures for each fund.

We hereby request the Board set a budget public hearing for June 19, 1999 at 2:00 p.m. in the North Topsail Beach Town Hall meeting room to receive citizens input. This date will be published as required by law.

Property Tax Rate:

The General Fund Property Tax rate for fiscal Year 1998-1999 was thirty-nine cents (.39) per 100 assessed valuation. Five cents (.05) of this recommended .39 was set aside in the Dune Renourishment/Dune Stabilization Fund as requested by the Board of Aldermen. The remaining thirty-four (.34) was used for town operations. This following recommendation is made after giving due consideration to the many complex facets comprising this proposed budget for 99/00.

With the current tax rate of .39 cents, anticipated revenue from ad valorem taxes based on current valuations of 239,007,502 at a 96% collection rate is \$909,844.09. This is a short fall of 104,491.30 between expected total revenues of 1,602,720.94 and anticipated expenditures of 1,707,212.24.

The proposed budget is only a .1% increase over last year's original budget submitted.

If the Board of Aldermen feels the urgency and need to cut expenditures even further, please be advised that it is against my advice to cut the expenditures because I feel we are at the bare minimum.

To balance the proposed budget will require a .05 cent tax increase, but will not significantly increase the fund balance. A .06 cent increase will generate 1,740,389.26 in revenues against 1,740,389.26 in expenditures by placing \$33,177.02 into the Contingency Line Item which will be utilized to balance the budget, but this will not restore the fund balance to pre-storm levels. This includes eliminating two positions. If the desire is to increase the contingency line item even more, it will require the elimination of additional positions or a higher tax rate.

Revenue Highlights:

The dollar amount shown in the current year taxes reflects an increase of last year's tax base.

General Fund Undesignated Fund balance is estimated to be approximately 368,356.00 as of the 97/98 audit.

Expenditure Highlights:

The general fund budget provides for the operation of the town, the maintenance and operation of equipment and buildings, the payment of debts incurred by the town, salaries and fringe benefits for employees, acquisition of limited equipment items to ensure the effective operation of town government.

Expenditures for all departments have been estimated to provide funds for all required expenditures such as personnel cost, committee expenditures, vehicle maintenance, needed supplies and materials, employee training, minimal capital outlay equipment and payment of the Town Hall construction loan obligation.

Capital Outlay Expenditures:

The minimal capital outlay expenditures (fire hose and purchase of a chassis for a fire truck) are important to maintain the safety, health and welfare of our citizens and to provide additional equipment to maintain our 6-fire rating.

Personnel:

Proposed 99/00 budget incorporates a reduction in staff of 1 person.

North Topsail Beach is fortunate to have a dedicated, qualified professional staff that often repairs/maintains equipment and works to provide exceptional service to citizens and save the town funds, often on their own time. Without this dedication and caliber of employee the town would experience a much higher operating cost.

As a service oriented entity, functions of the town will continue to be extremely labor intensive. Therefore, to ensure a successful, progressive future, a motivated, qualified and stable work force will continue to be the most valuable asset for the town.

Proposed salaries include normal cost of living increase and merit pay if eligible. Group insurance, longevity, 401(k) and retirement benefits will continue to be provided on the same level as this current year. I believe the benefits provided by the town enable us to obtain and keep qualified, professional employees. Competent, motivated long-term employees provide better service to the town and its citizens. In addition, it saves the town in unemployment and training cost.

The proposed salary increase does not include the Town Manager. The Town Manager's salary and benefits are established by the Board of Aldermen and merit increases or changes must be initiated and authorized by the Board.

Refuse Collection:

I propose we franchise the solid waste collection vendor the current contract with Waste Industries to include all solid waste collection within North Topsail Beach and a solid waste service fee of \$60.00 be added to all 3472 parcels of property on North Topsail Beach. This fee will be assigned to all property owners to include multiplex units and will generate a revenue of \$208,920.00 that will cover the estimated cost of \$149,328.00 for the Waste Industries contract and an estimated \$30,000 for tipping fees. After anticipated expenditures there will be \$29,592.00 remaining in the line item and reserved for a solid waste service use only. This will also serve to handle any additional pickups or unexpected expenditures.

Summary:

With the figures provided, it is my suggestion that in order to meet the expected expenditures of the proposed 99/00 budget, that the tax rate be increased from .39 cents to .45 cents. This will place \$33,177.02 into the Contingency Line Item and balance the budget. If however the Board wishes to increase the Fund Balance, they may wish to choose an alternate tax rate based on the figures provided under separate cover.

Mr. Hammond noted that there are different line items that will be changed. We recently received \$10,000.00 from Onslow County. These monies will have to be budgeted into the 99/00 fiscal year budget. There have been two line items created to show this revenue and expenditure. (10-34-00 on the revenue side and 10-720-50 on the expenditure side). This will increase the overall budget by \$10,000.00. However, there will be no net change in the budget. In regard to the Mosquito Grant (line item 10-349-00, we will receive \$3,000.00 instead of \$12,000 since this is a reimbursement grant and the town will only receive half of what was spent. In regard to the Chemical-Mosquito Grant (line item 10-545-34) \$6,000.00 - originally \$3,500.00 - expected to spend on vector control. In regard to Tax collection fees (line item 10-410-45) \$17,100.00 - originally \$8,150.00 - Onslow County proposed a 1.5% tax collection fee

for all municipalities for which they are collecting taxes. In addition, this is significantly higher than last year because the refuse collection fees are also included in the 1.5% collection rate. In regard to Special events (line item 10-620-27) - fireworks, which originally was \$750.00, is up to \$1,000.00 since Surf City is not participating because of their own anniversary celebration.

Mayor Bostic opened the floor for discussion.

Ms. James asked if we needed as many policemen as we have and also asked if we couldn't use a lifeguard instead to watch the beach? She stated that this is the biggest expenditure and thought that it was totally unnecessary. Ms. James also noted that she wouldn't be able to afford to live here.

Ms. Edwards questioned the solid waste service fee and asked if it will be \$60.00 for each property even though it is vacant or unbuildable. Mayor Bostic said that every parcel would pay \$60.00.

Ms. Blackburn said that a lot next to her has never been cleaned up since Hurricane Fran. Mayor Bostic noted that we need to stick to the budget.

Ms. Wilmer opposed the tax increase. She wanted alternatives for the property owner and wanted to hear discussion of alternatives for revenues. Ms. Wilmer also noted that Alderman Sizemore is the only one who has brought this up for discussion. She stated that if you pass another increase there would be another increase in the town's income.

Ms. Cyber, I'm upset because the other towns charge lower tax fees. She noted that she is on a fixed income and won't be able to afford this increase.

Mrs. Sizemore agreed with everyone that this increase is too much. The staff has always been courteous, but we need to make some cuts.

Mr. Caswell asked what positions would be cut? Mr. Hammond noted that the positions are an administrative position and the other is the Public Works Supervisor position. Mr. Best is assuming that position. The proposed budget includes two position cuts. There are other alternate suggestions for other positions. Mayor Bostic noted that he is not at liberty to discuss the other positions at this time. Mr. Caswell found it difficult to proceed if we don't have questions and answers. Mayor Bostic stated that we have had discussions at other budget workshops. We will have another workshop on Tuesday evening. Mayor Bostic noted that we are looking for suggestions for the budget proposal at this time. We have had a suggestion to totally eliminate our inspections department. The Mayor has contacted Onslow County, but citizens have voiced their opinion that they do not want the inspections' department to be disbanded. Mr. Caswell suggested that in regard to comp time that is owed employees that it's important to compensate them and yet to pay overtime is expensive. He noted that it is best to compensate them at today's rate v. paying at a different rate when they leave or retire. Mr. Caswell also

asked if schedules are being adjusted and if staff were given comp time today. I think that we should pay for today's services with today's money. Mr. Caswell also thought that the town would operate better if the Alderman had a particular department that they specialized in. He also suggested that in the future we should make copies of the whole budget for people to take home. Mr. Caswell felt that the employees are very valuable and asked if employees are trained in budgeting.

Mayor Bostic said that would be addressed at a future date and noted that we can't micromanage. The Mayor also noted that when a check is written there is an Alderman who signs the checks or he signs them himself and questions everything. Once we adopt the budget we give it to the manager. We are doing the best we can. We have looked at every line item. There will be changes in the upcoming budget and we may save some money and that money will be put in our undesignated fund balance. We are looking at beach renourishment also for the future.

Mr. Caswell said that the staff is doing a wonderful job and he would rather keep a position and pay more taxes. He noted that we could probably use a purchasing agent. Mayor Bostic said that the town manager searches for the best buys, that is his job. The Mayor asked for all the citizen's ideas throughout the year and that they could write or email the board.

Mr. Hammond noted that he and Ms. King window-shop for any purchases. We have changed insurance carriers for our flood insurance at a much cheaper rate. We have also changed our phone carrier by contracting with the State.

Ms. Parrish thanked the police department for patrolling as much as they do. She was thankful that her property is protected and she did not want to see any services cut. Ms. Parrish asked if we already use Onslow County for inspections. Mayor Bostic noted that our Building Inspector, John Starzynski, is employed by the town. The last inspection by Onslow County was back in 1991.

Mr. Newsome stated that he has been here since 1965. From 65 to 90 we had nothing. He is 100% in favor of a tax increase if we keep all our services.

Mr. Brown asked when revaluation would affect us. Mayor Bostic said not until next year.

Ms. Johnson felt that the staff is doing a good job and she appreciates the services, especially the police since they are available all the time. She was also thankful to the Fire Chief for responding to a difficult situation

they had. Ms. Johnson said that she would be willing to pay more to keep these services even though she is a part-time owner. In regard to the inspections and CAMA positions, Ms. Johnson noted that she has worked very well with both of them. If you turn it over to the County they would not care as much as our local staff. She also suggested that Building permits and CAMA permits should be higher.

Mr. Johnson noted that in looking at the budget, 2/3 of the funding is coming from taxes. It is an easy solution to raise taxes to get more revenue. If you double your permit fee you can raise more revenues. You have to look at each individual area. The fees in other areas are so much higher. Mr. Johnson felt that in looking at the staff you have, don't go backwards.

Mayor Bostic noted that on the revenue side we are limited. We are also limited to what we charge for privilege licenses. We don't have a water and sewer department or schools for revenue.

A citizen asked if we could have a .45 tax for one year and then go back to .39 since we will have a revaluation. Mayor Bostic said that we would have to address that next year.

Alderman Sizemore noted that we had this meeting today for everyone to voice their opinion and he was hoping to get more input from the citizens. He also stated that he has nothing to take with him to the budget session on Tuesday night. Alderman Sizemore voiced his disappointment that more people did not attend.

Mayor Bostic noted that we try to cater to the citizens as much as possible and we hope to finalize the budget on Tuesday night.

A citizen asked for the background of the inspections and CAMA positions.

Another citizen thought that the number of police was unrealistic. Mayor Bostic noted that we have fewer officers than Surf City, they have 12 we have 9.

Alderman Smith said that he appreciated everyone coming out here today. He did stress that our undesignated fund balance is down and we have to build it up.

Mayor Bostic noted that we financed the town hall for 7 years. In order for us to borrow money we have to get state approval. The State looked at our options and they suggested a 7-year loan. We wanted to refinance this building, but we were not allowed to do so.

Mayor Bostic stated that in regard to the reappraisals, that it does not affect this budget at all.


Mrs. Sizemore requested that the board consider basing their decisions on our income this year and not next year. Mayor Bostic noted that we have to do that by law.

Mr. Toner suggested that a marina be a possible source of revenue. Mayor Bostic said that we are looking at parks and recreation and are trying to get back in that phase. There are others who are interested in that also.

Ms. Johnson wanted to reiterate that we should make no cuts in staff. She also asked if there is an opportunity to speak with our legislature to get grant money for commercial development. Mayor Bostic noted that it is outlawed through our Land Use Plan. It will require a public hearing to amend our Land Use Plan. Ms. Johnson asked if there was a restriction on donations to the town?

ADJOURNMENT: Alderman John Flynn moved, seconded by Alderman Joe Vecchione to adjourn the meeting at 3:20 p.m. The motion passed unanimously.

Respectfully submitted,


Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
BUDGET WORKSHOP
JUNE 22, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Joe Vecchione and Otis Sizemore, Town Manager, Tony Hammond, Town Clerk, Loraine Carbone

CALL TO ORDER: The meeting was called to order at 7:20 p.m.

**BUDGET
WORKSHOP:**

Mayor Bostic noted that there was new information for the Board members to go over. Mr. Hammond stated that the changes reflect what was handed out at Saturday's meeting with the money that was received from Onslow County, which changed the revenues. What we anticipated for the contingency line item has decreased considerably due to the increase in Onslow County's 1.5 % collection rate and the loss of revenue from the Mosquito fund.

Public works increased because of the Mosquito Control expenditure. Originally they proposed \$3,500.00 and we changed it to \$6,000.00 because that is what is expected to be expended. Alderman Flynn noted that the total for recreation should be \$1,000.00.

Mayor Bostic noted that we have to make up for the intangible tax item. Year to date we have received \$14,489.88. We won't receive that anymore. Alderman Flynn noted that 10-720-73 Beach renourishment, there has been, for this year's receipts, a significant variance. Mayor Bostic noted that year to date on 5/24/99 we collected \$11,364.50. Mrs. King stated that is how much money is left and it will be rolled over. It's the money for the dune account and it will be carried forward. Mayor Bostic noted that the expenditure on 5/24/99 was \$174,714. Why is it less now? Mrs. King stated that the report on 5/24/99 was printed prior to corrections being made. The last of the account payables are included in today's report.

Mrs. King noted that after this meeting we would have to schedule the budget amendment. Alderman Flynn asked if it was protocol that if there are any funds in excess to our needs would it go into the contingency fund? Mayor Bostic noted that it takes a budget amendment to do that. It will automatically rollover to cash on hand and is subject at the next budget season. Mayor Bostic also noted that this budget will take strict management on the manager's part to bargain shop and take that money that is not spent and put it towards our savings. Alderman Flynn felt that we should demand that. We need to have a revenue sheet that is legitimate and anything left over should be earmarked for our contingency fund.

Alderman Sizemore questioned money received under CAMA. He noted that \$19,000 was budgeted and we have received only \$4,000 back. He

asked if this was due to reports not being filed and if that was the case, that it is intolerable. Mayor Bostic asked Ms. Potts if the anticipated revenue for the upcoming year is much higher than the actual revenue of this year and it doesn't include the two letters required, how could you anticipate more revenue. Ms. Potts noted that she has a meeting with Ken Joyner, and they are going to declare five subdivisions, which will be rebuildable again. There is a new first line of vegetation. Alderman Sizemore asked how much is in the Cobra zone? It was noted that all of it is in the Cobra zone. Alderman Sizemore noted that we wouldn't see a lot of that money for a long time since subdivisions take time before the property is developed. Mayor Bostic wanted to make sure that we are not overestimating our revenues. Ms. Potts said that the revenue is estimated high because when we sign with CAMA it's time to negotiate the amount that we get reimbursed. Jacksonville gets \$75.00; small communities only get \$50.00, so we need to bargain.

Mayor Bostic asked John Starzynski if he felt comfortable with his revenue figures. Mr. Starzynski said yes, as long as we have no storms and that figure could go higher with more building in the Town. About 30 more houses will be built this year.

Alderman Flynn asked if there were any outstanding Bonnie reimbursements. Mr. Hammond noted that there was about \$50,000 that has not come in. In regard to Fran, there is another \$50,000, but Mr. Hammond was not sure if we will get it. We should know in July or August. Alderman Sizemore asked if Fran showed up in our fund balance? Ms. King said yes, it came under miscellaneous and after expenditures it will go into the fund balance. The revenues didn't come in that were budgeted. Alderman Sizemore noted that this came out of the fund balance and we cannot spend it for other things. Alderman Sizemore said that we have \$153,000 for Fran, we spent that money, and we can't use that money for budget items. Ms. King noted that it shows a surplus that is not budgeted, but that money is in there. Once everything is balanced out, the only things that are carried through are the dune fund, Powell Bill and any state revenues that are earmarked. Alderman Sizemore noted that we were not advised of this and that it is shoddy bookkeeping. Ms. King said that there is no line item for the fund balance and it happens at the end of the fiscal year. Alderman Sizemore noted that you couldn't balance a budget with money we didn't know we were going to get.

Mayor Bostic said that the town has been reimbursed for Bonnie. That is one of the reasons we have to build the fund balance. He asked the Finance Officer if we would have to use any money from the undesignated fund balance to balance the budget. Mrs. King said that as of today it looks like we are coming out on top. If it is negative, it will come out of the undesignated fund balance. Alderman Sizemore said, then we won't close out the year. Mayor Bostic noted that he wants budget amendments to

come in as soon as possible and doesn't want to speculate. Mrs. King noted that she is doing the best that she could and is learning as she goes along. Alderman Flynn asked Mrs. King if she knew what the revenue will be and if she expected our revenues to exceed? Mrs. King noted that the way it is looking right now you will see a positive figure of \$71,331.23 year to date which means that today we are in the black. Alderman Flynn asked if we are scheduled to make anymore disbursements. Mrs. King said no and payroll was run today and she didn't plan to write anymore account payables. Mayor Bostic questioned if the town hall payment has to come out of this budget. Mrs. King said that the July 1st payment wouldn't come out of the bank before the 30th. We will have that money still in the bank.

Alderman Smith asked if we could assess ourselves a tax increase and then go back to .39 next year. Mayor Bostic said yes, we set it every year. Mayor Bostic also noted that the revaluation is not going to affect this budget whatsoever. It will affect next year's budget. Alderman Hillyer noted that our taxes have been reduced in other years.

A citizen noted that she wouldn't mind a .06 assessment to cover us this year. She also said that when property values increase we would be paying more money. Mayor Bostic stated that we are trying to get our revenues in line this year.

Mayor Bostic asked if anyone wanted to take action on the budget. Alderman Sizemore said no, since we have not made sufficient cuts and it's not fair to put it all back on the citizens. We could ask staff to cut back their hours 1/2 day a week, we need to do something since we are only reducing two people. Alderman Hillyer noted that the budget is as good as it can get. A heated discussion took place between Alderman Hillyer and Alderman Sizemore.

Alderman Flynn noted that once citizens understood the revenues and looked at the requirements for support, that most citizens have supported the safety and security of the Town. They have preferred to stay with the budget we have assessed here. There have been some comments regarding the type of services, more on an attitudinal basis rather than a cost basis. Citizens are stating that .45 is acceptable. They expect to see an oversight and are expecting to see a significant increase in our contingency fund by the end of the year. Alderman Flynn also noted that we have gone through the budget line item by line item and it is time to move to put the budget together. Alderman Vecchione noted that he has talked to citizens and most of them don't want services cut and are not happy with the increase, but are willing to do it this year and possibly lower them next year. Alderman Vecchione felt that it was time to vote. Alderman Smith said that he looked at what was being asked for this year. Last year we had erroneous numbers and next year it should be easier to make a decision. Alderman Smith also felt that we are not putting enough

money in the contingency fund and we could cut other expenses to do that. We can't speculate on what next year will bring.

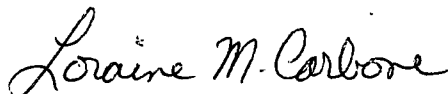
Alderman Hillyer apologized for losing his temper. He noted that no one likes a tax increase and we tried our best to bring the expenses down. What he heard at the Public Hearing was that people didn't want to pay higher taxes, but they don't want services cut. We need more money in our undesignated fund balance. Alderman Hillyer hopes that during the fiscal year we will find ways to save money that will be significant. He noted that we don't have a lot of help in revenue and we don't have an accommodation tax. This year is our toughest year. A study of natural disasters reveals that the 3rd year is the toughest because the money is not coming in anymore. There were some miscalculations in the past. A .45 tax increase is reasonable and fair. In the future we hope we can lower them.

Mayor Bostic said that the only way he supports this budget is that the Town Manager implements some strong controls. Accurate accounting is needed. The Mayor has sent over 300 emails and received over 100 back. One gentleman said, just don't waste our money, but he didn't want services cut. I think we still need to look, even if we adopt this budget, at consolidating some departments, making them more efficient and making sure that all employees are pulling their weight. We need to, as a Board, take different directions to look at different revenues for this town. We are limited as to where we can get income. The principal source of income for any town is the property tax. In 4 more years we will have the town hall paid for. We need to build our fund balance. The Town Manager will have to oversee every penny in this budget and look at ways to make this town more efficient. Mayor Bostic stated that he supports this budget under these conditions.

Alderman Hillyer moved, seconded by Alderman Flynn that the Board of North Topsail Beach adopts the budget for 1999/2000. The motion passed 3 to 2 with Alderman Smith and Alderman Sizemore opposing.

ADJOURNMENT: Alderman Sizemore moved, seconded by Alderman Smith to adjourn the meeting at 8:35 p.m. The motion passed unanimously.

Respectfully Submitted,


Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
SPECIAL MEETING
JUNE 29, 1999
6:30 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Joe Vecchione and Otis Sizemore, Town Manager, Tony Hammond, Town Clerk, Loraine Carbone

CALL TO ORDER: The meeting was called to order at 6:35 p.m.

BUDGET

AMENDMENT: Budget Amendment #3

Debits

10-410-43	Auditor	\$3,000.00	Increase expenditure
10-500-80	Storm damage	33,500.00	Increase expenditure
10-545-80	Storm damage	670,000.00	increase expenditure
10-560-80	Storm damage	25,000.00	increase expenditure
10-720-80	Storm Damage	211,000.00	increase expenditure
10-690-02	Salaries (fire)	8,500.00	increase expenditure
10-690-07	Retirement	4,100.00	increase expenditure
10-690-13	Utilities	1,800.00	increase expenditure
10-560-73	Street Repair	24,000.00	increase expenditure
10-545-16	M&R equip	6,500.00	increase expenditure
10-545-07	Retirement (PW)	1,500.00	increase expenditure
10-510-03	Part time salaries	9,300.00	increase expenditure
10-510-07	Retirement	6,300.00	increase expenditure
10-510-74	Capital Outlay	28,000.00	increase expenditure
10-510-17	M&R vehicle	5,200.00	increase expenditure
10-510-31	Auto Supplies	4,100.00	increase expenditure
10-510-80	Storm damage	2,500.00	Increase expenditure
10-490-33	Depart Supplies	800.00	increase expenditure
10-490-07	Retirement	5,000.00	increase expenditure
10-420-45	Contracted ser	9,000.00	increase expenditure
10-420-26	advertising	4,000.00	increase expenditure
10-420-11	Telephone	6,000.00	increase expenditure
10-420-08	401 (k)	1,200.00	increase expenditure
10-420-07	Retirement	10,000.00	increase expenditure
10-420-05	FICA	2,000.00	increase expenditure
10-420-02	Salaries	17,000.00	increase expenditure
10-410-58	Prop tax Pd	1,700.00	increase expenditure
10-420-80	Storm damage	140,500.00	Increase expenditure
10-420-33	Dept Supplies	5,300.00	increase expenditure
10-720-45	CAMA Grant	183,000.00	increase expenditure
10-999-74	Reserve Computer	10,500.00	increase expenditure
10-690-74	Capital Outlay	120,000.00	increase expenditure
10-620-47	LUP Grant	1,200.00	increase expenditure
10-545-33	dept Supplies	5,290.00	increase expenditure

Total Debits \$ 1,566,790.00

Credits

10-335-01	Fran Reimbursement	\$ 153,000.00	Increase revenue
10-335-03	Unidentified Revenue	6,500.00	Increase revenue
10-335-07	Bonnie Reimbursement	1,080,000.00	Increase revenue
10-335-08	Bonnie Insurance Pymts	39,000.00	Increase revenue
10-335-12	Bldg insurance	10,000.00	Increase revenue
10-344-00	Public Accesses	10,000.00	Increase revenue
10-368-02	State CAMA Grant	198,000.00	Increase revenue
10-720-73	Beach Renourish	65,000.00	Decrease expenditure
10-335-06	Zoning permits	590.00	Increase revenue
10-336-06	donations Beautification	1,350.00	Increase revenue
10-336-07	Boo-grass donation	1,500.00	Increase revenue
10-348-01	NCLM Grant	750.00	Increase revenue
10-368-03	Land Use Plan	1,100.00	Increase revenue

Total Credits \$ 1,566,790.00

Mr. Hammond read a letter to the Board regarding Budget Amendment #3: The pages to follow are Budget Amendment #3; the Town's Auditor Greg Adams prepared and submitted this amendment for board review and approval. This amendment is the last of this Fiscal Year (1998-1999). The purpose of this amendment is to include revenues that were not originally budgeted and to increase revenues that were not originally budgeted and to increase budget line items that have been overspent throughout the year. This amendment will not change the net amount of the budget, it will however, increase the overall total amount of the budget. Mayor Bostic asked if the numbers looked good because of revenues or because of expenditures? Mrs. King said that there were unexpected revenues that came in and when we get our receivables this number will change. This last quarter will count for this budget year if received within 45 days. Mayor Bostic asked if that would require a budget amendment. Mrs. King said no it wouldn't. Mr. Hammond stated that we have other revenues coming in from the state. One check was cut for Bonnie that we are waiting for. Alderman Sizemore said that he still has a problem with the Fran reimbursement and we would have been in the hole if we didn't use it. He also stated that he doesn't like doing that without prior approval from the Board and the Fran money should have gone into the fund balance. Mr. Hammond said it had to come out to balance the budget. Alderman Sizemore said that it was not suitable to do that. Mrs. King noted that \$2,000 could be moved from one department to another. Mayor Bostic said that the manager is obligated to notify us. Mr. Hammond said that the money was moved from the fund balance to balance the over-expenditures from the over estimated costs from last year's budget. Mayor Bostic said that both Mr. Hammond and Alderman

Sizemore are correct, but it should have come in as a budget amendment. It when into the general fund, but in the future we have to be on top of our budget amendments. It's the only way we will know what is going on. Mayor Bostic also noted that if we made the town hall payment on June 30th we would have been in the red. Mrs. King said that she was advised by the auditors to do it that way. Mayor Bostic stated that we are now putting in \$46,000 in the fund balance, but in reality we are \$90,000 in the hole. Alderman Flynn said that basically we ran a debit for this fiscal year and we were in negative financing. The only thing that saved us was an accounting method of moving things around and it won't happen next year.

Mrs. King noted that nothing was done with the Fran money and this budget amendment is the approval for using Fran money. Alderman Flynn still stated that this notification waited until the end of June. Mrs. King said that she has done the best she could do and asked the auditors what to do. Mr. Hammond noted that Mrs. King has been working with the auditors on this since January. Alderman Flynn said that the Board is just finding out about it now and communication is lacking.

Mayor Bostic asked if there were any other questions. Alderman Smith asked if we would still be in the black. Mrs. King said yes, at this time. Alderman Vecchione said there is some fat in the fire department under volunteer expenses. He noted that there are no volunteers, so why do they need this money?

Alderman Flynn said that the spreadsheet is finally an opportunity of knowing what is happening and it is much easier to read. Mayor Bostic said that every month we will have an information sheet.

Mrs. King explained that on the spreadsheet printout it says 0 for prior year. The reason it states 0 is because this is the first year we used City Pak. When we close 98/99, these numbers will shift over.

Alderman Smith asked in regard to beach renourishment, did this come from the .05 cent tax? Mrs. King said yes. Alderman Smith also asked how much did we spend to buy and repair the dozer and how much did we spend out of public works? Mrs. King noted that she would give them that information.

Mayor Bostic noted that we have to carry over our dune fund money. Mrs. King said that not all of it was taken out of that fund, it was taken out of public works. Mayor Bostic said that any left over money is to be carried over. Alderman Smith said that we could not have spent that much money on bulldozing. Mr. Hammond noted that we were paying overtime on that and if we had hired a contractor it would have cost much more.

Mayor Bostic asked if the money we didn't spend under the dune fund has to be rolled over and was it used to offset expenditures. Mrs. King said

there was money in public works, salary, gas, etc. Mayor Bostic asked for an accounting of that particular situation. Alderman Flynn asked for a detailed account of that expenditure.

Mayor Bostic asked where the repairs for the bulldozer were. Mrs. King noted that some were under storm damage, repair vehicle, equipment and in salaries. Mayor Bostic asked that they are put in proper line items and it shouldn't be under storm damage. Mr. Hammond said that it will all come out of one line item and we will keep time of the dozer.

Mayor Bostic asked for an accounting of the exact expenses of the bulldozer and where the money was shuffled to.

Alderman Flynn asked what would happen to this budget amendment. Mayor Bostic said that the auditor puts it together with the actual budget. Alderman Flynn asked that if there are any questions or concerns from the auditors that you will inform us.

Mayor Bostic asked for a motion to accept budget amendment #3 as presented. Alderman Vecchione moved, seconded by Alderman Hillyer to approve Budget Amendment #3 as presented to the Board. The motion passed unanimously.

Mayor Bostic noted that he is still concerned about the \$65,000 out of the renourishment fund.

Alderman Flynn asked what we should strive to attain in a fund balance. Mr. Hammond said that 35% is recommended. Mayor Bostic said that in the past, we have strived to have a 1 million-dollar fund balance. Citizens asked that we use some of that money to subsidize the taxes, so the minimum was \$75,000. Then the storms hit and the rest is history. Alderman Flynn said we shouldn't consider anything with the fund balance until we reach 1 million.

Mr. Hammond noted that we received a proposal from Mr. Marlowe for beach renourishment. The other handout is on alternative revenues. Mr. Hammond is also looking at other sources for revenues. Alderman Smith asked if Surf City has showed commitment to Mr. Marlowe. Mr. Hammond said that they seemed more interested this time. We have not heard anything from Topsail Beach. Mr. Hammond said that he will talk to both towns about Mr. Marlowe's proposal and will also talk with Onslow County.

Mayor Bostic noted that we could have another workshop with Mr. Marlowe and go over everything with him. We need to do something even if it is alone.

John Starzynski provided a sheet on the permit fees.

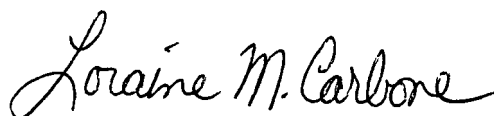
ADJOURNMENT
OF SPECIAL
MEETING:

Alderman Smith moved, seconded by Alderman Vecchione to adjourn the meeting at 7:40 p.m. and go into a Closed Session meeting that was recessed from June 22, 1999. The motion passed unanimously.

CLOSED
SESSION:

Personnel issues were discussed during the closed session. Alderman Flynn moved, seconded by Alderman Hillyer to adjourn the closed session at 9:00 p.m. The motion passed unanimously.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Loraine M. Carbone".

Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
PUBLIC HEARING AND
REGULAR BOARD MEETING
JULY 1, 1999
6:30 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

QUORUM: Mayor Bostic called the Public Hearing to order at 6:35 p.m. in the North Topsail Beach meeting room and declared a quorum present.

PUBLIC HEARING
ON DOMESTIC
ANIMALS:

Mr. Hammond noted that the original ordinance changes are bracketed, which means they will be deleted and the proposed changes, which are the additions, are underlined. An additional area that is addressed is Sec. 11-26 "Running at large; wearing of collars, tags. Three paragraphs were added to the original section. Dogs at large means running loose. It would be illegal for dogs to run loose anywhere in town or on town property. Under Sec. 11-31, "Duty of owner to control dogs", added was "twenty-five (25) feet retractable in length" in regard to the leash. Mayor Bostic said that he would resent it if his dog would have to be leashed on the beach and noted that the problem in his neighborhood are cats. Alderman Sizemore also noted that he would not want his dog to be leashed and said that there are a lot of problems in this ordinance.

Mayor Bostic asked for input from the citizens. Marge Lombardo asked if we should specify the beach. Alderman Vecchione asked if county accesses would be a problem. Mayor Bostic said that it is open to the public. Marge Lombardo said that a lot of people she knows are afraid of dogs who are not on leashes because there are many dogs that stand up on you. Ann Penta said that no other ordinances she has read have anything to do with cats. Mr. Hammond noted that cats have not been included. Mayor Bostic said that cats have to wear a collar with rabies tags. Mr. Hammond said that we are not talking about feral animals, only cats that are owned. Ann Penta said that everyone she knows has tags on their cats.

John Starzynski commented that he used to love to take his dog to run on the beach, but there needs to be some sort of restraint to control your animal.

Alderman Flynn moved, seconded by Alderman Vecchione to close the Public Hearing. The motion passed unanimously.

ADJOURNMENT OF PUBLIC

HEARING: The Public Hearing adjourned at 6:50 p.m.

CALL TO ORDER: The regular board meeting was called to order at 7:06 p.m.

APPROVAL OF AGENDA:

Additions to the agenda are as follows: under old business move b. and c. to manager's report, delete a. for now. Alderman Hillyer moved, seconded by Alderman Flynn to approve the agenda with the appropriate changes. The motion passed unanimously.

APPROVAL OF MINUTES:

In the June 3, 1999 minutes, Alderman Hillyer noted that the word "valuate" on the second page, first line should be "evaluate". Alderman Steve Smith moved, seconded by Alderman Joe Vecchione approval of the June 3, 1999 Regular Board Meeting minutes with the appropriate change. The motion passed unanimously.

Alderman Peter Hillyer moved, seconded by Alderman Joe Vecchione approval of the June 17, 1999 Special Board Meeting minutes. The motion passed unanimously.

Alderman Joe Vecchione moved, seconded by Alderman Otis Sizemore approval of the June 19, 1999 Public Hearing minutes. The motion passed unanimously.

Alderman Steve Smith moved, seconded by Alderman Peter Hillyer approval of the June 22, 1999 Budget Workshop minutes. The motion passed unanimously.

REQUEST TO ADDRESS THE BOARD:

PLANNING BOARD:

Patsy Jordan addressed the Board. The Planning Board held a special meeting on June 24, 1999. Steve Hunt had made a request for Blanche Yopp to change a R20 to a R5. It was unanimously passed. Mike Rupert resigned his seat and Steve Hunt has expressed his interest in sitting on the Planning Board. The Planning Board has asked for some training. Ms. Jordan asked for direction and the knowledge to let us know what our duties are. She noted that we have all the zoning books, but we need an overview from the League of Municipalities. Ms. Jordan also noted that the Planning Board is willing to travel on their own time. She noted that we are volunteers, but we need direction. Mayor Bostic asked for a couple of weeks to research what we need to do. Attorney Fuss said he

would be happy to let them know what their constitutional duties are and can contact the League to see what materials they have. Mayor Bostic authorized Attorney Fuss to formulate a class for the Planning Board.

NEW BUSINESS: Marlowe & Company's Beach Renourishment Proposal:

Mr. Hammond said that after the presentation by Mr. Marlow and the positive comments from not only residents of North Topsail Beach, but Surf City as well, he has asked for a preliminary proposal of services and cost. He was assured that the proposal would not be binding.

Mr. Hammond spoke with Mr. Marlowe this week regarding his proposal. The cost will start at \$3,000.00 per month. Mr. Hammond asked the Board to read the proposal and think about it and come back to decide if we want to pursue it on our own level or see if the other towns want to come in. The Cobra issues will be a priority. It can be done, but it would take a lot of time and effort. Mr. Marlowe did say that if Surf City and Topsail Beach were willing to come in it would be an additional \$500.00. Alderman Flynn said the consensus of the board before was just to submit a proposal. We wanted the Town Manager to assess the willingness of the other two towns to join us since the cost will diminish. Alderman Flynn suggested that the Board look under paragraph E which states that after 6 months after the start the cost will go to \$4,000. Alderman Flynn said that we should tie that to assurance. Alderman Smith said that this is our first step and it is going to cost us some money. If Mr. Marlowe can speed up the process and cut time off of the amount of years to finish the project, the money is worth it and hopefully we'll get help from our congressmen. We need the proper controls of someone following this project. Alderman Sizemore said that they believe in overnight packages and not faxes. We need some well-defined goals. His contract needs to be tied to performance. Alderman Sizemore also noted that Mr. Marlowe should only be able to raise his fee if he is giving us something in return. Mayor Bostic noted that he gave us a good sales pitch and he felt more comfortable with him than the first presenter. The Cobra issue will be a problem. The town will not be able to afford it if he can't change the Cobra zone. We should sign something with him before his time is limited. Mayor Bostic instructed the Town Manager and Town attorney to work on the proposal with Mr. Marlowe. Alderman Smith moved, seconded by Alderman Vecchione to instruct the Town Manager and Town Attorney to work on the contract with Mr. Marlowe. The motion passed unanimously.

Building Permit Fee:

At the May 6, 1999 Board of Aldermen meeting, the Board approved to increase permit fees to approximately \$40.00. Mr. Starzynski feels that the minimum fee should be \$50.00 and that this should go into effect as of July 1, 1999.

John Starzynski looked at the fees and noted that going from \$30 to \$40 is not much of an increase. He evaluated some of the other fees and \$50.00 is more in line with what other towns charge. Alderman Vecchione asked how much more revenue would there be for the town. Mr. Starzynski said that it was hard to say. Mr. Starzynski noted that we would be receiving a check from Topsail Reef for \$6,000 to \$7,000. Alderman Hillyer asked if \$50 was reasonable. Mr. Starzynski said yes, it's a happy medium. A temporary construction pole is \$50 and can be lowered to \$30.00 since that fee is high. Mayor Bostic asked if he would be comfortable with a temporary pole priced at \$25.00 since they would be buying other permits. Mr. Starzynski did not have a problem with charging \$25.00. Mayor Bostic solicited a motion to adopt the proposed fee schedule at \$50.00. Alderman Sizemore moved, seconded by Alderman Smith to adopt the proposed fee schedule of \$50.00. The motion passed unanimously. Mayor Bostic asked if we could increase our minimum from \$2500 to \$5000, or whatever the state level is. This will be addressed at the next meeting.

Hazard Mitigation Briefing:

Dr. Gavin Smith, State Emergency Management, has consented to provide the Board of Aldermen and the Town residents information on Hazard Mitigation. The briefing will be on Saturday, July 10, 1999 at 2:00 p.m. in the Town Hall.

Topsail Road:

Mr. Hammond spoke with Patrick Riddle and requested that they assess Topsail Road. They will reseal Topsail Road sometime this summer. He could not give me an exact date. Also, they are in the process of repairing the dips on 210. In addition to this work, they will repair the potholes located along 1568. They did come out this week and worked on 210 and 1568. Alderman Sizemore asked that they look at the sides of that road and bring some truckloads of gravel to stop tourists from getting stuck.

Request for Sand on Topsail Road:

Mr. Hammond received a request from Susan Stryker of 238 Topsail Road to place sand on her property to reinforce her berm. There is room there, and they are requesting that we take some sand and put it on the left side of the property and they will hire someone to move the sand. They have a CAMA permit for emergency pushing, but we would rather do it this way. The sand will come from Galleon Bay. Alderman Sizemore said we are only talking about a couple of loads of sand. He said that it would be fair to drop the sand and have them hire a contractor. Mayor Bostic said that it would help to protect the road also. Consensus of the board was to instruct the Town Manager to handle it.

Refrigerator/Freezer Truck:

Mr. Hammond has been in contact with Mr. Bill Fletcher of Consolidated Coastal Refrigeration in Holly Ridge. For \$350.00 per week, he will rent a freezer truck to North Topsail Beach to be located at the EOC for residents to place frozen foods in the event of a storm. Mayor Bostic said that everyone lost their food before. This would be reimbursable through FEMA. Residents will mark their food and must pick it up within 2 weeks. The consensus of the Board was that it was a good idea and instructed the Town Manager to tell Mr. Fletcher that we are interested in using this freezer.

Municipal Administrative Course:

Mr. Hammond asked for approval to apply for admission to the 46th Annual Municipal Administration Course. The course cost is \$750.00 plus the per diem. Mr. Hammond noted that he has applied for an Alumni Grant. The Board expressed concern that Mr. Hammond receives more training. Mayor Bostic noted that the schedule that is best would be the weeklong classes.

Mr. Hammond noted that the grants are approved upon the town's finances.

Alderman Flynn moved, seconded by Alderman Vecchione approval to have the Town Manager attend the Municipal Administration Course whether he receives the grant or not. The motion passed unanimously.

Storm Preparedness Plan:

Mr. Hammond asked the Board for comments on the Storm Preparedness Plan. He has pulled department heads together and made some changes to it. Some Board members have reviewed it as well as Onslow County. Mr. Hammond asked the Board if they wanted to go to a workshop with it or are they satisfied with it as is. Alderman Hillyer said we do need a workshop. Alderman Vecchione agreed and said that two years ago it was put on a backburner, we need to look at it page by page. A Special Meeting/Workshop was scheduled for Wednesday, July 7th at 7:00 p.m. to address our Storm Preparedness Plan.

Contract Approval with Custom Communications:

Mr. Hammond noted that Dave Harris has presented a proposal for contract with Custom Communications with a fee of \$1,500.00. Mayor Bostic said we don't need to do anything. Alderman Vecchione said he is tired of promises from Falcon. Mayor Bostic said that Mr. Harris would provide an analysis and we should do nothing. It was the consensus of the Board not to hire Custom Communications.

Smoking Policy:

Mr. Hammond requested approval of a new smoking policy. "Smoking breaks will be limited to no more than 10 minutes each, 2 in the morning

prior to lunch and 2 in the afternoon following lunch". Alderman Sizemore moved, seconded by Alderman Smith to approve the new smoking policy. The motion passed unanimously.

Acceptance of Mike Rupert's Resignation from the Planning Board and Appointment of Mr. Steven Hunt:

Mike Rupert has formally resigned his seat on the Planning Board and Steven Hunt has expressed his interest in being on the Planning Board.

Alderman Sizemore said that he would like to get more citizens who might be interested in serving. He noted that he went through Mr. Hunt's resume and there seems to be an abundance of real estate agents on the Planning Board and we need more diversity. Alderman Flynn suggested that we advertise. Alderman Vecchione asked why Mike Rupert stepped down. Mayor Bostic said that Mr. Rupert cited personal reasons and that he is residing in Sneads Ferry most of the time. The Board instructed the Town Manager to advertise for volunteers for the Planning Board. Alderman Sizemore said that some boards have alternates. If someone can't make the meeting they can use an alternate. Attorney Fuss will look at the ordinance to see if we can do that.

Alderman Flynn moved, seconded By Alderman Sizemore to accept Mike Rupert's resignation from the Planning Board with regrets. The motion passed unanimously. It was noted that a Letter of Appreciation be sent to Mr. Rupert.

Resolution to Support Ocean City Beach's Fiftieth Anniversary and Donation of \$75.00 for ad book:

At the request of Mr. Newsome, it is requested that the Board of Aldermen adopt the proposed resolution in support of the Ocean City Beach's Fiftieth Anniversary. In addition, they are requesting the Town of North Topsail Beach to provide them a \$75.00 donation to help cover the cost of printing the programs.

RESOLUTION

WHEREAS, Ocean City Beach celebrates its **FIFTIETH ANNIVERSARY** on July 17 - 19, 1999.

WHEREAS, Ocean City Beach offered blacks home ownership at a beach community in a time of adverse attitudes and circumstances in the forties.

WHEREAS, Ocean City Beach is an integral community in North Topsail Beach.

NOW, THEREFORE, the Mayor and the Board of Alderman of North Topsail Beach extend greetings, congratulations, and a look to a bright and continued future.

Marlow F. Bostic, Jr.
Mayor

Loraine M. Carbone
Town Clerk

Alderman Hillyer moved, seconded by Alderman Vecchione to adopt the Resolution honoring Ocean City Beach and to make a \$75 donation to their ad book. The motion passed unanimously.

Magnetic Hurricane Information Card:

Jacksonville Printing provided a magnetic card that Topsail Beach is using. The cost is \$1.13/piece. Alderman Flynn asked if a grant could be used to purchase them and would tourists walk off with them. He suggested that we provide information that can go to realtors and renters, but not magnetic cards. Alderman Vecchione said to contact our local newspapers to have them print our hurricane information. Alderman Flynn said that papers have run commentaries and requested that we address this at our workshop. No action was taken.

**MANAGER'S
REPORT:**

Mr. Hammond read a letter from Daniel A. Shugars praising Sgt. Porterfield for helping him following a cycling accident.

Update of Jeffrey Property Project:

As approved and authorized by the Board of Aldermen, On June 3, 1999, and as authorized in the 99/00 Budget, the project for Jeffrey's property to be graveled will be under way by July 1, 1999. Mr. Hammond's plan is to have the project completed by the holiday weekend.

Parrish Project Update:

A total of 50 loads (9 cubic yards) of sand from the Galleon Bay Project were transported by town employees to the 3 lots adjacent to 2320 New River Inlet Road. This project took approximately 30 man-hours to complete. The residents hired Cecil Carter to do the berm placement. We have not placed sand in front of the empty lots at this time due to a breakdown of the front-endloader.

ATTORNEY'S
REPORT:

Attorney Fuss had nothing to report.

MAYOR'S
REPORT:

Mayor Bostic noted that the budget process is over and we have challenged the Town Manager to be tight with money and to get the best deals when purchasing anything. Hopefully, we'll have new accounting procedures in the future. This will allow the board to keep up with the expenses.

ALDERMEN'S
REPORT:

Alderman Flynn asked for the status of the Waste Industries Contract. Attorney Fuss said he is researching it now. Alderman Flynn asked if citizens would be notified. Mr. Hammond said that as part of the public hearing citizens were told that it would be added to their taxes. Alderman Flynn asked if the managers of the homeowner associations would be notified. Attorney Fuss said that he would be meeting with the managers of the 4 multiplex units. Mr. Hammond said we have just received the contracts from the multiplex units. Alderman Flynn questioned the condemned structures. Mr. Hammond said that the pink house would come down on Ocean Drive. They are still working on the gray house with the windows bordered up going south on Surf City and are still working on the pier. Mr. Hammond noted that we have written several letters to them to advise them on what they need to do. Alderman Flynn said that many visitors would be here, what are we doing as a town to make sure they don't go on the pier. Attorney Fuss said that we are not liable. Alderman Flynn said it is simple to get access to that structure.

Alderman Vecchione thanked the Board, citizens and staff for all of their cards and phone calls regarding his wife. He noted that everything is fine and it was very nice to have everyone support him.

Alderman Sizemore noted that at the point at the north end, that we need a sign there. We need to make people aware that they shouldn't drive on the point. Alderman Hillyer agreed that the signs are confusing. Mayor Bostic asked public works to construct a sign. Alderman Sizemore said that on Topsail Road, when they built the stairs, they took down a dune down and never put it back.

Alderman Smith asked Thomas Best if there would be trashcans at the crossovers. Mr. Best noted that all the barrels are out and that we need to purchase more.

Mayor Bostic said that he asked for information on beach renourishment.
Mr. Hammond said that Mrs. King is working on it.

OPEN
FORUM:

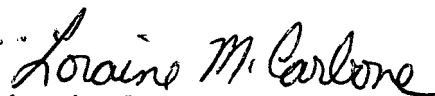
Ann Penta asked if anything was being done regarding riptide signs. Mr. Hammond said we have talked to people in Wilmington in the past. Mr. Best said that all they had were posters and they were put at beach accesses. Mr. Hammond said that he would check on it.

Patsy Jordan asked about animals discharging waste on the beach. This issue would be on the agenda on July 14th. Ms. Jordan also questioned parking at the new crossovers that Onslow County installed. She noted that Police were ticketing on 7th Avenue and asked if there were new rules since there were no parking signs available and they were getting tickets anyway. Ms. Jordan felt that they need a sign notifying them that there is no parking. Alderman Flynn asked that all visitors be treated fairly this weekend.

ADJOURNMENT:

Alderman Smith moved, seconded by Alderman Vecchione to adjourn the meeting at 8:25 p.m. The motion passed unanimously.

Respectfully submitted,



Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
HURRICANE WORKSHOP
JULY 7, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-Tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Joe Vecchione and Otis Sizemore, Town Manager, Tony Hammond, Town Clerk, Loraine Carbone

CALL TO ORDER: The meeting was called to order at 7:05 p.m.

Mr. Hammond gave some handouts to the Board members.

**HURRICANE
WORKSHOP:**

Alderman Flynn noted that the Storm Preparedness Plan is a good plan, but it could probably get better. There are various assignments, but no assignments for the aldermen. Alderman Flynn said that there were always jobs that needed to be filled in the past at the EOC. Phone calls were horrendous. Mrs. Sizemore suggested a message on the phone. Mayor Bostic said all the questions could be different. Mayor Bostic would rather see that we get the 328-1349 number rotated over to our satellite. Mr. Hammond said that the numbers could be on the website and will be published in the papers. Alderman Flynn asked that if we get one number, could we put that on the re-entry passes. Mayor Bostic said we would have to pay for it monthly. Mr. Hammond noted that we have 4 numbers at the EOC now and we don't pay for them until we turn them on. We can put 2 numbers on the passes now and they could be put on labels. Mayor Bostic still wanted the town manager to see if we can roll over 328-1349. A person should be given phone duty. Ms. Potts noted that an alderman or Mayor needs to be the information person. Citizens will not be as hostile to an alderman as they would to staff.

Mrs. Sizemore questioned the media coming on the island before the residents. Mayor Bostic said that the Governor encouraged them to let the media on this Island. Alderman Hillyer said that you have to give them a chance to see what is real. Mayor Bostic said that we need to get the news out as quickly as possible. Alderman Hillyer said we need an updated media list, which includes papers, wire services, television and radio, especially in the Raleigh area. The more accurate information we can send out the better. Mayor Bostic said we should also include the Virginia area and major TV stations in North Carolina. Alderman Sizemore asked that we put out a media handout or put in on a diskette, which would include background information, etc. We need to identify our town with pertinent information. Alderman Flynn suggested that we have a full appendix. Can we use email addresses for all the media in regard to an emergency situation? Mayor Bostic said we could have a sit down discussion with Alan Covey. Alderman Smith suggested using the United Wire Service. Alderman Hillyer suggested a release paper - "News from North Topsail Beach" with our numbers. Mayor Bostic said that Aileen Streng could put it on the UPI.

Alderman Hillyer said that he would initiate the media list. Alderman Sizemore asked if a certain person should deal with the media. Alderman Hillyer said he has done it in the past. Alderman Flynn said that during Bonnie that didn't happen. Alderman Sizemore suggested press briefings at allotted times. Ms. Potts said the best thing to provide is a video of what is happening on the Island. Mayor Bostic said that Alan Covey is already prepared to do a video. We need to bring him down one day to go over everything.

Mayor Bostic asked Alderman Hillyer to coordinate this. Micheal Fickel suggested a military style GP or canvass for people to watch the video. Mr. Hammond is going to ask if we can have the use of another room. Mr. Starzynski noted that we are all in this EOC, living there, and that we need a separate place to sleep. Alderman Flynn asked for a layout of the area in which we can operate in, to plot out where we want to have things. Mayor Bostic said that in the event it is during the school session, they will get us out of there. I think that we need to be flexible as we go along. Mr. Starzynski noted that if we can get back to this building, we will need procedures of how we operate here for business.

Mayor Bostic said that at the EOC there would be other factors, ie, school in session. We'll need to get back here as soon as possible. Alderman Sizemore asked if we could use North Shore Country Club. Mayor Bostic noted that we were not welcomed there in the past. Ms. Potts said that FEMA and Noah has a website, we can put our information on that. They update them every 15 minutes.

Mayor Bostic wants to see if we could have an option of having another room at the EOC. Our goal is to be back at the town hall as soon as possible. Mayor Bostic also said that we need to be sure we have enough plastic for all the offices.

Alderman Vecchione said that we should buy food before Food Lion closes down to be prepared. Mr. Hammond said that after the first 72 hours Salvation Army would be available. Mayor Bostic said that you couldn't count on that.

Alderman Smith noted that the plan calls for evacuating, at what point do people come back. Mayor Bostic said that the first priority is residents, 2nd are homeowners and then lot owners. Alderman Smith said that a step by step itemized plan be formed to let the residents back on the Island. Mayor Bostic said we couldn't tell people it would be 5 days before they can come back on this island because they won't leave. Alderman Smith asked if we have a list of who stayed during Bonnie. Ms. Potts said most people learned after staying for Fran not to stay for Bonnie. Alderman Hillyer said the number one issue is to avoid death or injury. It's a matter of judgment. Mr. Fickel said there should be a checklist before anyone is

let back on. The Board can check off search and rescue, check utilities, etc. Once everything is done you can issue passes. Access will be at discretion of the Town.

Alderman Flynn said we should have the criteria set in the plan. Mayor Bostic agreed that is important. The goal of this town is to get the residents back into the town as quickly as possible. Alderman Hillyer said there are no VIP's, no one is that important that they should go on the island. Alderman Vecchione agreed that there should be no favoritism.

Highway Patrol, along with our officers will be at the bridge to assist us. Alderman Flynn noted that this should be in the plan. Mayor Bostic asked the town manager to touch base with the military. Mr. Hammond noted that he is doing that.

Alderman Smith noted that we need someone to clear our roads as soon as possible. It needs to be part of this plan. Mayor Bostic said that we don't dictate where D.O.T. goes. Mr. Hammond said what helped us in Bonnie was our front-end loader.

Mayor Bostic said that we need our contact list updated, cell phones and pagers. Under utilities, Jones Onslow does their own thing; they have their own emergency numbers, so we should word that differently. We need to check the numbers for Onslow County Water and Sewer.

Mayor Bostic suggested changing - Emergency management would coordinate with various officials of various utilities. We arranged for repair people to put up tarps immediately after the storm, we need to get a list up of who can do that. Mr. Starzynski said that he is already getting a list of inspectors. Mayor Bostic said we used to have mutual aid with other towns. Mr. Starzynski said he would contact the base for repair people to help us out. Alderman Hillyer said we need to keep this as simple as possible and to keep this list updated. Ms. Potts said we have an agreement with Employment Security who have a list of construction workers. Alderman Smith said the list should be part of the plan, no names, but numbers that we can contact. Mayor Bostic noted that we should state that the building inspector keeps the lists updated.

We need to take out "should be licensed and permitted" from the plan.

Alderman Smith suggested utilizing volunteers to give out passes right before the storm. Ms. Potts noted that her mother was here during all 3 storms and that the volunteers get the brunt of the citizen's frustration. It was hard to get anyone during Hurricane Bonnie to volunteer. Mayor Bostic noted that anyone who lives in this town would be tied up. Once we get back in business we can issue permits.

Mayor Bostic asked that each department come up with an itemized list of what needs to be taken. Alderman Flynn said that an interior plan be implemented. Alderman Vecchione said that all department heads get together to put down what they think and we can review it.

Mayor Bostic said that passes for insurance adjusters should not be for just one day, it makes more work for us.

Ms. Potts asked what do we do with people who ask for 2 passes. If they are residents or renters they should receive passes, i.e. husband and wife. Alderman Flynn said that we wanted the fewest number of cars after a disaster. Mayor Bostic said if they have 3 different vehicles at a residence, they should have 3 passes.

Alderman Flynn asked if we have something written up about passes in the plan. Page 19 - #3 - Only one pass per household - #5 - change to one entry pass per household member - #12 - permitted one pass per household member.

ADJOURNMENT: The meeting adjourned at 8:45 p.m. A fire call was received and Mayor Bostic and Alderman Vecchione had to report to duty.

Respectfully Submitted,


Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
REGULAR BOARD MEETING
AUGUST 5, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:03 p.m. in the North Topsail Beach meeting room and declared a quorum present.

APPROVAL OF AGENDA: Additions to the agenda include 7g. – Resolution of Intent & Support; 7h – Contract S000032 with NCDENR; 6b – building permit change from \$2500 to \$5000 and 6c – brief discussion on the storm preparedness plan. Alderman Smith moved, seconded by Alderman Vecchione to approve the agenda with the appropriate changes.

APPROVAL OF MINUTES: Alderman Flynn moved, seconded by Alderman Smith to approve the June 29, 1999 Special Meeting minutes. The motion passed unanimously. Alderman Hillyer had a change to the July 1, 1999 minutes. On page 8, under Mayor's Report, after the word "tight" add "with money". Alderman Smith had a change on page 1 – delete the sentence that states "the beach is private property". Alderman Vecchione moved, seconded by Alderman Sizemore to approve the July 1, 1999 Public Hearing and Regular Board meeting minutes with the appropriate changes. The motion passed unanimously. Alderman Hillyer moved, seconded by Alderman Smith to approve the July 7, 1999 Hurricane Workshop minutes. The motion passed unanimously.

OLD BUSINESS: Marlowe & Co. Beach Renourishment Proposal:

Attorney Fuss noted that Mr. Marlowe is out of the country at this time and we would have to wait until he gets back for more information.

Building Permits:

... .. noted approval to increase the amount listed in

Mr. Flynn asked if it would cause a decline in permits. Mr. Hammond said it could decline. Mayor Bostic said it should be a minimal amount of money. Alderman Smith said that we did increase the building permits so this would off set that. Alderman Hillyer asked why we were doing this. Mr. Hammond said that it goes along with the State's General Statutes. Attorney Fuss noted that Mr. Starzynski said it wouldn't have a negative effect.

Alderman Sizemore moved, seconded by Alderman Smith to approve the increase.

UPDATE OF HURRICANE PREPAREDNESS:

Mr. Hammond noted that he is still looking at other plans. Key people have looked at these plans and we could incorporate other plans into ours. We have gone through and ironed out the duplicate issues. There was an issue on a separate room at the school for the public and at this time we cannot do that. We have checked all the phone lines. When they remodeled they took our phones out, but that has now been rectified. The two lines have long distance capabilities. The structure of the cafeteria has changed. We will get office partitions to move around for a sleeping area. There will be a TV set for the public. The freezer truck is all set. A resident asked if we could also issue out heavy-duty garbage bags to throw out perishables and have a dumpster available. We have identified all the office equipment that will be transported out of the town hall. We have plastic sheets stationed at each office to cover desks. Mr. Hammond noted that staff get together each week to go over the process of where we are at. We are trying to work with Alan Covey to get an aerial view of the Island. The Coast Guard was doing tracking maps of the Island and Mr. Hammond is trying to contact them. Sue McLaughlin has been updating the news media list. Alderman Hillyer asked when we would have a revised document. Alderman Sizemore asked that if we were to have an emergency, are we sufficiently prepared to implement an evacuation. Mr. Hammond said that the majority of the plan has been updated. Alderman Flynn asked for an updated copy. Mayor Bostic noted that when we hear from Mr. Marlowe we could have a hurricane meeting. Mr. Hammond noted that once our power is off we couldn't roll our phones over. Mr. Hammond will research this issue. Mr. O'Donnell asked that we know what the numbers will be and have them published. Mayor Bostic said that we have an expense to maintain these numbers and we should look into going back to Sprint to have 328-1349 rolled over.

NEW

BUSINESS: Budget Amendment #1:

As in the past years, the invoices submitted for Workmen's Comp and Insurance Liability and Bonds were broken down by departments. This year the bill was received as a consolidated bill.

Because of this, we proposed the following Budget Amendment to pay all items out of the administrative account. Funds were moved from departmental line items into the administration line items to allow for such a payment.

Alderman Flynn noted that the 4th line should be 10-491-09 in the Budget Amendment.

Budget Amendment #1***Workers Compensation**

<u>Line Item</u>	<u>Budgeted</u>	<u>Increase Decrease</u>	<u>New Budget</u>
10-420-09	\$ 600.00	\$8,173.00	\$8,773.00
10-410-09	600.00	600.00	-0-
10-490-09	600.00	600.00	-0-
10-491-09	900.00	900.00	-0-
10-545-09	1,800.00	1,800.00	-0-
10-690-09	5,700.00	2,136.50	3,563.50
10-510-09	<u>6,500.00</u>	2,136.50	<u>4,363.50</u>
	\$16,700.00		\$16,700.00

***Insurance Liability & Bonds**

<u>Line Item</u>	<u>Budgeted</u>	<u>Increase Decrease</u>	<u>New Budget</u>
10-420-54	\$ 500.00	\$16,258.00	\$16,758.00
10-410-54	1,300.00	1,300.00	-0-
10-490-54	233.33	233.33	-0-
10-491-54	500.00	500.00	-0-
10-545-54	1,200.00	1,200.00	-0-
10-510-54	16,250.00	8,683.11	7,566.89
10-690-54	<u>8,980.00</u>	4,341.56	<u>4,638.44</u>
	\$28,963.33		\$28,963.33

**this amendment will not affect the net amount of the overall budget

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Alderman Sizemore moved, seconded by Alderman Vecchione approval of Budget Amendment #1. The motion passed unanimously.

Rezoning Request:

Mr. Mark Evans, for M. Yopp, is requesting the property located between Villa Capriani and Topsail Villas subdivision be rezoned from R-20 to R-5. This request was presented to the Planning Board on June 24, 1999 and approved unanimously.

Alderman Hillyer moved, seconded by Alderman Vecchione to accept the rezoning of this property. The motion passed unanimously.

Alderman Sizemore said that he had difficulty finding this piece of property and asked for a sign to identify property. Terri Potts said that she did stake the lot, but after the planning board met, the sign was gone. Mayor Bostic said that a 4x4 would be good to put in the ground.

Request to Pave Sandlin Lane:

Mr. Gibson Williams of 110 Sandlin Lane has asked the Town of North Topsail Beach to pave Sandlin Lane. We can use the Powell Bill funds to pave this street which has a resident population of about 10 homes. As per State statutes, it would be a service contract and for a service contract, the bid process is not required. The three bids received were: C.R. Peele Construction \$10,688.25; Onslow Grading & Paving, Inc. \$8,195.40; Supervac of Jacksonville PLM \$8,004.00.

Alderman Sizemore noted that he had petitioned for Topsail Road to be paved and he was uncomfortable with paving Sandlin Lane when Topsail Road is deplorable. Alderman Sizemore suggested taking Topsail Road away from the State.

Mayor Bostic said that in years past we received a better price from DOT to resurface our streets and that we should look into that, but they could take longer to do the job. We should also check with Patrick Riddle on the status of Topsail Road. Mayor Bostic noted that DOT has done other streets for us in the past and they were 10% to 15% cheaper, but they took about 4 months to be completed. Alderman Smith noted that we should look at other streets that need to be repaved.

Mr. McGinn said that it was poor business to spend money to pave any roads until threats of hurricanes are over for the season.

Mayor Bostic said that we would table this issue until Mr. Hammond contacts DOT.

Request for Sponsorship and Fund:

Mr. Hammond noted that he received a request from the Assistant Director for Fundraising for Topsail Island's Autumn with Topsail and Spring Fling. We did not budget this item, as we did not receive this request last year.

Alderman Vecchione noted that we get nothing out of this event and we should hold off donating to it. Alderman Sizemore stated that this request went out to all business owners and he also did not feel that we had to donate to this event. No action was taken at this time.

Request for Financial Support:

Mr. Hammond noted that he received another non-budgeted request for financial support of the Historical Society of Topsail Island.

Alderman Sizemore noted that this was another blanket solicitation to all business owners. No action was taken at this time.

Transfer of Control of Falcon Cable TV Franchise to Charter:

Mr. Hammond stated that Attorney Bill Fuss has read all the documentation submitted by Falcon Cable dealing with the transfer of control to Charter Communication Holding Company.

Attorney Fuss noted that we approved the transfer to TCI. Charter is purchasing the company outright. Attorney Fuss said that the contract we approved 4 months ago is in place and Charter will assume that contract. Attorney Fuss recommended the transfer to Charter. Alderman Flynn moved, seconded by Alderman Hillyer to adopt the transfer from Falcon to Charter. The motion was unanimously approved.

Resolution of Intent & Support:

This is a resolution of intent and support to name the high-rise bridge at 210 and North Topsail Beach in honor of Trooper Walton who was an Onslow County resident and lost his life in the line of duty.

**RESOLUTION NAMING THE NC HIGHWAY 210 HIGH-RISE BRIDGE IN
ONSLow COUNTY IN MEMORY OF TROOPER LARRY WALTON**

WHEREAS, Trooper Larry Walton served the citizens of North Carolina as a Highway Patrolman; and

WHEREAS, Trooper Walton lost his life while performing his duties on December 2, 1972; and

WHEREAS, Trooper Walton was a model highway patrolman who gave his life trying to ensure that the North Carolina highways were safe for the citizens; and

WHEREAS, the North Topsail Beach Board of Alderman supports the North Carolina Board of Transportation to honor the memory of Trooper Walton.

NOW, THEREFORE, BE IT RESOLVED that the North Topsail Beach Board of Aldermen request that the North Carolina Board of Transportation consider naming the NC Highway 210 High-Rise Bridge in Onslow County in memory of Trooper Larry Walton as a memorial of his dedication and loyalty to his community and to his state; and

BE IT FUTHER RESOLVED that the appropriate signs be erected on both sides of the NC Highway 210 High-Rise Bridge in Onslow County.

ADOPTED this the 5th day of August, 1999.

**NORTH TOPSAIL BEACH
BOARD OF ALDERMEN**

Marlow F. Bostic, Jr.
Mayor

ATTEST:

Loraine M. Carbone
Town Clerk

Alderman Hillyer moved, seconded by Alderman Flynn to approve the resolution naming the high-rise bridge in honor of Trooper Walton. The motion passed unanimously.

Contract S000032 with NCDENR:

This contract is identical to last year's contract. Attorney Fuss noted that last year we inquired if we could increase the fees and that has not happened. We should make the same request when we send this contract back and request an increase in fees.

Alderman Smith moved, seconded by Alderman Hillyer to approve the contract with NCDENR with the proviso that we include a request for an increase in fees.

MANAGER'S REPORT:

1. I have received an E-mail from State telecommunications that informed us that we are not able to call forward from our phone system once power is lost. We can call forward up until the power is lost by the main system. All the phones are in working order and have been tested.
2. Mr. Barry Williams, who is doing a Coastal property Protection Study for the State of North Carolina, has set a public meeting to discuss his study and receive general comments. The meetings are scheduled on August 23, 1999 at the Topsail Island Assembly Building at 1:30 p.m. for government officials and at 7:00 p.m. for a public meeting. I've tried to reach Mr. Williams for 2 weeks now and he has just faxed this information to me yesterday.
3. We have delivered extra trash carts to public works to issue out and save delivery time from Waste Industries.
4. The Town would like to thank Marge Lombardo and Sam and Janiese Collins for offering to volunteer their time should we need assistance during hurricane preparation/evacuation. This offer was as a result of the Newsletter just published by Sue McLaughlin.
5. At the request of Waste Industries, I presented a time pick-up change proposed to the attorney. After a discussion, it was decided to let Waste Industries pick up 1 hour earlier (because of the heat) after adequate advertisement was completed and a 2-week notice was provided.
6. The Town received a request from Express Development Corporation seeking to dedicate to the town, Lantana Lane, Porta Vista Drive and Ocean Vista Drive. After review, a letter was provided to Mr. Seikaly that these streets must be brought up to DOT standards. We are waiting for his reply at this time.

7. I have submitted letters to all NTB HOA's asking for time on their calendar to come by and visit. As of yet, I have only had one response and have already visited Topsail Reef and Ms. Blackburn. I will follow-up with another letter this month.
8. At the request of Mr. Miller of 8th Avenue, (unless the Board objects) public works will close the soft crosswalks on Topsail Road. We have numerous hard walks and residents would have to walk no more than 1 or 2 blocks to gain access.
9. The Police Department has received a \$25.00 donation from Mr. & Mrs. George Blatchley, Jr. for assistance provided to Mr. Blatchley on July 20, 1999. Congratulations on a job well done to Sean Haste.
10. The contract to C.R. Peele for the Jeffries Property parking lot has been completed. It appears to have doubled parking in that area. We are still moving on the paving of the Jenkins Way area. Alderman Sizemore asked for signage directing parking.
11. As a result of the Newsletter, we received a letter from Mr. George E. Huss of 212 & 214 Oyster Lane. Mr. Huss applauded the freezer truck idea, but also suggested we provide each resident the heavy duty orange bags and provide a dumpster to dispose of perishables if evacuation is required. I will look into this issue and report back by the next meeting. Mayor Bostic noted that we could get a case of trash bags from DOT.
12. I will be out of the office from August 10 through the 13th to attend an Intro to Government Accounting course in Chapel Hill. ~Loraine will also be out the 12th and 13th to attend a Clerk's Conference.
13. NC Emergency Management conducted an inspection of the Galleon Bay Project. There was some concern from residents in that area that we were not using the funds as they were meant to be. After the launch of the Emergency Rescue boat made its way to the ICW, Mr. Glenn concurred that we met the intent of the DSR and the project was approved and set for final close out.
14. Does the Board wish to set up another workshop for the Hurricane Plan or the Domestic Animal Ordinance?
A Special Meeting was scheduled for Monday, August 16, 1999 at 7:00 pm. We will also include the street contract and Topsail Road and the Marlowe proposal for beach renourishment.
15. Starting Monday, August 9, 1999 and continuing every Monday hereafter, I will provide the board a memo of all key issues for the week that just closed. In the event I am out of town the Friday before the report is due, I will provide it in a timely manner upon my return.
Mayor Bostic asked for email instead. The Board agreed.

ATTORNEY'S

REPORT: Attorney Fuss noted that he would put together training for the Planning Board. He also suggested board members be part of the training.

MAYOR'S

REPORT: Mayor Bostic noted that he has received a lot of feedback from citizens on what a good job the police department is doing.
Mayor Bostic stated that there are discrepancies in the dune fund figures, showing a \$12,000 difference.
Mayor Bostic voiced his concerns about floodlights on the beach in regard to the turtles.

ALDERMEN'S

REPORT: Alderman Sizemore asked for an update with regard to the undesignated fund balance. He voiced his concern that the finance officer can't tell us what the balance is. He noted that it relates easily if we know what we have now instead of waiting for the auditor's report.
Alderman Flynn asked if we could put on next month's agenda the issue of signage, i.e. rip tide signs, speed signs, etc. Alderman Flynn also noted that the Land Use Plan says we are not in favor of commercial development. He questioned what we need to do to modify that approach to look at utilization of a commercial endeavor and asked if the attorney has to look into this. Alderman Flynn said that he was pleased that the town is going to vendors requesting they assure us they are in compliance with the Y2K process.

OPEN FORUM:

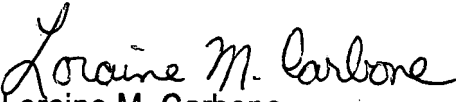
Bill O'Donnell asked that we develop a master plan for Powell Bill funds rather than react to a request from a few citizens. Also, before Hurricane season is not a good time to repave streets. Mr. O'Donnell noted that he vacationed on Sanibel Island and they have loggerhead turtles. They have an ordinance in regard to any lights shining on beaches and we should pursue this issue. We could put notices in the rental houses on lighting.
Mrs. Sizemore noted that last year the Beautification Committee asked about signs to be removed at Scotch Bonnet. Mr. Hammond will look into that.
Mr. Hammond stated that there will be a Hazard Mitigation meeting on Saturday, August 28, 1999 at 2:00 pm.

ADJOURNMENT: The meeting adjourned at 8:40 p.m. and went into Closed Session.

CLOSED
SESSION:

A closed session took place at 8:50 p.m. to discuss a litigation issue. Alderman Sizemore moved, seconded by Alderman Hillyer to adjourn the closed session at 9:15 p.m.

Respectfully submitted,


Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
SPECIAL BOARD MEETING
AUGUST 16, 1999
7:00 P.M.

PRESENT: Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

NOT PRESENT: Mayor Marty Bostic

QUORUM: Mayor Pro Tem Steve Smith called the meeting to order at 7:00 P.M. in the North Topsail Beach meeting room and declared a quorum present.

APPROVAL OF
AGENDA:

A closed session was added at the end of the meeting to discuss the cleaning contract with "Busy B". The agenda was approved with this added addition.

TOPICS OF
DISCUSSION:

Marlowe & Company Contract:

Attorney Fuss noted that Mr. Marlowe explained how we could facilitate a beach renourishment plan. We've asked him for a contract and he sent one not specific for North Topsail Beach. The contract is simple and fair. It protects us where we need to be protected. There is no guarantee of results, but we are dealing with a consultant at a very high level. We have to pay attention to the fact that he wants to make us the responsible party. He does not want to be contracting with numerous parties. We have to be careful of the exact scope of service, i.e., other projects that may be particular to this Town. At this junction it is best that we take this contract and review it. Attorney Fuss stated that he would change very little with exception as to the scope of services and amounts to be paid.

We have to see if the other towns will participate. Mr. Hammond has a meeting Wednesday afternoon with Town Manager Dathan Shows of Topsail Beach and Town Manager Andy Hedrick of Surf City to see what their feelings are. Mr. Hammond said that he didn't think Topsail Beach is interested, but there may be interest in Surf City. Alderman Flynn asked if there is a time frame. Mr. Hammond noted that if we had got in early there may have been funds this year, but we may have to do it next year.

Attorney Fuss noted that Mr. Marlowe has had success in other towns. Alderman Smith said that we need to take action on this issue. Alderman Flynn said we should review it first. Attorney Fuss said that we have a basic form and he would call him tomorrow and have him do up a proposal strictly for North Topsail Beach and we can act on it at our next meeting.

Hurricane Preparedness Plan:

Mr. Hammond noted that we have the current plan with the changes that were needed. We added the section that dealt with the freezer truck. We also added the radio and television stations. Alderman Hillyer noted that it states staff will review plan. Mr. Hammond said that every year prior to the hurricane season staff are asked to go over the plan, make sure it is accurate and that it reflects what we have to be doing and if there are any staff changes to address that. Alderman Smith felt that reviewing the plan 30 hours before reinforces what your responsibilities are. Alderman Flynn questioned page 10, number 8 – is there enough time for the inspector to do inspections since it is that late in the process? Alderman Vecchione also said that inspections should have a plan now. Mr. Hammond said that Mr. Starzynski is prepared now and already has an assessment team ready. Alderman Flynn asked that we look at page 13, top paragraph, "authorized by the insurance agent". Mr. Hammond said that he would reword that sentence.

It was questioned how citizens would receive the information sheet? Mr. Hammond said we could do a mailing. Terri Potts noted that she takes the notices to the local libraries, gas stations, restaurants, etc. Alderman Flynn said he was concerned about property owners. Alderman Vecchione noted that when citizens come for their re-entry passes we could pass out the info sheet to them.

Mr. Hammond noted that there are also passes upstairs if no one is in the police station. Letters of authorization to do work for homeowners can be faxed to us. Alderman Vecchione asked if all department heads, such as fire and police, have seen this plan? Mr. Hammond noted that everyone attends our hurricane meetings. Alderman Sizemore asked what the aldermen would do?

Alderman Flynn asked if the revised plan would be ready for the next meeting? Mr. Hammond noted that the changes would be made and distributed for the September meeting.

Paving of Sandlin Lane:

Mr. Hammond noted that it was determined that Sandlin Lane was never paved before. He has spoken with Charles Riggs and he is going to go back to his files and pull out a list of streets that were paved prior to Bertha. It will take time to get this information. Mr. Hammond asked that the Board table this issue until he has more information.

Mr. O'Donnell noted that we should look at a plan for the Powell Bill monies and look at all the streets that need to be paved.

Alderman Smith asked to have a list of streets that have not been paved and the amount of residents on those streets.

Domestic Animal Ordinance:

Mr. Hammond noted that it is hard to control cats running free. Mr. Galloway called Town Hall this morning and was concerned with Section 11-31; the timeframes should be eliminated for dogs to run free because dogs will attack other dogs. Dogs should be left on a leash at all times. Mr. Hammond noted that he received a fax from Sue Tuman and she asked that we simply adjust the current Section 11-31 (2) so that it is in effect year-round and expand the leash description to "not longer than twenty-five (25) feet in length". Alderman Hillyer noted that Mrs. Tuman's concern was to leave the word "dog" and eliminate "domestic animal" and to go back to the original ordinance and leave cats alone.

Claire Pfeffer asked that we keep the leash law all year round. Mr. Galloway said that dogs should be on a leash, if not, it can become a dangerous situation. Also, the owner should pick up the dog's mess and recommended that a patrol officer give a summons to violators.

Mr. O'Donnell noted that a sandwich bag works well when you walk on the beach to pick up a dog's mess

Alderman Smith asked if the animal control officer would have to write these complaints. A citizen noted that there are so many visitors that don't keep their dogs on a leash. Most people will not know what these regulations are. Alderman Flynn said that we should be able to get our own police force to take care of these types of summons. Alderman Smith said that it states "animal control officer" in the ordinance. Mr. Galloway noted that it would be best if an officer arrived with a summons book. Attorney Fuss said that the ordinance would not state that. Attorney Fuss said that no court would find anyone guilty of a violation unless the officer observed the conduct or the person who gives the complaint goes to court. Alderman Sizemore noted that in all reality, how many judges would deal with dog poop on the beach! He asked if we couldn't just put it in our ordinance and fine violators. If a dog runs at large or attacks someone, then we should call the animal control officer.

Ann Penta asked if we could post rules on the signs at the accesses. A citizen noted that a do and don't sheet be given to renters and they will know what the rules are. They can be given to the rental agencies. Alderman Flynn said we need to review our signage.

Alderman Smith asked Attorney Fuss to look at the changes. The Board felt that a year-round leash law be implemented and that there be feces control for the dogs.

Resolution of Intent/Support:

Mr. Hammond noted that we received a proposed resolution by the Eastern North Carolina Municipal Council opposing the proposed amendments to 15A NCAC 7H .0209 regarding estuarine shorelines.

Alderman Sizemore noted that the buffer of 30 feet has changed and he is opposed to this resolution. Some control is needed along the waterways. Alderman Sizemore urged the Board to table this issue until they could read it fully. Alderman Hillyer also opposed it. Alderman Flynn opposed the buffer issue also and noted that if they pull that out he would be in favor of it.

This issue was tabled until the next meeting.

Contract Negotiation with Busy "B" Cleaning Services:

This issue will go into closed session.

OPEN FORUM: A citizen noted that next to Topsail Road there are ruts, etc. Mr. Hammond said that he would look into that.

ADJOURNMENT: Alderman Flynn moved, seconded by Alderman Sizemore to adjourn the regular meeting at 8:05 p.m. and go into closed session to discuss the Busy "B" contract. The motion passed unanimously.

**CLOSED
SESSION:**

The closed session adjourned at 9:15 p.m.

Respectfully submitted,



Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
REGULAR BOARD MEETING
SEPTEMBER 2, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:00 p.m. in the North Topsail Beach meeting room and declared a quorum present.

**APPROVAL OF
AGENDA:**

The agenda was approved with the following addition, under new business, 7c - add critiquing the hurricane plan and 6f - hurricane plan, was deleted. The agenda passed unanimously with the appropriate changes.

**APPROVAL OF
MINUTES:**

Alderman Sizemore had a change to the August 5, 1999 minutes. On page 4, under rezoning request, strike "the" in front of property in the third paragraph, first sentence. Under Attorneys Report, change "a board member" to "board members" be included in the training. Alderman Hillyer moved, seconded by Alderman Vecchione to approve the minutes of the August 5, 1999 Regular Board meeting with the appropriate changes. The motion passed unanimously. Alderman Sizemore had a change to the August 16, 1999 minutes. On page 1, under Marlowe & Company Contract, 2nd paragraph, 2nd sentence, add after Mr. Hammond has a meeting Wednesday afternoon with "Town Manager Dathan Shows of Topsail Beach and Town Manager Andy Hedrick of Surf City". Alderman Vecchione moved, seconded by Alderman Flynn to approve the minutes of the August 16, 1999 Special Board meeting with the appropriate changes. The motion passed unanimously.

**REQUEST TO
ADDRESS THE
BOARD:**

Mr. Bill Parrish was scheduled to address the Board regarding the expenses he has incurred during berm construction but he was not in attendance.

OLD BUSINESS: Jenkins Way:

Mr. Donnie Huffman addressed the Board to explain what D.O.T.'s intentions were in relation to Jenkins Way. Mr. Huffman noted that there is a section of Jenkins Way that is not in existence. He also stated that D.O.T wants to abandon all maintenance on Jenkins Way. The right of

way will still be there, only the town can abandon the right of way. There is approximately 100 feet remaining for a parking lot, but if we abandon the maintenance of it, the right of way is still valid. The town can ask for maintenance and we can retain the 100 feet. Powell Bill funds can be applied to this. Mr. Fuss said that as far as the state is concerned, it would be dropped as a maintained road. Legally the right of way lines will still exist. The town could petition to abandon that roadway. If the town takes ownership, it will become a town street. Mr. Huffman said the state wants to abandon the whole system. The town can relinquish the right of way. If the town doesn't want to maintain it we have to notify property owners and the process would take 120 days. Mayor Bostic said it was one of our emergency beach accesses. Alderman Sizemore said that it would benefit us to take the 100 feet. Alderman Sizemore moved, seconded by Alderman Smith to have the town attorney investigate the acceptance of Jenkins Way and to present a resolution to the Board. The motion passed unanimously.

Ann Penta said that her son wants to know by letter what we are doing on Jenkins Way. Mr. Hammond said it was posted in the newspapers. Mrs. Penta noted that some property owners live out of town and they should all be notified. Attorney Fuss said the only people to be notified were those adjacent to the property. Mayor Bostic asked the town manager to make sure all the avenues were taken care of to notify people.

Mr. Hammond asked if we could take the section we want and revert everything else back to the property owners. Mayor Bostic asked Attorney Fuss to look into this. Attorney Fuss said the statutes regarding the change in a state highway system, where there is no abandonment and just shifting responsibility of maintenance, that nothing changes. Mr. Fuss did not believe that there is a concurrent responsibility to notify anyone.

Bill O'Donnell asked that if we take over the maintenance, do we own it for CAMA purposes. Mr. Hammond said that until we do a resolution accepting responsibility we are not the primary owners. Mr. O'Donnell questioned if we have the right of way to use the property as a parking lot. Attorney Fuss will look into that.

Alderman Sizemore asked what the schedule was to repair Topsail Road. Mr. Huffman said he would be glad to check on that for him.

THANK YOU'S:

Mr. Hammond gave out certificates of appreciation to John Porterfield, Alderman Steve Smith and Alderman Joe Vecchione for going beyond the call of duty during Hurricane Dennis.

Paving of Sandlin Lane:

Mr. Hammond requested board approval to table the Sandlin Lane issue until the hurricane season is finished and also to allow him the opportunity to evaluate the now paved streets and number of residents of each street per the request of Aldermen Smith. After the data is collected and presented to the Board of Aldermen, you may use it to establish a priority of paving. We came up with 21 streets that still need to be paved.

The bids will be rejected at this time. Alderman Vecchione moved, seconded by Alderman Smith to reject the bids at this time.

Marlowe & Company Contract:

Attorney Fuss noted that he wants specific comments from board members regarding the contracts. Also, he suggested that we give copies to our counterparts on the Island to solicit their input. We need to make sure that the described services are what we want and that involves a lot. A workshop would be wise to schedule and we will ask the other towns to attend. A workshop is scheduled for September 21st at 7:00 p.m.

Resolution of Intent/Support:

The proposed resolution was adopted on July 14, 1999 by the Eastern North Carolina Municipal Council opposing the proposed amendments to 15A NCAC 7H.0209 regarding estuarine shorelines. Alderman Sizemore had a concern regarding the buffer along the shoreline. It establishes control upstream, but it doesn't affect us. Control is needed upstream from us. Pender County Commissioners did not support this resolution either. Alderman Sizemore felt that existing structures should be grandfathered. Alderman Sizemore asked that we not support the resolution. Alderman Sizemore moved, seconded by Alderman Hillyer that we do not support the Eastern North Carolina Municipal Resolution as presented. The motion passed unanimously.

Domestic Animal Ordinance:

Per the results of the public hearing, the original ordinance was amended.

The leash law was changed and the timeframe was eliminated. Attorney Fuss noted that in the last paragraph, change "animal" penalty to "criminal" penalty. We are giving a violator three chances and under civil penalty there is a warning first. If there is a 3rd violation it will be a criminal penalty.

Alderman Hillyer noted that he was still confused as to what he would be voting on. Attorney Fuss said he would produce a document in ordinance form to be adopted. Alderman Sizemore asked that the last sentence be changed to eliminate "located on property owned or possessed by such person." This will be addressed at the meeting on September 21st.

NEW BUSINESS:

Donation of Blue Horizon Subdivision:

At the persistent request of many Board members, Onslow County has provided the following information to us. After discussing the proposal with the attorney, the following was suggested as guidelines:

1. Indemnity for any liability before North Topsail Beach accepting the property.
2. Split the cost of cleaning and removing the dock should North Topsail Beach pursue its renewal.
3. Forgive taxes on all 17 parcels.

Terri Potts noted that there is potential use for this property. The majority is under water though. It could be utilized as a park. The first 5 lots could be used for parking. Alderman Sizemore said that there is good potential there for a crabbing deck, kayaking area, etc. Mayor Bostic said we wouldn't lose anything, but would only gain. Terri Potts said that Onslow County had refused to clean the pier 3 years ago because of animals. It's an excellent place for an observatory and we could apply for grants. It is perfect for a bird lookout.

Alderman Flynn asked what the cost would be to take out the pier. Mr. Hammond said we would need to get estimates on that. Alderman Smith thought it was a good opportunity. Alderman Vecchione said that since there is no time limit on developing this we should accept it at this time. Alderman Flynn moved, seconded by Alderman Hillyer to negotiate the donation of the Blue Horizon subdivision. The motion passed unanimously.

Bull Dozer Repair/Overhaul:

Mr. Hammond noted that he received a service report from Gregory Poole on the engine evaluation. There is some leaking in the cylinders and some clear wearing on the piston and rings. It is suggested by Gregory Poole that the engine be overhauled before engine failure. If the town performs the work, the following applies: (this does not include man-hours) Minimum \$8,600.00, Maximum \$14,735.71. If we contract with Gregory Poole to do the repair, we would expend \$29,000.00. Mr. Hammond has asked Mayor Bostic to look over the charges. We came up with a minimum and maximum. That is, if we do the repairs ourselves, there is no warranty. There is a person that is capable to do these kinds of repairs who has worked for Gregory Poole. Mayor Bostic said that he is reliable and his costs are low. Alderman Flynn asked if there was money in the budget for this. Mr. Hammond said that it would come out of the dune fund. Alderman Sizemore said he wants one sheet to tell us what was spent to date on the dunes.

Alderman Vecchione suggested we get a second opinion and see how he compares with Gregory Poole. Mayor Bostic asked if we wanted to put the dozer in the public works building. The weight may be a problem. This issue will also be discussed on the 21st.

Critique of Hurricane Preparedness:

Mr. Hammond noted that after we had the town meeting last Saturday, we came back in on Sunday for another meeting. At that time we planned to evacuate and called in the employees and packed up and went to the EOC. Those that stayed at the EOC were Mr. Hammond, Terri Potts, Thomas Best and Mike Fickel. We related information to the Onslow County EOC. On Monday morning we did an assessment and it was suggested that citizens with re-entry passes go on at 11:00 am and all others on at 12:00 pm. That information was given to the media. There were some communication problems in that the Police Chief was not told about the changes on entering the Island. Onslow County knew what we were doing at all times. Employees cleaned up the school before leaving.

When we are packing out of here, we moved many file cabinets. Some things need to go out of here, but in the future we can tape up and put plastic on file cabinets and leave them in the file room where there is a solid roof in that room. We should only take essential items with us. Alderman Smith noted that before when Fran hit we were just a mobile unit. This building is much sturdier; we don't need to take all the file cabinets out. We can look at microfilming records. We will make sure we have enough plastic to cover anything.

Alderman Sizemore noted that we should make sure the hurricane plan works. The plan says that the Police Chief makes the determination to go back on the island. There was lack of public information available. Alderman Sizemore asked that we use a fax machine to alert the media with updates for the citizens. Alderman Hillyer thought that we need a better list and a better system in the beginning and clear up voluntary and mandatory evacuation. He also asked what do we do if it is mandatory? Mayor Bostic said that when Fran came we alerted residents on loud speakers on the fire trucks.

Terri Potts said that the majority of the money appropriated for Bonnie was for each community to get an early warning system. It was supposed to go on the North and South end stations. Attorney Fuss said that realtors could inform their renters as to what the sirens mean. Alderman Vecchione said that the big sirens don't go off anymore. But when there is a hurricane it should sound for 3 minutes, but it didn't go off this time. Mayor Bostic said that it wouldn't affect the high population areas. This should be addressed at another time.

Bill O'Donnel said that we have a web site and that's a place where we can place an emergency bulletin. Mayor Bostic noted that not everyone has computers.

Alderman Sizemore said that Channel 41 had a crawler on the bottom of the screen. Mayor Bostic asked the town manager to inquire about the crawler and include it in the plan.

Alderman Vecchione said he could work with the town manager on the police channels and noted that there is too much on it and volunteers should not use the P.D channel. Alderman Vecchione stated that we need to initialize a plan as to what frequencies we need to use.

Alderman Vecchione said that effective immediately that no volunteers should use the repeater channel.

Lydia King said that Surf City had a siren and broke into every channel on Falcon Cable and notified everyone that there would be an evacuation.

Ann Penta had on the weather channel and they had some shots of North Topsail Beach, but said it was Topsail Island.

Discussion will take place on the 21st as to who or whom should make the determination as to when we go back on the Island.

MANAGER'S REPORT:

1. Alderman Flynn requested us to research safety style vest for EOC and Board Members.

Vest	\$13.99
Wording	Emergency Services
Material	Nylon or mesh
2. We received the information from the State on the 1999 Litter Sweep. Mrs. Sara Humphries has set up a beach clean up for September 18, 1999 with volunteers. Also, Sgt. Barnhill is arranging inmate labor for the week we set aside by the town. Terri is organizing this event and will be the point of contact.
3. As a result of the State usage study of 6 telephone lines, we have determined that 4 can be eliminated saving the town \$100.00 per month. The other two lines show limited usage so I am researching this more.
4. Busy B discussion is completed and is now a closed issue.
5. The Town would like to congratulate Tommy Best, Joe Vecchione and all other personnel involved with the emergency call to Mr. & Mrs. Kornegay's on August 18, 1999. Their quick action and response was certainly responsible for the recovery of both of our citizens. Thanks for a job well done.
6. We received a letter of thanks from the IOG and NCLM for continued support with yearly membership dues.
7. We are having some trouble with the deuce and ½. The frame broke when putting in sand. I have asked Surplus to be on the lookout for another deuce or dump truck.
8. Comp time was discussed since the last report. We did increase in some areas due to hurricane events, but now that we have been declared a disaster, we are eligible for reimbursement under category 13. So with the board consensus, we will pay the overtime to all employees involved in hurricane preparation and recovery.

Mr. Hammond asked the Board if they wanted to give the salaried employees overtime instead of comp time during Hurricane Dennis. Alderman Vecchione asked if we had a break down on time on volunteers. Fema will reimburse us at 100%. The consensus of the board was to pay the overtime.

9. We have received an invitation from Congressman McIntyre to attend his third annual business and economic summit on September 13 & 14, 1999. I asked Loraine to provide each of you a copy of his letter. I need to know if you will attend this.
10. We have ordered the signs for crosswalks.
11. Easter Seals is interested in donating "Reach the Beach" chair for people with disabilities. Alderman Flynn asked the attorney to check into the liability issue.

ATTORNEY'S REPORT:

Attorney Fuss noted that he has the training material for the planning board and on September 21st we can set that meeting up.

MAYOR'S REPORT:

Mayor Bostic noted that one thing that disturbed him today was that the people in Dare County didn't evacuate because we didn't receive much damage and they didn't take the notices to leave seriously. While Mayor Bostic was at Food Lion some people commented that they would have never left if they thought it was going to be as weak as it was. We need to caution everyone because any storm can change at any time. Mayor Bostic noted that he did appreciate the ones that did leave and did help out.

Our aerial fire truck was delivered last night and will be on line to serve the community.

ALDERMEN'S REPORT:

Alderman Flynn also said that we were lucky in regard to this past storm. We have a plan and will be modifying it over time. Any comments are welcomed in regard to this plan. Overall the town personnel did quite well in this particular exercise.

Alderman Vecchione noted that the town employees did an outstanding job and we were ready. Citizens can also give input to our Hurricane Plan. Alderman Vecchione commented on how everyone was patient and cooperative.

Alderman Sizemore was very pleased that the beach has come back with this storm. We shouldn't let up on the efforts to stabilize our dunes. We need more vegetation.

Alderman Smith noted that the town employees did an excellent job. He especially thanked all of them for coming in on a Sunday to pack up. Alderman Smith said that he had a positive meeting in Jacksonville and Rep. Ronnie Smith was there at the Mayor's meeting. We talked about beach renourishment and the accommodation's tax. From Rep. Smith's perspective he is willing to help us. Mayor Bostic noted that Ronnie Smith is a friend to NTB when it comes to the accommodation's tax. He said he would contact Nurham Warwick and find out why he wouldn't push it through. Atlantic Beach benefits from the accommodation's tax and they have a lot of homes that could topple into the ocean.

OPEN FORUM:

A citizen had a concern regarding the garbage service fee on her tax bill for an unbuildable lot. Mayor Bostic said we would be discussing that in the future.

Lois Rupert asked why we had a voluntary evacuation and the rest of the Island was mandatory? It was noted that we have the high rise bridge and the other towns have a bridge that couldn't sustain the high winds. Mr. Hammond said that we followed Onslow County in their voluntary status. Mayor Bostic said that we did issue a curfew. Mayor Bostic said that we should ask the Board of Realtors to come to our workshop.

ADJOURNMENT:

The meeting adjourned at 9:12 p.m.

Respectfully submitted,



Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
EMERGENCY BOARD MEETING
SEPTEMBER 17, 1999
6:04 P.M.

PRESENT: Mayor Marty Bostic, Aldermen John Flynn and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

PHONE
CONFERENCE: Aldermen Otis Sizemore and Peter Hillyer

NOT PRESENT: Alderman Steve Smith

QUORUM: Mayor Bostic called the meeting to order at 6:04 p.m. in the North Topsail Beach meeting room and declared a quorum present.

HURRICANE
FLOYD: A major concern of Mayor Bostic is under the General Statute that we can call a legal meeting to address the emergency issues before the Town of North Topsail Beach while 3 board members are absent and unavailable for several days, but 2 are available by phone. Attorney Fuss assured the Mayor that all was legal and within the parameters of the General Statute. With this, the meeting proceeded.

Mayor Bostic noted that Aldermen Otis Sizemore and Peter Hillyer were on a phone conference with the rest of the board members. Mayor Bostic said that we had to look at a long-term debris removal contract. We have received a new proposal from DRC, Inc. DRC, Inc. has noted some things that we need to do. We need to allow them to present a proposal to us and to start the process. Our 72-hour debris removal is being handled by Peele Construction and they are doing a fine job.

Alderman Flynn noted that DRC, Inc. is strong technically. They know the Fema process and what towns have to go through and it is the only function they have to deal with. They have also worked for the Corps of Engineers. Alderman Flynn felt that DRC, Inc. representatives were sincere and forthcoming.

Alderman Vecchione noted that DRC, Inc. is very strong minded and they know the Fema process very well.

Alderman Flynn asked how long it took to get money back from Hurricane Fran. Town Manager Tony Hammond noted that we have received the last of the money just two weeks ago. It was stated that DRC, Inc. have received money back in 90 days from similar emergencies.

Mayor Bostic noted that DRC, Inc. has the ability to absorb the cost of doing our work. Peele Construction will be their prime sub-contractor since they have the experience and the quality of their work is excellent.

Mayor Bostic asked the Board members that if DRC, Inc.'s proposal is in line with other proposals, are we in agreement to award the contract to DRC, Inc. By phone conference, Alderman Hillyer said yes. By phone conference Alderman Sizemore said yes as long as they were within 15% to 20% of other bids. Alderman Vecchione and Alderman Flynn said yes.

Attorney Bill Fuss noted that we have to look at the distinguishing characteristics and look to see if anyone else has offered to do the paperwork; especially since we are still clearing up Hurricane Fran paperwork.

RECESS: The meeting recessed at 6:20 p.m. to give Board members time to review the other proposals.

CALL TO ORDER: The meeting was called back to order at 8:25 p.m.

Aldermen Flynn and Vecchione and Mayor Bostic reviewed the four proposals for long-term debris removal. The proposals were submitted by Grubbs Construction, DRC, Inc., Mitchell Construction and Peele Construction. After comparing the four, specifically prices and scope of services offered, and considering the qualifications and abilities of each contractor to perform, the Board decided that it was in the best interest of the Town to award the contract for long-term debris removal to DRC, Inc. The contract for the 72-hour debris removal has been previously awarded by Peele Construction.

A letter of Notice to Proceed to DRC, Inc. will be given to them immediately. Said notice to specifically exclude the 72-hour notice response.

RESOLUTION: The following proclamation was signed by the Mayor and the Clerk:

**PROCLAMATION OF STATE OF EMERGENCY BY THE MAYOR OF THE TOWN OF
NORTH TOPSAIL BEACH**

SECTION I. We have determined that a state of emergency as defined in General Statute 14-288 and the state of threatened disaster as defined in General Statute 166A-4 exists in the Town of North Topsail Beach, North Carolina, due to the approach and proximity of Hurricane Floyd on this date, September 15, 1999, at 12:01 a.m.

SECTION II. Pursuant to General Statute 166A-4, therefore, proclaim the existence of a State of Emergency and Threatened Disaster in North Topsail Beach.

SECTION III. I hereby order all North Topsail Beach officials and agencies to cooperate in the implementation of the provision of this Proclamation and the provisions of the Onslow County Emergency Operations Plan and North Topsail Beach Emergency Operations Plan.

SECTION IV. I HEREBY DELEGATE TO Charles Hammond, Town Manager, or his designee, the authority granted by the North Topsail Beach Emergency Operations Plan for the purpose of implementing the said Emergency Operations Plan, and to take such further action as may be necessary to promote and secure the safety and protection of the populace of North Topsail Beach, North Carolina.

SECTION V. Further, Charles Hammond, North Topsail Beach Town Manager, is designated as Chief Coordinating Officer for North Topsail Beach for the duration of this Proclamation.

SECTION VI. Further, I waive the North Topsail Beach purchasing requirements in preparation and response concerning Hurricane Floyd.

SECTION VII. I hereby order this proclamation to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public, unless the circumstances of the State of Emergency or Disaster prevent or impede, to be promptly filed with the Clerk and hereby posted in the North Topsail Beach Town Hall.

SECTION VIII. Pursuant to Article II, State of Emergency, Section 63-35. Curfew – Upon the recommendation of the Sheriff of Onslow County and Emergency Management personnel, and upon concurrence with all Police Chiefs and Mayors within Onslow County, I hereby declare a curfew in effect from 12:01 a.m. until 6:00 p.m. on September 16, 1999. This time frame can be extended pursuant to the authority delegated in Section IV of this Proclamation.

SECTION IX. In order to preserve the public health, safety, and welfare of North Topsail Beach citizens, and to protect their property as a result of evacuations and the threat of possible looting, I hereby restrict the appearance in public of anyone except law enforcement, emergency services personnel, emergency utility workers, and elected and appointed county and municipal officials.

SECTION X. This curfew shall be effective until rescinded in writing.

SECTION XI. This proclamation shall become effective immediately and shall continue until it is rescinded in writing.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SIGNED THIS PROCLAMATION on this the _____ day of September, 1999.

Marlow F. Bostic, Jr.
Mayor, North Topsail Beach

Loraine M. Carbone, Town Clerk

The following Resolution was signed by the Mayor and the Clerk:

RESOLUTION GRANTING TOWN MANAGER AUTHORITY TO HIRE
TEMPORARY EMPLOYEES FOR THE RECOVERY PROCESS RELATED TO HURRICANE
FLOYD

WHEREAS, The Town of North Topsail Beach sustained damage due to Hurricane Floyd on September 15, 1999; and

WHEREAS, Onslow County and the municipalities therein have been declared a major disaster area; and

WHEREAS, The Town of North Topsail Beach will be eligible for disaster assistance from State and Federal sources; and

WHEREAS, The Town of North Topsail Beach has, is and will be required to perform additional disaster specific tasks and activities; and

WHEREAS, additional temporary support employees must be hired to perform services needed solely for the purpose of disaster recovery from the effects of Hurricane Floyd; and

WHEREAS, the reimbursement for disaster related additional local hires, services, tasks and activities will require detailed documentation; and

BE IT RESOLVED, by the Town of North Topsail Beach Board of Aldermen that the Town Manager is authorized to hire such temporary employees as may be necessary to expedite the recovery process and reimbursement for activities related to Hurricane Floyd as well as pay all overtime of both hourly and salaried employees associated with Hurricane Floyd.

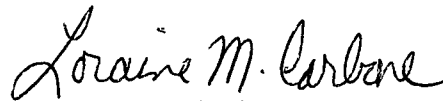
IN WITNESS WHEREOF, I have set my hand and signed this Resolution on this the _____ day of September, 1999.

Marlow F. Bostic, Jr.
Mayor, North Topsail Beach

Loraine M. Carbone
Town Clerk

ADJOURNMENT: The meeting adjourned at 8:35 p.m.

Respectfully submitted,


Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
SPECIAL BOARD MEETING
HURRICANE FLOYD WORKSHOP
SEPTEMBER 22, 1999
4:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 4:05 p.m. in the North Topsail Beach meeting room and declared a quorum present.

HURRICANE
ISSUES:

The Mayor noted that this was a workshop only for board members to go over all of the issues relating to Hurricane Floyd.

Designation of Applicants Agent for Storm Recovery:

Mr. Hammond presented the Designation of Applicant's Agent to the Board to enable him to represent the Town in obtaining Federal financial assistance under the Disaster Relief Act. This form will be given to FEMA tomorrow at a meeting in Jacksonville. Alderman Sizemore moved, seconded by Alderman Vecchione to authorize Mr. Hammond to act as the Town's agent in dealing with any disaster assistance with FEMA. The motion passed unanimously.

Home Waste Pick-up:

Mr. Hammond spoke with Waste Industries and they will start pickups tomorrow at both the north and south ends. There are two dumpsters at the North end and two at the South end. You can use containers for debris right now. If you have located your container please put it out or notify us if you need a new one.

Road repairs:

Mr. Hammond reported that D.O.T is not fairing as well as we thought they were. There is major excavation between 2nd and 3rd Avenues and they will be bringing an excavator in to dig out the entire area. This will take the majority of the day. The portion at Myrtle Drive is coming along, but it is not finished because the rain hindered the work there. SR1568 down at Galleon Bay is travelable, but is very wet and they are still bringing in more gravel. The approach to most of the bridges on the north end will be excavated and we will have to shut down roads. Mayor Bostic noted that we have allowed people to go to the St. Moritz and we trusted people, but people at 10:00 am were traveling all over during the restricted hours. During the restricted hours, the roads are committed to D.O.T only. You have to respect these contractors, otherwise, D.O.T will shut down the

roads to zero traffic. Mayor Bostic asked everyone to please, during these hours, to work around D.O.T. We will have this schedule again tomorrow and probably Friday and the Mayor asked everyone not to travel unnecessarily. He also noted that two-wheel drive shouldn't drive on SR 1568. If you do, it is at your own risk.

CAMA Viewpoint of Rebuilding Structures and Dunes:

Mr. Hammond reported that we received a letter from CAMA asking the town to establish the pre-storm berm line. They prefer that this dune line go back prior to Floyd. We are looking at the sand and the majority does not need to be screened. We have approval from CAMA to fill in the 4 inlets that were cut. They suggested we use beach compatible material. In regard to building Structures, we will use the same guidelines – if 50% damage or more and if it is in the ocean, they will not be allowed back.

Water on north end:

Mr. Hammond has talked with Billy Farmer and he has noted that it will take 2 to 3 weeks for the water lines to be repaired on the north end. The proposal is done and bids will open on Monday morning. They do have CAMA approval. It will take at least 7 days for repairs and they have to test the water. The town has purchased some water tanks and shower facilities are available at the north end fire station. There is limited hot water. We are also making arrangements for Roger's Bay to check their water lines and open their shower facilities. Showers at the fire station are open from 6:00 p.m. to 11:00 p.m. Mayor Bostic noted that we did ask FEMA for portable showers, but there are more needy areas. There is bottled water at both the north and south end.

Mayor Bostic asked that residents please don't have any fires for at least 3 weeks.

Fema Interaction & Support:

Mr. Hammond noted that he has a FEMA/State meeting on Thursday at 10:00 am to discuss the process for recovery. We have had several people here from FEMA and the State.

Clean up supplies:

We have sent a resource request in, but at this point all the kits are out. They are trying to find some for us.

Curfew:

At this time a curfew remains from 11:00 p.m. to 6:00 am. We are doing this so the Police Department can control others getting on resident's property. A citizen had a problem that his son was stopped last night at 9:30 p.m. Mr. Fickel, Assistant Fire Marshall noted that he did not know that the curfew had been extended to 11:00 p.m.

Police Chief Daniel Salese explained the reasons for the curfew. There are a lot of people who are coming by the water and we are trying to control that. Curfew is going day to day and we are trying to do our best. Alderman Sizemore noted that people could call town hall in off-hours and listen to the recorders for updates.

A citizen asked when contractors could come on. Mayor Bostic said citizens come first. There are areas where we can allow them to come on though. We have tried to allow every contractor with proper documentation to come on. Access may happen this weekend, but it depends on D.O.T. Contractors must have authorization by a homeowner.

Damage Assessment:

Building Inspector John Starzynski noted that there are 750 houses with minor damage and 50 houses with major damage on the ocean side. There is no structural damage to some of these houses. 10 mobile homes are condemned and 25 campers are destroyed.

Communications:

Police Chief Danny Salese reported that there have been problems with getting the word out to everyone. We provide the guards with radios, but information changes. The best thing for us is to get it to you correctly, but it changes as the road conditions change. There have been no break-ins or looting at this time. We are limited to our patrols and we are walking. Some people do get offended if we ask you where you are going, but we are trying to protect you.

Water quality:

The water quality is good here at this time. What is happening in the other areas of the State are not affecting us.

Waiving building fees:

Building fees were waived during Hurricane Fran. Fees have been reduced to \$50.00 at this time. Alderman Hillyer moved, seconded by Alderman Flynn to waive building fees for storm damaged repairs for the next 30 days from the 16th of September. The motion passed unanimously.

School buses:

Mayor Bostic noted that every day we are told we are going to lose our National Guard unit. There is another unit coming in to replace them. They will pick up school children in the morning with parents on board. Kids have to be here at 7:00 am. We gave them rides home today in town vehicles. The hours tomorrow will be pick-up between 7:00 am and 7:20

am and they will be dropped off at 3:10 p.m. Parents should have children ready between 6:00 am and 6:30 am if they have to be picked up.

Porta potties have been relocated at the north end.

A citizen noted that there is a child molester on North Topsail Beach. He was arrested in Sneads Ferry last night.

Alderman Sizemore asked our citizens to be patient since our problems are so small compared to other counties. They have lost everything they've got. If anyone can help these people, please do so by going over to Food Lion and donate to them. Verify any requests for cash donations. Give to the Salvation Army – they were here all week to give us food.

Mayor Bostic received a call from the town manager of Princeville. They are totally under water. They also have a problem with their graveyard with caskets coming up. Several dozens of people are still missing. Mayor Bostic asked that we remember them in our prayers.

Mr. Hammond thanked all the residents who have donated their services, those who answered phones and those who have donated food.

DRC Contract:

Don Bahouth noted that they have been in business for over 10 years. We are trying our best to make it as easy as possible. We are using Ray Peele who is very familiar with North Topsail. Mr. Bahouth thanked all the board members and staff for working with him so far. We will be working with the town as well as providing assistance with FEMA. They will also screen sand and rebuild the berms. We will be working 12 hours a day/ 7 days a week. At this point we are clearing the roads. A lot of sand is cleaned and will be put back. Mr. Bahouth introduced his associates. The Board has directives as well and we will be working with them.

Mr. Hammond noted that FEMA would not reimburse us for taking sand off of private property. They will reimburse us for cleaning the right of way. We are trying to work out a deal for contractors to donate their services. Otherwise, it would be the responsibility of the homeowner. We will need right of entry forms signed to go on your property. Some people have existing right of entries and we will have to verify them. We can't do anything with the projects until the right of ways are cleaned.

Jeff Holland noted that the town has done a great job!

The Board went into Closed Session at 5:05 p.m. to discuss personnel matters.

ADJOURNMENT: The meeting adjourned at 5:40 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Loraine M. Carbone".

Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
REGULAR BOARD MEETING
OCTOBER 7, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk

NOT PRESENT: Attorney Bill Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:02 p.m. in the North Topsail Beach meeting room and declared a quorum present.

**APPROVAL OF
AGENDA:**

Additions were made to the agenda - under New Business add under 7c - Personnel Issues and after the Open Forum add a Closed Session to discuss personnel issues.

**APPROVAL OF
MINUTES:**

Alderman Joe Vecchione moved, seconded by Alderman Steve Smith approval of the September 2, 1999 Regular Board Meeting minutes. The motion passed unanimously. Alderman Steve Smith moved, seconded by Alderman Peter Hillyer approval of the September 17, 1999 Emergency Board Meeting minutes. The motion passed unanimously. Alderman Steve Smith moved, seconded by Alderman Joe Vecchione approval of the September 22, 1999 Hurricane Floyd Workshop. The motion passed unanimously.

**CERTIFICATES
OF APPRECIATION:**

Mayor Bostic noted all the volunteers who helped us after Hurricane Floyd and certificates were available for all of them. The following will be given certificates:

CERTIFICATES OF APPRECIATION
HURRICANE FLOYD

NATIONAL GUARD

CPT Jack Mellott
1LT Sean Mosier
1LT Tony Mirovsky
1LT John Cummings
1SG Jay White
SFC Henry Thomas
SFC Arnold Bryan

SSG Mike Hatley
SSG Earl Smith
SSG Richard Moody
SSG Jimmy Edge
SSG Shane Potts
SGT David Start
SGT William Brantley
SGT Virgil Ray
SGT Wendell Savage
SGT Rick Bowens
SGT Donald Groves
SGT Siai Tafil
SGT Derick Hunt
SGT Christopher Rovig
SPC James Bullock
SPC Roy McDonald
SPC David Howell
SPC Chris Ward
PFC Dwight Long
PFC Kevin Lucas
PFC Rodney Cole
PV2 Bryan Regan

American Red Cross

Salvation Army

MARINES WHO HELPED US MOVE BACK

Patrick McLaughlin
Erick R. Torres
Eric R. Pate
Nathan J. Orndorff
Forrest Jackson
Michael J. Fuller

INSPECTION VOLUNTEERS

David McCracken
Fran Hunter
Danny Bryan
Keith Baker
Sherrill Strickland
Kendel Gwynn
Christine Shearer

Jacksonville City Manager's Office

Residents and Businesses Who Donated Food

Debbie Conklin
Sam McGinn
Domino's
Subway
Paliotti's

SPECIAL VOLUNTEERS

John Flynn
Joe Vecchione
Steve Smith
Harold Hunt

Alderman Hillyer explained that three of the aldermen were not able to get back after Hurricane Floyd, namely himself and Aldermen Sizemore and Smith. Those that were left did a wonderful job namely, Aldermen Flynn and Vecchione and Mayor Bostic. Alderman Hillyer gave gifts of appreciation to them. A Special Mission toy set went to Alderman John Flynn; a kids phone and atomic beeper went to Alderman Joe Vecchione and an Energizer bunny was awarded to Mayor Marty Bostic!

OLD BUSINESS: Marlowe & Company Contract:

The attorney is still waiting for input from the Board of Aldermen about specific contract concerns. Alderman Flynn so far is the only one who has contacted Attorney Fuss.

Animal Ordinance:

As a result of the two recent storms, this issue is still in the incomplete file. We will have a completed package for the next board meeting.

Blue Horizon Subdivision:

The Board's proposal was submitted to Onslow County on September 13, 1999. We have, as of this date, not received this response. This issue will remain open until they have provided their response.

Bulldozer Repair/Overhaul:

After the last proposal, Public Works researched the additional information and the estimate is \$9,329.82 as long as we transport to Burgaw. This also does not include head replacement if it is cracked. This will be determined

once the heads are removed. Mr. Hammond noted that he would need a decision from the board if we go with the overhaul. Alderman Flynn asked what the cost to transport would be? Mr. Hammond said it would cost about \$500.00 for the transport fee and repairs should take about two weeks to do. Last year we used John Tew and Thomas Best to do the bulldozing, which detracted from their regular work schedule. The Employment Security Commission is coordinating with FEMA to hire displaced workers for storm recovery. Money will not come out of our pockets. We will keep timesheets and turn them in to the ESC. We are looking at bringing in six people to clean up road debris. We also have the opportunity to hire a bulldozer operator through this program. Mr. Hammond noted that CAMA does not want us to do individual pushing. Our intentions are to do a town wide push.

Alderman Sizemore asked what the plan is to push the beach. Mr. Hammond said some places don't have sand, but some do. Alderman Sizemore asked for a plan before we push because he is not satisfied with continuing to put money into the dozer. Alderman Sizemore noted that he has asked for financial reports for three meetings now. We're destroying our assets at this time.

Alderman Flynn asked if there was a timeline on repairing the bulldozer and could it be held for a month. Mr. Hammond noted that we could wait. It was agreed to wait until next month to address this issue.

Jenkins Way:

Action on Jenkins Way has shifted to the November 1999 Board Meeting. As a result of the two hurricanes, we have not had the opportunity to pursue this project to the fullest.

NEW BUSINESS: Berm Construction:

We have received permission from all parties concerned authorizing the placing of the berm at the pre-storm position.

Shape, size, and location will be determined by the NTB CAMA Officer. Her expertise and experience makes her the logical choice for design and placement.

There has been controversy with CAMA, but they are now leaving it up to us to establish our first line of vegetation at the position prior to the storm. Mayor Bostic noted that at Ocean Wynds, the berm line is questionable. Mr. Hammond will look into this. Mr. Hammond has expressed his concern to D.O.T. regarding using sandbags in vulnerable areas. They did it in Nags head and Kitty Hawk. We need to protect certain areas from storms. Doug Bowers will speak to officials in Raleigh to look into this. Mayor Bostic asked

Mr. Hammond to check with Highway 12 in Dare County to see if it is Cobra or non-Cobra.

Hurricane Recovery and Status Report:

Based on the project work sheet of FEMA and an estimate of 70,000 cubic yards of sand to be removed, we will receive \$235,296.75 (debris) and \$11,850.08 (admin) for a total of \$247,186.83. This will provide a start until FEMA dollars start to flow for contract payment. Since then we have moved 40,000 or 50,000 cubic yards of sand already and Sue McLaughlin has revamped her estimation. We need to get articulated dump trucks to move the sand. We had to renegotiate the contract with DRC because of this. The normal trucks can't get out there. Normal debris is being picked up. Mrs. McLaughlin noted that they are moving 5,000 cubic yards of sand a day and 5,000 cubic yards of debris, but it hasn't been separated and there will be more tipping fees because of that. Mr. Hammond noted that when we get the extra help we will have them separate the debris.

The following is a list of areas of concern in which FEMA has authorized Project Work Sheets to be submitted for:

Debris removal; Street repairs (3 asphalt, 3 gravel); Sand fence; Beach grass; Cross-walks (5 hard, 5 soft); Emergency measures; Street & beach signs; Time & labor cost - Street repairs have increased at this time. The only concern with FEMA is that one street is in the Cobra zone. We will break Goldsboro Lane down as a separate project so it won't hold up the rest of the issues. Sand fence and beach grass will be a large DSR.

Alderman Sizemore noted that Mr. Hammond is doing an excellent job in coordinating these efforts.

A citizen questioned if we will get sand where there is none. Mr. Hammond noted that there is no way right now to determine that. There is sand in the wetlands that we won't be able to get to and to buy sand is a big expense. We have a sand source in Sneads Ferry and it may be compatible. Alderman Sizemore said that is why we need a plan for the berm and it needs to be fashioned correctly.

Mr. Allen agreed with Alderman Sizemore. He said there should be a comprehensive plan to build all the berms to where they will hold. Mr. Hammond noted that he received a visit from an individual that was hired by FEMA. They have hired engineering firms and they were visiting all of the coastal communities and determining what it would cost to do a 5 year storm protective berm. Mayor Bostic noted that after Fran we hired McKim and Creed to do a study and they stated that to build a berm

properly it had to have a long slope on the ocean side and we had too many houses in the way. We were turned down for a DSR because of the report.

Mr. Allen said the State should bear some of the responsibilities and that the dune we had was mickey mouse. Mayor Bostic disagreed with him and stated that whatever dunes we have protects us. Mr. Allen noted that we have a lot of sand in the canal to replace the dunes.

Sam McGinn noted that a sand fence is ridiculous on top of a 10-ft sand dune. He stated that when he first came here there were no sand dunes; it is temporary relief. Mr. McGinn also stated that he would much rather have water than have sand damage.

Mrs. Sizemore agreed with Mr. McGinn. She noted that when looking at the coastlines in Florida there were no dunes and we should spend more time on vegetation.

Mayor Bostic noted that we will be looking into beach renourishment with Marlowe & Company.

Personnel Issue:

A pay raise for Mr. Hammond was discussed. Alderman Hillyer noted that when Mr. Hammond started he never had a job of running a town. In a crisis he has done a terrific job and has been a quick study. Mr. Hillyer was in favor of keeping Mr. Hammond and giving him more money. Alderman Smith said that several citizens noted that he always calls people back. His heart is with the town and he is getting to know more of the citizens. He also looks to saving the town money. Alderman Sizemore also gave him a good evaluation. He has shown improvement. We commend him for the job he has done, but we expect a lot of growth. He is a professional manager, has taken charge and the employees like to work with him. The town can be proud of the manager they have. Alderman Vecchione noted that it takes a certain individual to handle many things at once. He noted that he has come a long way. During Hurricane Floyd he proved himself immensely and you can find him at town hall working weekends. Alderman Flynn noted that Mr. Hammond has weathered adversity while he has been here, from the elements and from the Board. He has done his homework and is more involved with the town itself. He has asked where he could improve and how we can improve as a board. Alderman Flynn also gave a positive recommendation.

Mayor Bostic noted that last May there were some complaints regarding Mr. Hammond and they were addressed. He noted that Mr. Hammond's attitude changed to the better, he got to know us and we got to know him.

A pay raise of \$6,000.00 a year was recommended to the Board. Alderman Smith moved, seconded by Alderman Sizemore to increase Mr. Hammond's salary to \$52,000.00. The motion passed unanimously.

Mayor Bostic noted that the town manager has asked for some vacation time during deer season.

MANAGER'S REPORT:

Mr. Hammond thanked everyone for their comments. There were issues but things have improved. There is room for growth no matter how long you are in a position. He noted that what he has done could not be accomplished without the staff he has. He stated that he has some of the best people he has ever worked with.

1. We are preparing some property donation proposals for the November Board meeting. At present they are for Dr. Ammons' property and Mr. & Mrs. Zureich. The attorney is looking at the Zureich issue.
2. I am requesting some vacation time from October 11 – 22, 1999. I will be in town most of the time and will be in and out of the office checking on how things are going.
3. Please read the flyer – Eastern Center for Region Development about the 1999 Legislation Rally of the Eastern Delegation scheduled for November 11 & 12. If you would like to attend please let Loraine know by October 20, 1999.
4. We received an immediate needs fund check from the State for \$242,571.33 as a start on the debris removal contract.
5. The North Carolina Utility Commission will hold a public hearing on October 12, 1999 at 7:00 p.m. in our meeting room.
6. Municipal Administration Course is set for the last week of each month. This will put the agenda package out the Monday prior to the scheduled Board meeting. However, the November class will run into the December 2nd Board Meeting. Does the Board wish to reschedule the December meeting or let Loraine handle this? Mayor Bostic said that we would keep the December 2nd meeting because it will be our organizational meeting too.
7. We had anticipated having the budget amendment and the 98/99 itemized list of expenses for the bulldozer for this meeting, however, unexpected events precluded this. This information will be provided at the next Board meeting.
8. Loraine will be in Chapel Hill as of Tuesday afternoon through Friday next week to continue her Clerk Certification classes.

MAYOR'S REPORT: Glad this past week is over with!

ALDERMEN'S REPORT:

Alderman Flynn suggested we look back 3 weeks from tonight. We have gone through a lot since then. The Salvation Army provided food to everyone. Alderman Flynn suggested that if you are looking towards the end of the year for donations, to put Salvation Army high on your list.

Alderman Vecchione noted that staff worked very hard and the citizens were very impressed with them. He also thanked John Flynn and Marty Bostic for all of their hard work. Alderman Vecchione also thanked Sam McGinn for reassuring his wife that everything would be o.k. He also thanked the citizens for their cooperation and special thanks to the Salvation Army.

Alderman Sizemore noted that everyone did a good job and he was sorry he wasn't here for us. Because of the forecast of very high winds, he headed up to Greensboro and couldn't get back! Alderman Sizemore did call the stations in the Raleigh area to get word to them about what was going on NTB and kept in touch with Mr. Hammond on a daily basis. We need the media to pay attention to us. The group that was here did a fine job.

Alderman Smith noted that he was in Jamaica on vacation during the hurricane. He said that all of the employees were very cordial on the phones. Alderman Smith asked if there was a planned schedule for debris pick-up? Mr. Hammond noted that they are picking it up now, but there is no set schedule right now. We will publish a schedule. Sue McLaughlin said that 3 trucks are running right now. Alderman Smith complimented the police department for being out there all night. He also complimented the employees on doing a good job spraying mosquitoes. Mr. Hammond noted that we have a new spray machine from the State. Alderman Smith thanked the mayor and town manager for getting the water on the north end.

Mayor Bostic noted that the County is short of help in spraying and asked if we could help in the neighboring communities.

OPEN FORUM:

A citizen, who also lives in Raleigh, asked why the media never say anything about Topsail. He also noted that there has to be a better way of building sand dunes to improve the beaches.

A citizen thanked Mr. Hammond for having Marina Way cleaned up.

A citizen, who lives on Goldsboro Lane, asked Mr. Hammond if their street would be a problem. Mr. Hammond said they are

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looking at two areas, one is a 1 Cobra issue, but we are trying to come up with an alternative. Another is coming in with private drives or a curve behind the homes with driveways. He doesn't know what FEMA will do.

A citizen asked if the water has been tested. Mr. Hammond said that it was supposed to be tested today. There is still bottled water at the fire station. The water will be shut down tomorrow between 8:00 am and 11:00 am to repair leaks.

Mr. Allen asked if he needs to bring up Galleon Bay again. Mr. Hammond said not right now, but he will not give up and will continue to work on this. Mr. Allen asked what could we do as citizens to have FEMA pay for this? Mayor Bostic said that we have addressed this in the past and have asked individuals to write to their representatives and very few letters have been written.

CLOSED SESSION:

The Board went into a closed session to discuss personnel issues at 8:45 p.m.

ADJOURNMENT:

The meeting adjourned at 9:15 p.m.

Respectfully submitted,



Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
EMERGENCY BOARD MEETING
OCTOBER 16, 1999
3:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk

QUORUM: Mayor Bostic called the meeting to order at 3:04 p.m. in the North Topsail Beach meeting room and declared a quorum present.

**HURRICANE
IRENE:**

An emergency meeting was called in regard to Hurricane Irene. Projection is for Hurricane Irene to hit from South Carolina to Surf City. Winds are expected at 85 mph. Mayor Bostic asked Fire Marshall Best if he was prepared to move the fire trucks. Alderman Flynn asked about the equipment that contractors have on the Island. Mr. Best said he shouldn't have any equipment on the oceanside. Alderman Flynn asked if the equipment would be available for our use. Mayor Bostic said yes, they are still under contract. Alderman Flynn asked if we need authorization to do a 72-hour emergency. Mayor Bostic said we could keep Peele Construction working under the pre-approved fees under the DRC contract. The only way we can be reimbursed is if it is declared a disaster. Alderman Flynn noted that our main problem would be the significant rainfalls and flooding. Sand dunes have created ramps on our thoroughfares. Mayor Bostic said he spoke with D.O.T. and they still have their people on standby. Alderman Vecchione received many phone calls from residents of Galleon Bay asking if we were putting a berm there. Alderman Flynn didn't feel that it was appropriate to look at a berm right now. Mayor Bostic said that north end residents should be ready for flooding. The Police and Fire Marshall can advise residents to be aware that we are anticipating flooding on 1568. A press release to the media regarding this issue will be drafted.

Alderman Flynn said he has received phone calls regarding updates. We should look into how we can spread the word to residents. Alderman Smith asked if we would have a voluntary evacuation. Alderman Sizemore said 3 shelters were opening up in low-lying areas. Alderman Flynn noted that Mr. Hammond should have updated information when he returns from the Jacksonville meeting.

Alderman Flynn asked if we have a recall system to get employees here. It was suggested that someone answer phones today and then again tomorrow. The recording on the answering machine will update residents

as to what is happening. Alderman Sizemore noted that we need to put an advisory out that we will expect flooding on Highway 1568.

Alderman Flynn noted that the town hall should be the emergency center.

A phone conversation with Mr. Hammond gave us the following information: 4 to 6 ft surge – making landfall – 48 mph forward speed and then out of here. 8:00 am gale force winds – tropical storm winds by afternoon - hurricane force winds by 5:00 pm and will pick up speed after landfall. No mandatory evacuation – Dixon, Swansboro and Richlands – shelters – landfall is expected in Myrtle Beach and will then cut up the coast. There is no curfew – anticipation of cutting off the water at noon tomorrow. EOC in Jacksonville will be staffed by minimum staff.

Mayor Bostic noted that we should put the above information on our answering machine and we should include flooding in the message. Residents at the north end should be prepared for high flooding. Alderman Flynn said that we should wait until tomorrow morning to talk about evacuations. Mayor Bostic noted that Galleon Bay could have a problem as soon as this evening.

Alderman Vecchione asked if there was anything we could do to help Galleon Bay. Mayor Bostic said that at this time there is nothing we can do but warn them of the flooding and give them as much information as possible.

Alderman Smith said that he would want to request that the water department cut the water off at the very latest that they could. The Board will request that the town manager contact Billy Farmer at the Onslow County Water Department.

The meeting recessed at 3:45 p.m. until Mr. Hammond returns.

The meeting began again at 3:55 p.m. when Mr. Hammond arrived. He reported that the eye is expected to hit Brunswick County. We are expecting mostly rain and winds up to 80 mph. Expected is a storm surge of 4 to 5 feet and 6 to 8 inches of rain. They are also expecting a forward speed at 48 mph and it will move out quickly. Shelters will be opened at 8:00 p.m. tonight. An Emergency declaration was done in Onslow County. Water will be cut off at 12:00 pm. Alderman Flynn asked that the water shut off be delayed as long as possible. The Onslow County EOC will be opened at 5:00 pm with minimum staff. Another update will be at 11:00 pm tonight. Mr. Hammond said he would call board members tonight and update them.

Police should caution people about the conditions at the north end and possibly be stationed at the trouble spots.

Mayor Bostic asked that Patrick Riddle be contacted to get sand off the state roads.

RECESS: The consensus of the Board was to recess at 4:30 pm and meet again at 9:30 am on Sunday, October 17, 1999.

CALL TO ORDER: The meeting was called back into order at 9:30 am on October 17th. Mayor Bostic asked how the reporting went to residents. Mr. Best said that everyone on the north end was alerted. Mr. Hammond noted that the only change is that Hurricane Irene made a jog to the west, but they still anticipate the eye running across the coast. Timeframes are the same. Once it does make landfall it will pick up. Winds are down to 75 mph. They are still predicting 4 to 6 ft storm surges. Another advisory will be at 11:00 am. Landfall is predicted for the coast of Brunswick County.

If it shifts more to the west we will be on the east side of it, as it stands now we will get the eye. Alderman Flynn asked what the mood was at the EOC. Mr. Hammond said they are looking at it as a big storm. Alderman Hillyer asked what people need to do to know when they can come back to the north end. Residents can call town hall in the morning. We will put a new recording on the machine for today and then first thing tomorrow morning; someone will be in town hall. We will ask people not to drive unnecessarily.

ADJOURNMENT: The meeting adjourned at 9:52 a.m.

Respectfully submitted,


Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
REGULAR BOARD MEETING
NOVEMBER 4, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:04 p.m. in the North Topsail Beach meeting room and declared a quorum present.

APPROVAL OF AGENDA: Additions to the agenda included a Closed Session to discuss personnel issues and litigation and building permit fees would be discussed under old business. Alderman Vecchione moved, seconded by Alderman Smith to approve the agenda with the appropriate additions. The motion passed unanimously.

APPROVAL OF MINUTES: Alderman Hillyer noted that in the October 7, 1999 minutes, page 7, 1st paragraph \$52,000.00 should be changed to \$6,000.00. Alderman Sizemore noted that on page 4, 3rd sentence, change "what the cost would be" to "what the cost to transport to Burgaw would be". Also add cost about \$500.00 for the transport fee. Also add "repairs" should take about two weeks to do. Alderman Hillyer moved, seconded by Alderman Flynn approval of the minutes of the October 7, 1999 Regular Board Meeting with the appropriate changes. The motion passed unanimously. Alderman Smith moved, seconded by Alderman Hillyer approval of the minutes of the October 16, 1999 Emergency Board Meeting. The motion passed unanimously.

OLD BUSINESS: HURRICANE CLEAN-UP UPDATE:
Sue McLaughlin reported that right now we are about 1/3 done with debris removal. Ray Peele is going to donate equipment to go on private property to remove sand from the right of way. We've moved over 100,000 cubic yards of sand and 8,000 cubic yards of debris. We are not shaping berms at this time; we are just dumping sand. We are not approved by Fema to do any shaping right now. We don't know when we will be at particular properties. We need a cut off date for debris removal to be placed on the right of way. Ms. McLaughlin asked for approval from the Board for the 30th of November to be the deadline. Alderman Smith asked if we know if we will run out of sand. Ms. McLaughlin did not think we would have enough sand. Mr. Hammond said that we did get a letter from Fema and once the project is finished, if we don't have enough sand to restore a berm, then they would consider if we could purchase sand.

Alderman Smith asked if Peele Construction would donate his equipment to dredge Galleon Bay. Ms. McLaughlin said that it would be between Peele and the property owners. Alderman Sizemore noted that we have 18-inch ruts on the beach and asked if there was any way to break that down? Ms. McLaughlin would have to find out from Peele what could be done. Buddy Persons, from DRC, said they would try to work something out to improve the conditions. Alderman Flynn asked for an update from D.O.T. Mr. Hammond said that they would do nothing until we finish what we are doing, which might be sometime in January. Dan Tuman said that in front of New River Inlet Road and River Road, there is a chronic problem with water leaks and drops of pressure. An effort to move the sand should be addressed. Alderman Vecchione contacted the water dept. about that same problem and they have promised to have inspectors come out. Alderman Smith noted that Sue McLaughlin is out working first thing in the morning and we owe her an applause.

BUILDING INSPECTOR'S REPORT:

Mr. Starzynski noted that Sonny Johnson owns the old pier building. He has offered to donate the building to the town, but we would have to remove the building. It is structurally sound, but will need renovations. Alderman Sizemore noted that the Police Department could use the building. Another possible use is for Parks and Rec. Mr. Fuss said that it would be appropriate if you ask the staff for alternative uses for the building. Mr. Hammond noted that it would cost about \$29,000.00 to move the building. Alderman Flynn said that we should first address the use of the building. Alderman Sizemore moved, seconded by Alderman Flynn to stay the condemnation notice until the town manager can look into it. The motion passed unanimously.

Mr. Starzynski noted that on 9/22/99 the town waived the building permit fees because of Hurricane Floyd, but on 10/17/99 the fees had to come in. He did keep all the fees at the minimum of \$50.00. Mr. Starzynski would like to keep that in affect until January 1, 2000 and suggested that next time we should waive fees for 60 to 90 days. Alderman Vecchione asked how many more homes would need permits. According to Inspections, there were 750 houses with damage and they have issued at least 100 permits. Alderman Smith stated that we should go ahead and extend waiving permit fees until January 1, 2000 for hurricane repairs. Mr. Starzynski noted that we would have to issue refunds to those who have paid already. Alderman Flynn moved, seconded by Alderman Smith to extend the time we waive permit fees for Hurricane Floyd related damage to January 1, 2000 and to refund those monies collected. The motion passed unanimously. Mr. Starzynski noted that we provide permits on stairs and decks, but he felt we should waive all permit fees for all stairs since it is a repetitive loss. If it is a crossover with stairs, then we need to enforce the fees, but if there are just steps that are washed away we

should waive the fees. Building permits should still be taken out. Mayor Bostic said we could address this at our next meeting.

Mr. Starzynski noted that permits for zoning should be addressed to Terri Potts.

Alderman Smith asked if we were getting a good response from condemnation letters. Mr. Starzynski said yes, but there are some property owners that he cannot get in touch with. People are responding to the letters and we are issuing building permits. Mr. Starzynski asked what the Board wanted to do regarding the Ocean City Pier and its sign since it has been condemned over and over. He would like to go through a condemnation notice. Alderman Vecchione noted that it is a safety hazard. Mr. Starzynski will proceed with the condemnation procedures.

MARLOWE & CO. BEACH RENOURISHMENT CONTRACT:

Mr. Hammond noted that we have been waiting on a decision as to whether to sign a contract with Marlowe & Co. since July. Some input has been received. Alderman Sizemore provided a Beach Renourishment plan that Surf City has done. Alderman Sizemore stated that we don't know if our citizens will be supportive of a plan once they find what the cost is. We owe it to our citizens to let them know what the project will cost before we commit ourselves to a program. Surf City recommended property tax increases to cover their costs for renourishment. If the cost to us will be 2 million per mile, we would have to come up with 12 million alone. We would also have to come up with our local share, therefore, we are looking at another 6 million or more, so our share could be great. Alderman Sizemore noted that he would like for us to proceed with Marlowe & Co.'s contract, but we have to have the citizens behind it.

Alderman Smith recommended that we offer Marlowe & Co. the contract. We also need to get the Cobra zones eliminated. Attorney Fuss suggested that we don't have a deadline for Marlowe & Co. to accept a contract. This contract is between the Town and Marlowe & Co. Mr. Fuss said that given the change of the other town's council seats, it would be incumbent upon us to discuss this with the other towns. Surf City clearly demonstrates why this study is necessary. As it relates to the federal government, we should have one voice. Alderman Sizemore said there is support with the other towns. He noted that he has had discussions with representatives and they support our efforts, but they expect us to take the initiative. Attorney Fuss said that state representatives would probably be more willing to help now. Alderman Flynn noted that based upon presentations to the board and to the citizens, that there was an agreement that beach renourishment had been discussed with the citizens. We have discussed that if the other entities on the island

decided to team with us that we could become the lead. Alderman Flynn said that he would favor getting Marlowe & Co. started because we have lost a significant envelope of time. Alderman Sizemore noted that the study for all 3 towns would be \$100,000.00. Alderman Smith agreed and noted that Rep. Ron Smith is for it and he would start working for us. Alderman Smith also noted that Surf City's meeting is coming up, we need to ask them if they want to join forces, but he wanted to take action tonight to contract with Marlowe & Co.

Mayor Bostic noted that if we do wait we still have to address the cobra issue. Alderman Smith said that Marlowe & Co. is aware of our cobra problems and if we are dissatisfied we can get out of the contract. Mayor Bostic said we should coordinate with the Corps of Engineers. Alderman Sizemore said he would speak to Surf City and agreed that we should go ahead.

Mayor Bostic said the money could come out of the dune fund to finance the study. Alderman Steve Smith moved, seconded by Alderman John Flynn, that we ask the other two (2) beach towns to go into this contract, if not, we enter into this contract with Marlowe & Co ourselves. The motion passed unanimously.

Alderman Steve Smith moved, seconded by Alderman Joe Vecchione that we go ahead with the paperwork for a reconnaissance study and we contact the Army Corps of Engineers. The motion passed unanimously.

Bill O'Donnell noted that the contract should address eliminating the cobra zone regardless of whatever else happens and subsequent to that, we go forward with the beach renourishment.

ANIMAL ORDINANCE:

Mr. Hammond noted that the changes that were suggested have been made to the original ordinance. Attorney Fuss said that we split the enforcement because we want to educate people and then be tough on them. Our town officers are only charged with the duty for Article 1. Alderman Steve Smith moved, seconded by Alderman John Flynn to accept the amendments to the animal ordinance. The motion passed unanimously.

AMENDED PERSONNEL RESOLUTION:

Mr. Hammond reported that our new Personnel Policy is the controlling policy. All other policies need to be rescinded that have come before it. Alderman Peter Hillyer moved, seconded by Alderman Otis Sizemore to approve the Amended Resolution to Ratify the prior Adoption of a Written

Personnel Policy and to Rescind all prior Personnel Policies. The motion passed unanimously.

BLUE HORIZON SUBDIVISION:

This issue is still on hold pending a decision from Onslow County. The question is will they pay for cleaning out the property.

BULLDOZER REPAIR:

At the October 7, 1999 Board Meeting, the Board decided to hold off on approving the repair of the bulldozer until this meeting. To date, last year we spent \$70,840.29. We are at the point now that we can't do anything with the bulldozer until we repair it. Ray Peele can transport it at no cost if we take the blade off. We can use the bulldozer to shape what we have out there now. Last year we used town manpower, most of this work is done off -season, therefore, Mr. Hammond suggested that we hire a heavy equipment operator and bring that person on for those particular hours that he is needed. Alderman Sizemore said that since we will spend money out of the dune account for Marlowe & Co, will we have money to repair the bulldozer. He also noted that if we run out of money in the dune account, we need a plan for the bulldozer. Alderman Smith felt that Gregory Poole charges a lot of money for repairs. He noted that we need a dozer, but he asked Mr. Hammond to watch the costs of repairing it. Alderman Hillyer noted that we have already put a lot of money into it and we need it and we have to fix it. Alderman Smith moved, seconded by Alderman Hillyer approval to repair the dozer at the cost of \$9,329.82 by Pridgen Equipment Repairs and to have a specific plan for the next 6 months as to what we will do with the bulldozer. The motion passed unanimously.

A plan for the dozer will be addressed at the December meeting.

JENKINS WAY:

Per the attorney, we will carry this item to the next Board meeting.

ZUREICH PROPERTY DONATION – HAMPTON COLONY:

Attorney Fuss said we have an offer, but there were questions as to the value of the lot. He asked to have the CAMA officer look at the availability of the property. It has been confirmed that it is an unbuildable lot. There is a lien against the Homeowner's Association from 1992. Mr. Fuss recommended to the board that this property be accepted, contingent upon no lien attached to it.

Alderman Sizemore moved, seconded by Alderman Vecchione to proceed to accept the Zureich property with the condition that there is no lien attached. The motion passed unanimously.

NEW BUSINESS: BUDGET REPORT:

Mr. Hammond noted that Budget Amendment #2 had changes to the revenues, namely, we had a Hurricane Fran reimbursement. Alderman Sizemore asked if the Fran reimbursement went into the undesignated fund balance? Mr. Hammond said that it would go to the general fund because it is a reimbursement. Adjustments were made to expenditures from Hurricane Floyd. Mayor Bostic questioned the fire insurance numbers.

Budget Amendment #2 will be brought back to the December board meeting.

Mr. Hammond explained the breakdown of the Dune Account. Alderman Sizemore felt that the numbers did not add up correctly. Alderman Smith asked for a better breakdown. Alderman Sizemore asked for Lydia to be at the December meeting to verify everything. Mayor Bostic noted that the figures do not balance on the reports. Alderman Vecchione noted that the finance officer should be held accountable. Alderman Sizemore said that he is losing confidence in the finance position.

Alderman Flynn noted that if we look at the major spending we find we have spent 47% of our annual budget. This is probably because of early spending or because of hurricane expenses, but it may mean that we have spent 90% of our budget line items. Alderman Flynn asked that this be explained and detailed at the next meeting by the finance officer. Alderman Sizemore noted that we said we would watch the expenditures and it is time to do that.

HAZARD MITIGATION – BUYOUT PROJECT:

Terri Potts reported that the State and Fema has come up with a program to buy out structures. Unbuildable vacant lots are not a priority. A State representative will be here Monday, November 8th at 7:00 p.m. to discuss the buy out program. Between 100 million and 600 million dollars will be available. They must be primary residences and they cannot be a rental or secondary home. They can buy the house and move it or destroy the house. The application is about 150 pages long. Applicants would need every insurance claim ever filed. There is approximately a 6-month waiting time. Pre-storm fair market value will be awarded. All liens have to be satisfied before they will consider a buyout. We might want to amend our NFIP ordinance to address cumulative damage assessment.

Without that in our ordinance, we can't use all the storms to add up to 50% damage. The attorney was asked to adopt a resolution in regard to cumulative damage assessment for the December meeting. Alderman Smith asked if we were getting money for beach grass. Ms. Potts noted that we are asking Fema and lobbying agencies for grants.

The Board asked for a short recess at 8:40 p.m. The meeting was called back into order at 8:50 p.m.

WASTE INDUSTRIES – MULTIFAMILY UNITS:

Mr. Hammond noted that Attorney Fuss has drafted a letter that will go out to our multifamily units. Basically, we will notify the multifamily units that all solid waste shall be collected by Waste Industries and monies will be collected on the annual tax bill. Attorney Fuss said we were waiting to make this an uniform system. The consensus of the Board was to go with this plan.

SOLID WASTE FEE – VACANT & UNBUILDABLE LOTS:

A decision has to be made as to how or if we bill property owners who have vacant or unbuildable lots in regard to the solid waste fee. Town Hall employees have received numerous calls from property owners who are quite upset about the \$60.00 solid waste fee on their tax bill. They feel it is unfair of us to charge them for this fee. Many of the callers are waiting to pay their taxes while we resolve this issue. Others are just saying that they will not pay it. Those property owners who have vacant lots have been told that the fee does help in beautifying the beach by picking up trash, etc., but they still feel it is unfair.

Mr. Hammond said that he and Terri Potts have determined that there are about 200 unbuildable properties. There are about 1400 pieces of property that are undeveloped. If we add them together, we are talking approximately \$90,000.00. Alderman Sizemore noted that everyone benefits from solid waste removal. Ken Joyner, of the Onslow County Tax Office, said that if property owners don't pay the fee, it would cause a lien on their property. Alderman Sizemore also said that if property is unbuildable, that we should listen to what the Town Manager has to say, but we have to find some way to pay for things. Alderman Hillyer said it was a question of fairness and charging someone with an unbuildable lot is unfair. Alderman Flynn said that the unbuildable lot is the only issue and all others in the town should pay since it is for the overall benefit for the town. Alderman Vecchione agreed that it was unfair to charge unbuildable lots. Alderman Smith agreed that it was unfair and noted that we need to watch the negotiations on the Waste Industries contracts. It was noted that \$60.00 is a fair price to pay for trash to be picked up. Mr.

Weidlin noted that he gripes because 5 or 6 years ago the town decided to raise taxes to pay for trash collection. He felt that individual persons should pay for their own trash collection. Dan Tuman noted that we sat through the budget hearings and the question came up of how it would be applied. The ground rules were set when we passed the budget.

Alderman Smith moved, seconded by Alderman Vecchione that we not charge \$60.00 for trash collection for unbuildable lots only. The motion passed unanimously. Attorney Fuss said that if someone were to pay their taxes and not pay the solid waste fee it would be up to the town to take care of it. We can notify the property owners with unbuildable lots. Once it is earmarked as unbuildable it will stay there and we will have to identify that property. Mayor Bostic instructed that they have to be legally declared through CAMA as unbuildable. Letters should be sent to the property owners for proof and reminder that if it is unbuildable they could consider donating it to the town.

HANDICAPPED VEHICLES ON THE BEACH:

During our current fall fishing season, we have had elderly, disabled fishermen coming to Town Hall to either get a new handicapped fishing permit or to renew a permit that they have had. They have all been disappointed to learn that only ATV's were allowed on the beach.

Please note that Sec. 10-36 was not changed and it states under (c) that "full-sized, factory four-wheel-drive handicapped vehicles can only be operated, with permit, on the beach strand between the dates of (the) day after Labor Day to March 31st each year".

Attorney Fuss noted we modified 10-37, which dealt with sports fishermen and didn't modify 10-36.

Mr. Hammond said that the disabled have to have access to the beach as it states in 10-36. Sue Tuman noted that the ordinance that was in effect did not allow anyone to use a 4x4, only ATV's were allowed. The subsequent ordinance was not handled correctly and this is apparently illegal. Dan Tuman noted that we were going to go back and incorporate the old ordinance and that was not done. Mr. Weidlin was under the impression that no one could drive on the beach. Mr. Weidlin also said that the Town Manager noted that there is a statute that claims that handicapped drivers are allowed on the beach and this statute has not been produced. Mr. Weidlin contacted Wrightsville Beach and they said that no one can drive on Wrightsville Beach at anytime during the year except for town employees on duty. Handicapped people can apply for a permit at the town hall for only a certain day and there are other stipulations.

Sam McGinn noted that the last couple of weeks there have been dump trucks on the beach doing a lot of damage. He stated that people do not have compassion for the handicapped fishermen. A citizen noted that he lives on Shipwatch and he has seen a Ford Explorer driving at a high speed on the beach and they were not handicapped fishermen. Bill Parrish asked if there was a time limit for driving on the beach because they are on the beach at all different hours.

Section 10-37 was amended on November 23, 1999 and nothing was done to Section 10-36 authorizing handicapped fishermen with permits being on the beach after Labor Day until March 31st.

Alderman Sizemore pointed out that Sec. 10-34 and 10-36 just address handicapped fishermen. He said that his notes from the public hearing on beach driving state that all the complaints were for fishermen only, not handicapped fishermen. If we are going to revisit this we will have to have a special session. Alderman Vecchione agreed that we hold a special session.

Mayor Bostic noted that we will stay with the ATV's under 1000 lbs. and a special session will be held to discuss it further. Alderman Smith asked for the attorney to supply us with the general statutes that addresses this issue.

A special session will take place on December 6, 1999 at 7:00 p.m. to discuss beach driving for the handicapped.

NC LEAGUE OF MUNICIPALITIES – COMMUNITIES HELPING COMMUNITIES:

The North Carolina League of Municipalities has sent out memos to all communities in North Carolina asking if they want to be paired with another municipality.

The Board authorized the town manager to go forward with this issue.

RESOLUTION OF INTENT – RELEASE OF \$92.05 TO EASTERN CAROLINA COUNCIL – REGION P:

Once again, we are being asked to adopt a resolution in order for monies to be released from the State of North Carolina to Region P for fulfillment of the Comprehensive Economic Development Strategy.

Alderman Vecchione moved, seconded by Alderman Smith to approve the release of \$92.05 to the Eastern Carolina Council – Region P. The motion passed unanimously.

MANAGER'S
REPORT:

1. I would like Board approval to set up a time and date with the Topsail Voice and Daily News to inaugurate the new ladder truck. We can set this up for either Saturday, November 6th or Saturday, November 13th. The consensus was to do this on November 13th at 1:00 p.m. at the Town Hall.

2. The Board asked for a report in November of current comp time hours compared to the hours in July. They are as follows:

July	2117.65	
September	1912.90	
November	1574.90	A decrease of 542.75 hours

Mayor Bostic asked for a payout number. This will be given at the December meeting.

3. I will be in Burlington on November 12th and 13th for a makeup class, and November 28th to December 2nd for the November class. John Flynn will attend the meeting at Pine Knoll Shores on the 12th.
4. We are currently working with Dr. Beck on the property acquisition on Hwy. 17 and hope to have a favorable report in December.
5. I would like to invite Representative Warwick to North Topsail Beach in December to discuss an accommodations tax. Is the Board interested in that? The Board concurred that we should contact Rep. Warwick and anyone else that could help us.
6. We received a letter from FEMA and the State addressing eligibility of sand removal and emergency berm repair. We will be discussing this issue with Bob Black on November 16th, to find out what we are eligible for. There appears to be some interest in purchasing sand to complete emergency berm repairs if there is not enough sand available. Also, there is a local source that needs approval from CAMA. Once approved, the cost is \$7.75 per cubic yard, delivered to the beach. We will look deeper into this issue and report back in the December meeting.
7. The frame on the duce is twisted and will cost approximately \$2,000.00 to repair, but the repair will not be guaranteed. Federal Surplus has a 1967 Kaiser 6x6 dump truck 4x4 for \$5,000.00. It

has 31,000 miles on it. I request board approval to surplus the current duce and sell by closed bid and go to Raleigh Monday to look at the 6x6. They will only hold it for us until Monday. If we can get \$2,000 out of the old one then we will only spend \$3,000 for the new one. Board consensus was for the town manager to check into the duce in Raleigh.

8. We just received an application for the Planning Board from Carol A. Franzen, 3600 Island Drive. We currently have 3 seats available. She is the only person to apply since our advertisement in August/September. Does the board wish to ask her to attend the December meeting for appointment consideration? Yes.

ALDERMEN'S REPORT:

Alderman Flynn asked that we advertise the viewing of the ladder truck. We should also look into a "Message Screen" for citizens on the outside of the town hall. Alderman Flynn noted that we need to display the colors outside of town hall. Alderman Sizemore told Alderman Vecchione that it has been a pleasure working with him on the Board.

OPEN FORUM: A citizen noted that people are throwing trash on the beach and we need cans at the public walkways. Mr. Weidlin asked if we could leave the berms the way they are. He said we have done an impressive job with the dunes.

Beverly Sizemore asked what was being done about the old trash bills that people didn't pay. Mr. Hammond noted that we lost our database. The only way we could do it is to get an old database and manually check our receipt books.

CLOSED SESSION:

The Board went into closed session to discuss personnel issues at 9:50 p.m.

ADJOURNMENT: The meeting adjourned at 10:45 p.m.

Respectfully submitted,

Loraine M. Carbone

Loraine M. Carbone
Town Clerk

TOWN OF NORTH TOPSAIL BEACH
REGULAR BOARD MEETING
DECEMBER 2, 1999
7:00 P.M.

PRESENT: Mayor Marty Bostic, Mayor Pro-tem Steve Smith, Aldermen John Flynn, Peter Hillyer, Otis Sizemore and Joe Vecchione, Charles Hammond, Town Manager, Loraine Carbone, Town Clerk and Attorney William H. Fuss

QUORUM: Mayor Bostic called the meeting to order at 7:01 p.m. in the North Topsail Beach meeting room and declared a quorum present.

**APPROVAL OF
AGENDA:**

Board members were asked if they wanted to postpone the meeting after the swearing-in until Monday evening. Mayor Bostic noted that we have to set our regular meeting time and place. The Planning Board applicants were at the meeting and it was decided to take care of the appointments at this meeting. Alderman Sizemore felt that we should complete the agenda as shown since so many people were in attendance. Alderman Flynn preferred that the town manager be present and that we recess until Monday. Alderman Flynn also suggested that we proceed with the swearing in and presentation of the audit. Alderman Hillyer moved, seconded by Alderman Smith that tonight's agenda be moved to Monday night with the exception of the swearing in, audit and planning board nominations. The motion passed three to two with nays from Alderman Sizemore and Alderman Vecchione.

**APPROVAL OF
MINUTES:**

Alderman Vecchione moved, seconded by Alderman Smith approval of the November 4, 1999 Regular Board Meeting minutes with a change on page 7, under Waste Industry – change "uniformed" system to "uniform" system. The minutes were approved unanimously.

**RECESS MEETING
FOR SWEARING IN
MAYOR AND
ALDERMEN:**

Clerk of Court, Ed Cole officiated at the swearing in ceremony. Mayor Bostic was sworn in, as well as Alderman John Flynn and Alderman Bill O'Donnell.

**REQUEST TO
ADDRESS THE
BOARD:**

PRESENTATION OF AUDIT:

Auditor Greg Adams presented the audit to the Board. Our cash increased by proceeds from the escrow account for the fire truck. That amount is included in your cash. Total revenue is increased

by 1.6 million because of Fema reimbursements that we received. Total expenditures increased by \$500,000.00. There were more revenues than expenditures. Property valuations increased and the tax rate increased. Tax collection increased slightly. The Town received a clean audit. It is noted in the report that there should be a segregation of duties, but there are not enough personnel in Town Hall to do that, which is common in many small towns. Accounting problems that have been discussed with Mrs. King and Mr. Hammond will be corrected. The Undesignated Fund Balance is \$472,141.00, of which \$40,000.00 was designated for certain things that were carried over from last year to this year.

Alderman Sizemore questioned if other towns have taxes that have been uncollectable? Mr. Adams said that we are required to show that for a 10-year period. Alderman Sizemore also questioned the segregation of duties, should only one person be responsible for the books for the Town. Mr. Adams said no, it's like having one who reconciles and signs checks. At anytime during the year, somebody will do all those things. In a bigger town you would have five different people handling different tasks. Alderman Sizemore questioned the notes to the financial statement; land, buildings, improvements, vehicles and buildings seem to be changed. Mr. Adams said that he consolidated them to conform with the LGC. Alderman Sizemore also noted that figures are transposed. Mr. Adams noted that the monthly bank statement was not tied to the general ledger. Alderman O'Donnell asked if it is permissible to have the money in beach renourishment in a separate bank account. Mr. Adams said that it is up to the Board to do that. It is still considered a general fund. Mr. Adams noted that if we take out the fact of the lease proceeds, the fund balance increased by \$141,000. Alderman Sizemore questioned the \$200,000 Fran reimbursement and asked if it was returned to some other fund? Mr. Adams noted that it is just shown as revenue and will end up in the undesignated fund. We will need to do a budget amendment so it can come out even.

Mr. Adams thanked town staff for their help in preparing the audit.

ESTABLISH MEETINGS:

Mayor Bostic said that the board needed to establish the day and time of the regular board meetings. Alderman Hillyer moved, seconded by Alderman Smith to continue with the same meeting nights and times (1st Thursday of the month at 7:00 p.m.). The motion passed unanimously.

PLANNING BOARD:

The Board accepted the resignation of Bill O'Donnell from the Planning Board. Alderman Flynn moved, seconded by Alderman Smith, the acceptance of Bill O'Donnell's resignation from the Planning Board. The motion passed unanimously.

We received four applications to the Planning Board and there are presently three openings. Tom Dale said he would be the alternate. Alderman Smith moved, seconded by Alderman Flynn to accept the three applications and appoint them to the Planning Board as their applications were received, Carol Franzen, Sally McGuire and Joe Vecchione. The motion passed unanimously. Alderman Smith moved, seconded by Alderman O'Donnell the appointment of Tom Dale as an alternate to the Planning Board. The motion passed unanimously.

Attorney Fuss noted that the board needs to discuss the reappointment of Mayor Pro-Tem. Alderman Flynn moved, seconded by Alderman Hillyer that Alderman Smith continue to serve as Mayor Pro-Tem. The motion passed unanimously.

Dan Tuman said that in last month's minutes it read that there would be a follow-up on the financial status year to date and he did not see that on the agenda this month. Mayor Bostic said that hopefully it would be in the Manager's Report.

**RECESS OF
MEETING:**

The Board Meeting recessed at 7:35 p.m. until 7:00 p.m. Monday, December 6, 1999.

**DECEMBER 6, 1999
7:00 P.M.**

CALL TO ORDER: The meeting that was recessed on December 2, 1999 was called back to order on December 6, 1999 at 7:00 p.m.

**REVIEW OF
AGENDA:**

Add under old business: comp time and buy out and under new business: authorization of new signatures to sign checks.

**ADDRESS THE
BOARD:**

BEAUTIFICATION COMMITTEE:

Marge Lombardo gave the report for the Beautification Committee. Their last meeting was November 9, 1999. The south end beds have been destroyed and they will leave those for the time being and concentrate on the north end. The Committee decorated the town hall and they have had a lot of compliments. The new additions are the Christmas tree and poinsettias. Mrs. Lombardo thanked Alderman Sizemore, the Fire Department and Public Works for helping them with the decorations.

OLD BUSINESS: HURRICANE CLEAN UP UPDATE:

Project Manager Sue McLaughlin presented an update. She noted that debris removal is half way done. Fema has written 13 projects for Floyd. The first one is debris removal and they extended us more time and money. Labor equipment and contract is reimbursable by Fema as well as street repairs and dune signs and police cars. Sand fence, both north and south and crosswalks will also be reimbursable. Goldsboro Lane was written up by itself because it is a Cobra zone and that has been approved. Ms. McLaughlin noted that she is monitored every day by Fema.

Bill O'Donnell asked if we would run out of sand. We need some sort of dune structure and it should be redistributed more evenly.

A citizen asked why sand deposits stop short of his property. Ms. McLaughlin noted that the trucks were down at the south end and she was probably asked to move from that area. There are other gaps in other areas. Alderman Smith noted that November 30th was the deadline for debris to be put out and he has seen more come out since then. Ms. McLaughlin said that she is monitoring that. Thomas Best will only do bulk pick-up. Charlotte Wilmer asked if we are putting clean sand on the beach, where will it stay and also asked where are the berms being built. Mr. Hammond said we are just dumping sand on the beach at this time. Fema will not let us build a berm at this time with our contractors and we will have to use our own bulldozer.

Alderman Flynn asked when the north end would be completed. Ms. McLaughlin said that right now we have until the end of December to stay on the County property, after that we will go to Ocean City.

MARLOWE & COMPANY CONTRACT:

We received the contract and the attorney has reviewed it. Mr. Hammond will then make arrangements with the Town Managers of Topsail Beach and Surf City and will set a date for Alderman Smith and himself to talk to their boards. The goal is to determine interest in Island-wide renourishment. There were some concerns in the contract regarding dates of starting the project and Mr. Fuss has been in contact with Marlowe & Co. and it will be amended to state 1/1/2000, and we will put efforts towards the Cobra zone. Mr. Marlowe has confirmed he will make the changes and asked the Board to approve the contract with those changes. We will have to amend the contract if the other towns agree to go with us. Alderman Smith said our consensus was to go ahead with this plan whether the other towns agreed to join us or not. Alderman Flynn moved, seconded by Alderman Smith to go ahead with the contract with the appropriate changes. The motion passed unanimously.

Alderman Sizemore asked if we were going to review what we need in terms of renourishment. Alderman Smith is going to hold a meeting Wednesday night to discuss this issue with his committee.

PROPOSED AMENDMENT FOR BEACH DRIVING ORDINANCE:

Modifications to the Beach Driving Ordinance were given to the Board to discuss at the December 6, 1999 Special Meeting.

AN ORDINANCE AMENDING CHAPTER 10
ARTICLE II
SECTIONS 10-32; 10-33; 10-34; 10-36; 10-38

SECTION 10-32:

Chapter 10 – Parks and Recreation, Article II, Section 10-32 by deleting (a) and adding a new (a):

- (a) Four-wheel drive vehicles shall only be allowed on the beach strand designated as "Onslow County Beach Access #3". Vehicles within this designated area require no vehicle permit.

Chapter 10 – Parks and Recreation, Article II, Section 10-32 by adding a new sentence to (l):

- (l) Violation of this section shall be treated as a civil penalty under the law and enforceable by North Topsail Beach Police Department.

Chapter 10 – Parks and Recreation, Article II, Section 10-34 by adding to (a):

Add: In (a), after "beach strand" add other than Onslow County Beach Access #3.

Chapter 10 – Parks and Recreation, Article II, Section 10-36 by adding to (b):

Add: after "handicapped individuals" add inside Onslow County Beach Access #3.

Chapter 10 – Parks and Recreation, Article II, Section 10-36 by changing (c):

Delete: [with permit, on the beach strand between the dates of (the) day after Labor Day to March 31st each year]

Add: after "can only be operated" within Onslow County Beach Access #3

Chapter 10 - Parks and Recreation, Article II, Section 10-37:

As amended November 23, 1998.

Chapter 10 – Parks and Recreation, Article II, Section 38 by deleting:

Delete: [Residents/Property Owners] and [Non-residents/Visitors]

Dan Tuman stated that there are still inconsistencies in our changes and that we should redo it and come back to the Board. A citizen was confused as to who can drive on the beach because someone was riding on the beach to fish recently. Mr. Hammond noted that anyone who is handicapped could drive at this time. Mayor Bostic said the intent was to allow handicapped fishermen to go on the beach with ATV's only and it never got into the ordinance. Alderman Sizemore said that handicap access to the beach was proposed to allow such persons to enable them to use their vehicles to get on the beach, but not allowed driving up and down the beach. Alderman Sizemore felt that we shouldn't deny them the ability to go on the beach. No driving should be allowed on the beach except for ATV's and only vehicles could be allowed on the Jeffries Property.

Sue Tuman suggested that we revise the amendment first before making any further changes.

Sue Tuman noted that you have to add seasonal permits to Sec. 38.

Mr. Hammond said he would make the changes and come back to the board. Alderman Hillyer noted that he spoke with some handicapped fisherman, he said the fishing at Access 3 is terrible because of the currents. Another person said that he doesn't have enough money for an ATV and no transportation to transport it. There are a lot of problems in regard to security risks. It is hard to enforce the law on the beach. It is not fair to handicapped fishermen.

Alderman Sizemore said that it is a question of fairness to deny them access to the beach.

Mr. Hammond noted that we have a beach accessible chair, but he did not know if this chair is adaptable for fishing. We could also use the chairs at Surf City and Topsail Beach.

Alderman O'Donnell said we are trying to deal with two things at once. We should clean up what we have now and make the appropriate changes. Alderman Smith said that he is not willing to vote that handicapped fishermen cannot get on the beach.

Consensus of the board was for Mr. Hammond to complete the ordinance.

Sue Tuman said access three provides the opportunity to fish. The county needs to fix the parking lot and the town needs to fix the road. The Jeffries property could work out with signs.

JENKINS WAY:

Per the attorney, we will again carry this item to the next Board meeting.

BLUE HORIZON SUBDIVISION:

The Onslow County Board of Commissioners has accepted part of the condition the Board established for accepting this property. However, they have added an additional condition and cost of \$8,036.07 to cover their cost of foreclosure. With this expense, Mr. Hammond suggested that we decline the offer of Blue Horizon Subdivision.

Alderman Sizemore asked if we could condemn the old pier. Mr. Hammond will talk with the attorney.

Alderman Smith noted that at this time the 16 lots are unbuildable, but are we willing to risk losing all these lots because they may become buildable through the years.

Terri Potts said they would always be wetlands. It will always be marshland. Alderman Smith asked if we could build a walkway over the marshland. Ms. Potts said yes. Alderman Sizemore noted that he spoke with the commissioners and told them we were owed money on that property.

Terri Potts said that for community development it would be great. We could get grants for that type of development. Mayor Bostic said we could table this until we could find grant money to develop it. Alderman Smith said he doesn't want to say no. Alderman Flynn asked how adamant they are to receive the \$8,000.00. Mr. Hammond said he would discuss it further with Onslow County.

BUDGET AMENDMENT #2:

Lydia King, Finance Officer, explained the Budget Amendment #2.

Mr. Hammond said that Alderman Flynn had questions on the monthly report, especially the salaries, and they are due to temporary workers at this time due to the hurricanes. Alderman Flynn asked that next month we show excess payments to the temps. Alderman Flynn also noted that we are looking at an excess at this time. Mrs. King said it would have to be done by hand because she couldn't take it out of this report. Alderman Sizemore questioned Budget #2, in regard to the \$158,000 for last year, he noted that reimbursement was spent for budget shortfalls and he did not want to see this happen this year. For example, the Intangible property tax of \$21,000, these amounts should not be used for general

items, but should be put in reserve. Alderman Sizemore felt that we need control over these funds to be fiscally responsible.

Mayor Bostic noted that we have spent Fran reimbursement money. Mrs. King said that some of it went in to balance the funds. Mayor Bostic said the money is being used for expenses. Alderman Sizemore asked that we keep track of expenses and make sure it is put back into contingency. Alderman O'Donnell said that the windfalls were used to balance the budget. Mr. Hammond said last year we had to cover shortfalls. Mayor Bostic said that our contingency fund did go up.

Mr. Hammond noted that we have received money from Fema from three projects only. We are trying to get more money for the major projects.

Mr. Tuman thought that major changes to the budget had to be handled in a budget amendment, since that is the town's financial control. Mr. Hammond noted that we do have a budget amendment tonight.

Alderman Flynn said we don't tolerate a slush fund in our accounting procedures in the town.

Mr. Hammond noted that roughly from Fema we get 3% of our total expenditures back in administrative costs. We're still owed from Bonnie and Fran in administrative costs.

Alderman Smith moved, seconded by Alderman Hillyer to accept Budget Amendment #2 with stipulations that it is more defined in the future. The motion passed unanimously.

Alderman Sizemore questioned if we have received the \$75,000 CAMA grant and wants to be made aware of this if it is not going to come in.

COMP TIME:

Mayor Bostic noted that several months ago we had a high total on comp time and we are looking at buying some out. Mr. Hammond noted that we had about 2300 hours in comp time and we are down to 1500 hours at this time. He has looked at the basic pay scale and calculated comp time on individuals. Mr. Hammond also used up to a maximum of 80 hours and figured out what it would cost to buy out the comp time. The total buyout was \$10,600.00. The auditors said we could take it from the intangible tax area. If we purchase the comp time now it would be cheaper than at next year's salary level.

Alderman O'Donnell asked if we could pay at the time it is earned. Mr. Hammond said no. Alderman Flynn asked if we could try to get down the comp time lower by waiting to pay it out. Mr. O'Donnell said we were

doing a good job in cutting the comp hours. Alderman Flynn asked that we look at this in another 3 to 4 months.

Alderman O'Donnell noted that we hadn't discussed the dune account. Mr. Hammond asked Mrs. King to break down what we have actually received in the dune fund. Mayor Bostic noted that we are showing \$113,000, therefore it is \$5,000 off. Mrs. King said she would look into that report.

REAUTHORIZATION OF SIGNATURE

CARDS:

Alderman Smith moved, seconded by Alderman O'Donnell to allow Alderman Sizemore to sign checks. The motion passed unanimously.

NEW BUSINESS: **WASTE INDUSTRY CONTRACT MODIFICATION:**

Mr. Hammond noted that this is the final process in regard to the modification in the Waste Industry Contract. We discussed concerns; one was an island-wide trash fee when all the contracts expired. The other towns expired in 2001. Alderman Flynn noted a couple of changes on page 1 – change sell to set and bulky to bulk. Mayor Bostic noted that he has a problem with the 30' set back because when property owners leave the town, cans are left at the street. Eric Caraway, of Waste Industry, noted that we were looking at saving the town money and moving 30' back takes time, especially in the summer.

Alderman Smith asked who decides on emergency pick-ups. Mr. Caraway said that they took historical data and they came up with an off season and on season pickup. Anything beyond that is at the customer's discretion. If they want an additional pickup they will be charged for it by Waste Industries.

It was also noted that in Section V we should add after "Extra dumps or containers serviced beyond the levels specified above will be billed at the below rates "directly to the particular homeowner's association". Alderman Smith thought that we need to notify the associations that they will be billed for extra pickups. Waste Industries said that the level of service would be comparable.

Alderman O'Donnell moved, seconded by Alderman Smith to accept the changes to the Waste Industries contract. The motion passed unanimously.

PROPERTY DONATIONS:

The following properties were discussed to be donated to the Town:

Lots 37-48 – Ocean Bay Village

Parcel 778D-55 – New River Beach Club

Lots 812/18 and 812/19

Parcel 779C

Mr. Hammond noted that he has received more. The attorney has reviewed all of the above. Dr. Ammon's last discussion was that his property would never be buildable and he will donate it to the town with no stipulations. Alderman Hillyer asked if there was a down side to accepting these properties. Mr. Hammond said some of them have value, some don't. We could use some for parking. Sue Tuman noted that the property at the New River Beach Club is still a private road and that there would be covenants.

Alderman Smith moved, seconded by Alderman Flynn to accept all four properties. The motion passed unanimously.

EASTER SEALS DONATION:

Easter Seals of North Carolina has donated 1 beach accessible wheelchair to North Topsail Beach. This wheelchair will be located at the Town Hall Police Department for check out by people with disabilities who wish to access the beach. We would like to express our sincere appreciation to the North Carolina Easter Seals for their donation. The value of this chair is \$865.00.

BEACH PUSHING:

Phase One: Bulldozer has been transported to Burgaw for repairs and maintenance.

Phase Two: Complete sand/debris removal and return all storm deposited sand back to the beach. Once this is completed, we will evaluate the areas lacking sand and determine what and where FEMA will authorize the purchase of sand.

Phase Three: Utilize the dozer to straighten out and shape the berm line once all work in Phase Two is completed. (Late January, early February start)(maybe March)

Phase Four: Utilize the dozer for emergency berm repair after Nor'easter and unusual high tides. (ongoing)

Mr. Hammond said that we don't anticipate doing a 13-mile push until he can see what we need when this project is done.

Dan Tuman noted that we pushed sand before near New River Beach Club and asked what the town's plan are this time. Mayor Bostic said we would push according to CAMA regulations. Sand fencing needs to be removed from some properties.

ACKNOWLEDGEMENT OF SERVICES:

This is for information purposes to note for the record that Alderman Bill O'Donnell provides a service for fee to North Topsail Beach to perform Psychological evaluations for new hire police officers.

Mr. Hammond talked with the attorney and provided the Board with the Statute that addresses this issue. Attorney Fuss will draft a resolution. Evaluations are done on new hires only. A contract is not required, it is a service.

**MANAGER'S
REPORT:**

Mr. Hammond noted that the Chamber would hold their "Business Hours" on December 9th.

We received Christmas stockings today from a woman in Oregon who heard about our collecting toys for "Toys for Tots" on the Internet and she wanted to contribute something. She also sent us a \$5.00 donation.

Mr. Hammond thanked the Beautification Committee for the beautiful Holiday decorations.

Town Hall will be closed for the Holidays on Christmas Eve, December 27th and December 31st.

1. The Town Hall is sponsoring a "Toys for Tots" Drive. Anyone wishing to donate a new unwrapped toy or make a cash donation may contact Lydia King. We will be accepting cash donations until 12-17-99 at which time we will purchase toys and turn them over to the Toys for Tots Program Coordinator.
2. The town employees are sponsoring a food basket for a local needy family. Anyone wishing to contribute to this worthy cause may contact Lydia or Loraine for information. There is a donation tin in Loraine's office to put your monetary donations in. We wish to share some of our good fortune with those not so lucky in Onslow County!
3. My next class is January 7th and 8th, 2000.
4. We have advertised the sale by sealed bids for the 2.5 ton truck, the Yamaha ATV, the Honda ATV, and a fax machine that were declared excess property. Bids close 12-5-99, 2:00pm. Bids will be opened on 12-6-99 at 9:00am and awarded accordingly. We have reserved the right to accept or reject any and all bids. We have only received one bid as of this date. We will readvertise.
5. We are holding the employee/board Christmas party at Paliotti's on Thursday, December 16th at 6:30 p.m. The board and spouses are urged to attend this function to celebrate the holidays. We are looking forward to your company that evening, please contact Loraine so we may make sure adequate food is prepared.

6. The 95 Crown Vic has been sold for \$5,000.00 to the Town of Richlands for an administrative car. This was not advertised, and is legal in accordance with the General Statutes of North Carolina.
7. The bulldozer has been transported to Burgaw for repairs, I will continue to provide you an update on its progress.
8. Since John Starzynski is away at class, we will address the condemnation issues and permit fees for stairs at our January meeting.

Alderman Sizemore asked if unemployment is covered under errors and omissions insurance. Mr. Hammond noted that we received a letter from unemployment for Barbara Howell. The previous administration received a bill, but failed to send back the form, therefore it was an admission to pay the unemployment. Alderman Sizemore suggested that we look at the errors and omissions insurance.

MAYOR'S

REPORT: Mayor Bostic asked Alderman Smith if he was all set for his beach renourishment meeting for Wednesday.

ALDERMEN'S

REPORT: Alderman Smith noted that we have to give a formal request to Onslow County for support in beach reimbursement. Mr. Hammond will ask the attorney to draft a resolution.

Alderman Flynn went to the NC Shore and Preservation meeting and noted that they had excellent presentations. They have a great deal of clout and they are a worthwhile organization. Alderman Flynn has a video that everyone can view that will stay in the town hall. The organization will also provide speakers for us. He also spoke to representatives from Surf City and Topsail Beach that were at the meeting.

OPEN FORUM:

Beverly Sizemore had questions on mitigation. Mr. Hammond noted that representatives have not returned our calls. Mrs. Sizemore also asked if we have to pay for cleanup on the State roads. Mr. Hammond said yes.

ADJOURNMENT: The meeting adjourned at 9:35 p.m.

Respectfully submitted,

Loraine M. Carbone
Loraine M. Carbone
Town Clerk

Budget Amendment #2

* Revenues

*to bring revenues not originally budgeted into the budget

	<u>Line Item</u>	<u>Budgeted</u>	<u>Increase Decrease</u>	<u>New Budget</u>
Fran Reim.	10-335-01	0	\$28,538.00	\$ 28,538.00
Priv. Lic.	10-325-00	\$2,500.00	2,710.00	5,210.00
Misc.	10-335-00	1,000.00	751.00	1,751.00
Dennis Ins.	10-335-05	0	26,920.00	26,920.00
Floyd Ins.	10-335-13	0	24,685.00	24,685.00
Floyd Im. Nds.	10-335-14	0	242,571.00	242,571.00
Intg. Property Tax	10-339-00	0	21,425.00	21,425.00
Powell Bill	10-343-00	<u>39,397.00</u>	<u>458.00</u>	<u>39,855.00</u>
		\$ 42,987.00	\$ 348,058.00	\$ 390,955.00

*Expenditures

Correcting first payroll in July. When departments were divided, the payroll distribution was not changed. This adjustment reallocates the money into the correct accounts.

	<u>Line Item</u>	<u>Budgeted</u>	<u>Increase Decrease</u>	<u>New Budget</u>
Salaries	10-491-02	\$61,500.00	\$ <u>2,310.00</u>	\$ 59,190.00
FICA	10-491-05	4,705.00	<u>208.00</u>	4,497.00
Retirement	10-491-07	6,150.00	<u>76.00</u>	6,074.00
Salaries	10-490-02	26,675.00	2,310.00	28,985.00
FICA	10-490-05	2,041.00	208.00	2,249.00
Retirement	10-490-07	<u>2,667.00</u>	76.00	<u>2,743.00</u>
		103,738.00		\$ 103,738.00

*adjusting Hurricane Floyd accounts (all -81 are Floyd accounts): to bring into the budget the amounts spent during and directly after the hurricane.

	<u>Line Item</u>	<u>Budgeted</u>	<u>Increase Decrease</u>	<u>New Budget</u>
GV. Body-Floyd	10-410-81	0	\$ 3,463.00	\$ 3,463.00
Admin Floyd	10-420-81	0	3,405.00	3,405.00
Plan/Zoning Floyd	10-490-81	0	887.00	887.00
Inspection	10-491-81	0	4,287.00	4,287.00
Public Buildings	10-500-81	0	5,000.00	5,000.00
Police	10-510-81	0	21,586.00	21,586.00
Public Works	10-545-81	0	1,240.00	1,240.00
Streets	10-560-81	0	79,445.00	79,445.00
Fire Insurance	10-690-54	\$ 4,638.00	328.00	4,966.00
Fire Floyd	10-690-81	0	2,669.00	2,669.00
Beach Renour.	10-720-81	0	200,000.00	200,000.00
Contingency	10-999-01	<u>12,244.00</u>	<u>51,763.00</u>	<u>64,007.00</u>
		\$ 16,882.00	374,073.00	\$ 390,955.00