



**TOWN OF HOLDEN BEACH  
BOARD OF COMMISSIONERS  
PUBLIC HEARING/ REGULAR MEETING  
TUESDAY, JUNE 9, 2009 – 7:00 PM**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Public Hearing/ Regular Meeting on Tuesday, June 9, 2009 in the Holden Beach Town Hall General Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem Sandy Miller; Commissioners Ray Lehr, Don Glander, Ken Kyser and Gary Staley; Town Manager David W. Hewett; Town Clerk Heather Finnell; Police Chief Wally Layne; and Zoning Official Rhonda Wooten.

**PUBLIC HEARING – COMMUNITY BASED HAZARD MITIGATION PLAN COMPREHENSIVE (5 YEAR) UPDATE**

Mayor Holden called the public hearing on the Community Based Hazard Mitigation Plan Comprehensive Update to order and opened the floor for comments. Town Manager Hewett introduced Penny Tysinger from the Cape Fear Council of Governments. Ms. Tysinger explained that the first required public hearing was held approximately one year ago. FEMA and State comments on the plan have been received and addressed. The plan can be adopted once approval is given by FEMA. The committee will continue to meet on a one year basis to make sure the Town stays on task. No further comments were made and Mayor Holden closed the public hearing at 7:04 p.m.

**REGULAR MEETING**

Mayor Holden presented an invocation and called the meeting to order.

**PLEDGE OF ALLEGIANCE**

**AGENDA APPROVAL**

Commissioner Kyser requested to add the Discussion and Possible Approval of a Budget Amendment as Item 8a; Town Manager Hewett suggested adding Discussion of Alternate Polling Location at the Emergency Operations Center; Mayor Holden suggested adding it as Item 10a; and Mayor Holden requested adding a Hurricane Readiness Volunteer Meeting as Item 12a.

*Motion by Mayor Pro Tem Miller to approve the agenda as amended; second by Commissioner Glander; approved by unanimous vote.*

**APPROVAL OF MINUTES**

*Motion by Mayor Pro Tem Miller to approve the minutes of the Public Hearing/ Special Meeting of May 11, 2009 as written; second by Commissioner Kyser; approved by unanimous vote.*

*Motion by Mayor Pro Tem Miller to approve the minutes of the Regular Meeting of May 12, 2009 as written; second by Commissioner Lehr.*

Mayor Holden requested that on page 6 under Mayor's comments, the sentence beginning with never in the history under the first bullet be removed; and under the second bullet add the words *personal business* before the word records.

*Mayor Pro Tem Miller, with Commissioner Lehr in agreement, amended her motion to include the corrections. The motion passed by unanimous vote.*

*Motion by Mayor Pro Tem Miller to approve the minutes of the Budget Meeting of May 26, 2009 as written; second by Commissioner Kyser; approved by unanimous vote.*

## **PUBLIC COMMENTS ON AGENDA ITEMS**

Bill Cohen stated that his only concern in reference to item 8, a contract for a recreation master plan is the status of the economy and he wonders if this is the time to do this.

## **POLICE REPORT – CHIEF WALLY LAYNE**

- Calls for service have increased since summer is upon us. There was a larceny from a residence at 151 OBW, but not sure when that occurred because the last time the chairs were there was last October. It was just recently reported. There have been two bicycle larcenies. Traditionally the bicycles will turn up by the end of season. There was a larceny of money on Jordan Boulevard. A moving company hired by a homeowner took money from her pocketbook. The chairs that were stolen came off the porch; they were not located inside the residence.

## **DISCUSSION AND POSSIBLE APPROVAL OF PROFESSIONAL SERVICES CONTRACT – TOWN OF HOLDEN BEACH 2010 – 2015 PARKS, RECREATION AND OPEN SPACE MASTER PLAN**

Town Manager Hewett explained we do not have a parks and recreation master plan at this time, but we have several facilities that will provide a number of different opportunities. He believes the Board should consider what type of venues or activities would be appropriate for the beach. He recommends that Jim Herstine, Chair of the Parks and Recreation Department at UNCW be considered to develop a recreational master plan to be paid out of the BPART Fund. The Board discussed Town Manager Hewett's recommendation and agreed to bring the subject back up a few months from now. Mayor Holden reminded the Board about the \$40,000 promised to the children for years to be used for some sort of children's facility.

## **DISCUSSION AND POSSIBLE APPROVAL OF BUDGET ORDINANCE AMENDMENT**

Town Manager Hewett explained that resulting from today's budget workshop, the Board decided to transfer unobligated money in the amount of \$80,000 from the Town Hall Capital Fund to pay for sewer capital equipment and wet well repair. The amendment runs the money through the General Fund over to the Water Fund. Commissioner Glander added that the Town does not currently have back-up parts for sewer, so it could be disastrous if there is a problem.

*Motion by Commissioner Staley to approve Ordinance 09-07, second by Commissioner Lehr; approved by unanimous vote.*

## **DISCUSSION OF BULKHEADS, MAINTENANCE AND REPAIR OF DEVELOPED AND UNDEVELOPED LOTS**

Mayor Holden stated that all three of the canal subdivisions have been dredged recently and there are some lots that do not have bulkheads and some that should be repaired or extended. He explained there have been homeowners

complaining that they have been suffering erosion problems because their neighbors do not have bulkheads. Zoning Official Wooten explained the Town has an ordinance that says no structure should be constructed on a canal lot without requiring a bulkhead on it, but empty lots do not require bulkheads. She explained that all of the erosion regulations the Town has pertains to lots with bulkheads. The Division of Coastal Management will locate where a homeowner can bulkhead the lot. Zoning Official Wooten stated she is not sure how changing the regulations to require all lots to have a bulkhead would affect the Land Use Plan, so she would like to check into that.

*Motion by Mayor Pro Tem Miller to send this topic to Planning & Zoning Board for review; second by Commissioner Kyser.*

Town Manager Hewett requested that the Board determine when they would like to have an answer.

*Mayor Pro Tem Miller, with Commissioner Kyser in agreement amended her motion to have the Planning & Zoning Board report back to the Board by the September regular meeting.*

Zoning Official Wooten confirmed the Land Use Plan can be amended, but stated she would like to make sure there would not be a negative affect on the Town. Mayor Holden suggested that the Planning & Zoning Board can look into making it so all lots do not require bulkheads, but certain conditions would make specific lots require it.

*The motion passed by unanimous vote.*

#### **DISCUSSION AND POSSIBLE ACTION ON ISSUES WITH SIGNS ON THE CAUSEWAY**

Town Manager Hewett stated he has received complaints regarding the visual affect of the approach to island because of the signs. Since it is not part of the island, he wanted to ask for the Board's direction to see if they want him to talk to County to see if they can enforce any ordinances they may have. The Board came to a consensus to have Town Manager Hewett send a letter to the County.

#### **DISCUSSION OF ALTERNATE POLLING LOCATIONS**

Mayor Holden stated that the Town sent a letter a few months back offering the use of our new Town Hall facility as a polling place due to the conditions of the current polling place. A member of the Election Board came to this building before it was completed and gave good comments regarding the facility. Mayor Holden recently received a letter from Mr. Sloan, Chair of the Board of Elections saying that they did not want to use the facility at this time. Mayor Holden stated that maybe they would consider using the Emergency Operations Center. Town Manager Hewett stated that with the three large bays at the EOC, it would accommodate people with special needs. The Board came to a consensus to send a letter offering the use of the EOC.

#### **ANNOUNCEMENT OF VACANCIES ON PLANNING & ZONING BOARD, BOARD OF ADJUSTMENT AND PUBLIC AREA IMPROVEMENT COMMITTEE**

Commissioner Glander stated there is just one member between the Planning & Zoning Board and Board of Adjustment that has to step down. He stated that Peggy Schiavone from Planning & Zoning is the only person who is not eligible to serve again, but she did a great job during her seven years on the board. Commissioner Glander stated that there is a vacancy on the Public Area Improvement Committee also. He asked if anyone is interested in any of the boards/committees, they submit their names to Town Clerk Finnell. Commissioner Kyser inquired if Mike Macomson is still considered a resident of the island. The Board discussed the rules that determine your residence.

*Motion by Commissioner Staley to reappoint everyone eligible for reappointment on the Planning & Zoning Board (Mike Macomson, Bill Cohen, Tony Marwitz and Sheila Young), Board of Adjustment (Larry Ivey) and Public Area Improvement Committee; second by Commissioner Glander.*

Commissioner Lehr inquired if vacancies are typically filled with alternates. Mayor Holden cautioned the Board to seek volunteers. Commissioner Staley stated there will still be vacancies for volunteers and everyone on the boards are qualified.

*The motion passed by 4-1 vote with Commissioner Lehr, Commissioner Glander, Commissioner Kyser and Commissioner Staley voting for the motion and Mayor Pro Tem Miller voting in the negative.*

#### **DISCUSSION AND POSSIBLE APPROVAL OF UPDATE MUNICIPAL RECORDS RETENTION AND DISPOSITION SCHEDULE**

*Motion by Mayor Pro Tem Miller to approve the updated schedule; second by Commissioner Lehr; approved by unanimous vote.*

#### **DISCUSSION OF SCHEDULING A DATE FOR A HURRICANE READINESS VOLUNTEER MEETING AND FOR A PUBLIC HEARING ON THE PROPOSED BUDGET FOR FISCAL YEAR 2009 - 2010**

*Motion by Mayor Pro Tem Miller to schedule the budget public hearing on June 23, 2009 at 7:00 p.m.; second by Commissioner Lehr; approved by unanimous vote.*

The Board came to a consensus to hold the hurricane readiness meeting immediately following the budget public hearing.

#### **TOWN MANAGER'S REPORT**

- Working with FEMA to get our money back that we paid for the beach nourishment project. As a recap, we have close to \$2 million out for engineering services and the contract with Wayne's Backhoe Services. We are just now seeing the small reimbursable incremental checks coming back to us for the first engineering works.
- Vegetation of the nourishment project was supposed to happen this past week, but it will occur later this week and next week. We will be planting about \$60,000 of sea oats.
- Master plan is underway with Applied Technology and Management. Met with our consulting engineers today. The master plan should be available mid-August. There is a meeting scheduled with the regulators in two weeks.
- There will be dance lessons offered prior to select Sunday concerts. Town Clerk Finnell will be posting the schedule.

#### **MAYOR'S COMMENTS**

- Was in Grand Isle, LA last week, which is a place that continues to be hit by hurricanes. Goes every year on a fishing adventure. The way they are rebuilding their dunes caught his attention this year. For a lengthy stretch of their oceanfront they have a cylinder shape sandbag that is continuous for hundreds of yards. It appeared to be about eight feet in diameter. The bag runs along where the dunes were washed out and then they take bulldozers and backhoes to cover that up. It looks like a normal dune, but the theory is that when the next storm comes, the bag is so heavy and lengthy it will deter the water from going across the oceanfront properties and across the street. It is interesting the way they do things versus North Carolina.

## **BOARD OF COMMISSIONERS' COMMENTS**

Mayor Pro Tem Miller

- No comments

Commissioner Lehr

- With all the things that are happening in the budgeting area - was in meeting with the president of the County Commissioners and he said they will be doing no new projects, some of the existing ones will be put on hold and they will only do maintenance that is necessary. Wasn't sure how things would come out when we went into the budget session today. Thinks Town Manager Hewett did a great job. Thinks the Board took a good look at it and it will be a good budget.

Commissioner Glander

- Thanked Peggy Schiavone. Seven years on the same board is a great job. People have probably noticed that the Public Area Improvement Committee is starting to put vegetation around some of the pump stations. Ron Skubic, Rob and Lindy Collinson and some others have been out planting stuff and it is going to look terrific.
- The last minute substitute at the concert last Sunday was terrific and he would like to see them back. He was advised the name of the person was JB.

Commissioner Kyser

- Worked on the budget for a long time today. A lot of hard work went into it on Town Manager Hewett's part. Thinks it looks good.

Commissioner Staley

- Echoes comments on the budget. Lucky to live in area that has a 98% plus tax collection rate so we are not in bad of shape as some other places.

Mayor Holden passed out a brochure from the Town of Oak Island. They have a park called Middleton Park where they are showing free movies beginning in June. Mayor Holden stated that the Town does have the facility at the Pavilion. The Board discussed other places that are currently doing similar things.

## **PUBLIC COMMENTS ON GENERAL ITEMS**

Bill Cohen asked the Board if they would like P&Z to meet again in June or if they should wait until July. The Board agreed that July is fine.

Peggy Schiavone stated it has been great serving on P&Z and she is glad the Board reappointed the people who served in the past. Ms. Schiavone would like to recommend that Tony Marwitz is the alternate that gets moved up to a regular position. She stated that he is very active and hardworking.

## **ADJOURNMENT**

*Motion by Commissioner Staley to adjourn at 7:58 p.m.; second by Commissioner Kyser; approved by unanimous vote.*