



**TOWN OF HOLDEN BEACH  
BOARD OF COMMISSIONERS  
PUBLIC HEARING/ REGULAR MEETING  
TUESDAY, JUNE 24, 2008**

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The Board of Commissioners of the Town of Holden Beach met for a Public Hearing/ Regular Meeting on Tuesday, June 24, 2008 at 7:00 p.m. Present were Mayor J. Alan Holden; Mayor Pro Tem Sandy Miller; Commissioners Ray Lehr, Don Glander, Ken Kyser and Gary Staley; Town Manager David Hewett; Town Clerk Heather Finnell; Planning & Inspections Director Jason Walker; Police Chief Wally Layne; Public Works Director Chris Clemmons; Tax Collector Margaret Lancaster; and Town Attorney Mac Tyson.

**PUBLIC HEARING: PROPOSED HAZARD MITIGATION PLAN**

Mayor Holden declared the public Hearing on the proposed Hazard Mitigation Plan open at 7:00 p.m. Town Manager Hewett explained that the Committee has been working on the plan with Chris May from the Cape Fear Council of Governments to facilitate the plan. There are several items that still need to be polished. Town Manager Hewett recommended to the Board that the public hearing be continued until July 22, 2008 at 7:00 p.m. because the plan is not currently ready for public review.

*Motion by Mayor Pro Tem Miller to continue the public hearing on July 22, 2008 at 7:00 p.m.; second by Commissioner Glander; approved by unanimous vote.*

**PUBLIC HEARING: PROPOSED BUDGET FOR FISCAL YEAR 2008 -2009**

Mayor Holden opened the public hearing on the proposed budget for Fiscal Year 2008 – 2009 at 7:02 p.m. Town Manager Hewett stated that there is an administrative correction on page 46, line 45 or 46. It should read \$335,937 and the total at the bottom of the page should read \$13,001,205. Town Manager Hewett presented a slide show on the proposed budget and explained the process used to establish the draft budget. The current budget proposes seven funds; three operating funds and four capital project funds. The proposed tax rate is \$0.069 per \$100 valuation. The proposed budget shows a \$0.15 increase in the water rates. The sewer assessment is proposed to remain the same as last year at \$497.30. Dredging assessments per lot are proposed to be \$800 for Holden Beach Harbor, \$420 for Heritage Harbor and \$200 for Harbor Acres. Town Manager Hewett recommended the Board approve the budget as presented with two conditions; programming the “crossover” of the remaining EOC funds and withholding the dredging assessment quantifications until tomorrow’s meeting with the folks from the three dredging districts.

Lou Cutajar questioned if the tax rate could have been reduced for the proposed budget. He stated there is a 20% difference in the proposed budget from the current budget. Mr. Cutajar thinks some reductions could have been made to the proposed budget and to the Town’s debt service. By Mr. Cutajar’s calculations, the tax rate could have been lowered to \$.064, but he is delighted that there is no tax increase.

Gay Atkins inquired if the Board is heading towards the taxpayers paying for the litigation and dredging of the canals. Town Manager Hewett explained that the legal expenses that have been directly attributable to the Holden Beach Harbor project have been paid for by the Holden Beach Harbor project funds.

Commissioner Staley stated that he heard another police officer will not be hired. Town Manager Hewett stated that the budget does show 10 funded positions and there are currently nine filled. Commissioner Staley stated that the money for the 10<sup>th</sup> officer's salary should be removed from the budget if we are not going to hire another officer. Town Manager Hewett would like to perform an analysis on crime statistics to be able to determine what the appropriate amount of officers is. Commissioner Staley stated that the Town has \$800,000 sitting in a fund that we are losing interest on daily. He stated that if a portion of that money is paid back, it would save the Town money. Commissioner Lehr stated that his understanding was that we were going to hold the police officer position to nine and go from there. He also stated that if gas goes up \$2 a gallon, that is another \$50,000 for the Police Department. Commissioner Staley stated that it is his understanding that there already is a significant increase in the line item for gas. Commissioner Staley stated that the Town has taken in \$270,000 more than we have spent as of March 31, 2008. Mayor Holden closed the public hearing at 7:25 p.m.

## **REGULAR MEETING**

Attorney Tyson presented an invocation. Mayor Holden called the regular meeting to order.

## **PLEDGE OF ALLEGIANCE**

## **AGENDA APPROVAL**

Mayor Pro Tem Miller requested that discussion of the Board's meeting schedule be added as item 18a.

*Motion by Commissioner Lehr to approve the agenda as amended; second by Commissioner Kyser; approved by unanimous vote.*

## **APPROVAL OF MINUTES**

*Motion by Mayor Pro Tem Miller to approve the minutes of the Budget Workshop of May 21, 2008 as written; second by Commissioner Lehr; approved by unanimous vote.*

*Motion by Commissioner Staley to approve the minutes of the Regular Meeting of May 27, 2008 as written; second by Commissioner Kyser; approved by unanimous vote*

*Motion by Mayor Pro Tem Miller to approve the minutes of the Budget Workshop of June 4, 2008 as written; second by Commissioner Kyser; approved by unanimous vote.*

## **PUBLIC COMMENTS ON AGENDA ITEMS**

Anne Arnold asked if the approval of the budget was going to be postponed until after the dredging meeting. Town Manager Hewett explained that he proposed that the portion on the assessments for the dredging subdivisions be postponed until the dredging meeting.

Tony Marwitz inquired what the procedure is to make changes to the budget once it has been approved. Town Manager Hewett gave an example of going over on a line item and explained that the Town would have to either curtail operations to live within the existing budget or the Board would have to appropriate additional monies from the fund balance. Mr. Marwitz asked about the sewer capital charge. Town Manager Hewett explained it was established at the same amount as last year, even though Oak Island is now part of the mix because their impact is unknown at this time. Assessments can be amended through a budget ordinance amendment.

Gay Atkins asked about the meeting schedule. Mayor Pro Tem Miller explained the Board will discuss whether to go to one meeting a month or keep it at two. Ms. Atkins stated she is surprised because this Board ran on total communication with its citizens and this would cut down half the communication with the citizens.

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

- No major crime problems on the island.
- Seems like the past two weeks have been bike week. Cautioned everyone to be careful because the tourists are not all paying attention.
- Will be re-routing traffic several times in the next couple of weeks. The dates as of now are June 28<sup>th</sup>, July 4<sup>th</sup>, July 5<sup>th</sup> and July 12<sup>th</sup>. Extra folks will be working the night of July 4<sup>th</sup> to try to keep up with fireworks. A majority of the comments from the last re-route were positive and were questioning why it wasn't done earlier. There were a few folks that live on east end that were not very happy, but went along with the program.
- Reverse 911 – if you have a listed number you should be in the system, if it is not you can follow the same procedures as those who have an unlisted number or want to add additional numbers. To register go to [www.firstcallnetwork.com](http://www.firstcallnetwork.com).
- Would rather have the 10<sup>th</sup> officer position in the budget and not need it then to not have it at all.
- Hired 9<sup>th</sup> officer- Introduced Jessica Camara. She is in training that needs to be completed before she can go solo. Sergeant Milligan explained there are certain criteria she needs to meet; there is no set timeframe to complete the training.

#### **NOMINATION OF MEMBERS TO THE PLANNING & ZONING BOARD**

Town Clerk Finnell announced the names listed on the ballot for the Planning & Zoning Board. The Board's votes for Regular Member were tallied. Mayor Holden announced that Suzanne Prince was selected to serve as a Regular Member. The vote for Suzanne Prince was unanimous.

The Board's votes for Alternate Members were tallied. Mayor Holden announced that Tony Marwitz and Sheila Young were selected to serve as Alternate Members. Votes were as follows: Mayor Pro Tem Miller – Tony Marwitz, Sheila Young; Commissioner Lehr – Tony Marwitz, Sheila Young; Commissioner Glander – John Hancock, Sheila Young; Commissioner Kyser – Tony Marwitz, Sheila Young; and Commissioner Staley - John Hancock, Jim McMurray.

#### **NOMINATION OF MEMBERS TO THE BOARD OF ADJUSTMENT**

Town Clerk Finnell announced the names listed on the ballot for the Board of Adjustment. The Board's votes for Regular Members were tallied. Mayor Holden announced that Sandi Dillon, Tom Decker and Larry Ivey were selected to serve as Regular Members. Votes were as followed: Mayor Pro Tem Miller – Sandi Dillon, Tom Decker, Larry Ivey; Commissioner Lehr – Sandi Dillon, Tom Decker, Larry Ivey; Commissioner Glander – Sandi Dillon, Tom Decker, Larry Ivey; Commissioner Kyser – Sandi Dillon, Tom Decker, Larry Ivey; and Commissioner Staley – Sandi Dillon, Tom Decker, Derek Smith.

The Board's votes for Alternate Members were tallied. Mayor Holden announced that Marlene Hahn, Carol Byrnside and Jo Ann Moore were selected to serve as Alternate Members. The votes were as follows: Mayor Pro Tem Miller – Marlene Hahn, Carol Byrnside, Jo Ann Moore; Commissioner Lehr – Marlene Hahn, Carol Byrnside, Jo Ann Moore; Commissioner Glander – Marlene Hahn, Carol Byrnside, Jo Ann Moore; Commissioner Kyser – Marlene Hahn, Carol Byrnside, Jo Ann Moore; Commissioner Staley – Marlene Hahn, Carol Byrnside, Derek Smith.

**DISCUSSION AND POSSIBLE APPOINTMENT OF MEMBER TO FILL THE VACANCY ON THE SHORELINE PROTECTION COMMITTEE**

The Board came to a consensus to appoint Harriet Hart to the Shoreline Protection Committee.

**DISCUSSION AND POSSIBLE ACTION ON TAX ADJUSTMENT/ RELEASE FOR 2007 TAX YEAR**

Town Manager Hewett explained that based on the county wide property revaluation several folks appealed their revaluation. They took it to the State Revenue Department and they made the judgment that the appeals were valid and reduced the value of the properties. This is for current tax year.

*Motion by Mayor Pro Tem Miller to approve the tax release; second by Commissioner Kyser; approved by unanimous vote.*

**DISCUSSION AND POSSIBLE DECISION ON HOW TO BILL LEGAL FEES ASSOCIATED WITH DREDGING PROJECTS**

Mayor Holden explained that the fiscal year is ending and we do not have all the bills in for the dredging project. We are dealing with unknowns but need to pay bills by the end of the fiscal year. The Board came to a consensus to pay the bills as they are billed.

**DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE 08-07, AN ORDINANCE AMENDING FEES LISTED IN THE HOLDEN BEACH CODE OF ORDINANCES AND RESOLUTION 08-19, RESOLUTION ESTABLISHING A FEE SCHEDULE FOR THE TOWN OF HOLDEN BEACH**

Town Manager Hewett explained that the ordinance removes the various fees charged in multiple locations throughout the Code of Ordinances and the resolution puts them in a fee schedule which would be posted and will be more user friendly.

*Motion by Commissioner Kyser to approve Ordinance 08-07 and Resolution 08-19; second by Commissioner Glander; approved by unanimous vote.*

**DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTIONS 08-19, 08-20 AND 08-21, RESOLUTIONS ESTABLISHING FEE-SUPPORTED CANAL DREDGING DISTRICTS FOR HOLDEN BEACH HARBOR, HERITAGE HARBOR AND HARBOR ACRES**

Town Manager Hewett explained that the resolutions establish separate districts for each canal subdivision. The assessment rates will be set in the budget ordinance

*Motion by Commissioner Glander to approve Resolutions 08-19, 08-20 and 08-21; second by Mayor Pro Tem Miller; approved by unanimous vote.*

**DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE 08-08, BUDGET ORDINANCE FOR FISCAL YEAR 2008 – 2009**

*Motion by Commissioner Lehr to approve the budget as presented with Town Manager Hewett's recommendations; second by Mayor Pro Tem Miller.*

Commissioner Staley stated that he cannot support the budget because he thinks there is room for cuts.

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

## **DISCUSSION OF BOARD'S MEETING SCHEDULE**

Mayor Pro Tem Miller stated she checked with the other Commissioners to see if they thought a meeting would need to be held if there wasn't information that needed to be discussed. She explained that the consensus of all of the Commissioners was that they would go to one meeting a month and if there was a special need a meeting could be called with a 48-hour notice. Mayor Pro Tem Miller suggested not voting on it tonight and soliciting public input first. Commissioner Lehr stated he is in favor of one scheduled meeting and adding other business meetings as needed or having informal meetings. Gay Atkins stated that if there is a set schedule she is able to set her schedule around those meetings. Nydia Glander stated that many towns have only one scheduled meetings in North Carolina. Ron Skubic doesn't see anything wrong with meeting twice a month.

## **TOWN MANAGER'S COMMENTS**

- Next week we will be migrating computers system offsite. Will facilitate the July implementation of new accounting software.
- There is a new colonel at the Wilmington District Corps Office effective July 17<sup>th</sup>.
- WWAY will be in Town conducting a special segment about Holden Beach. They will interview people off the street.
- Hold-up on the EOC – we are waiting on the garage doors. They should be here in mid-July. In the interim we will be taking care of the septic system. There is a lot of work that needs to be done concerning stormwater, the parking lot and the configuration of the operations center.

## **MAYOR'S COMMENTS**

- Hopeful that many people will volunteer for the emergency program.
- Asked Public Works Director Clemmons if they are planning on restriping the crosswalks at public accesses. Public Works Director Clemmons thinks it would be a good idea to do that and to add pedestrian crossing signs. Town Manager Hewett added that we would need to check with DOT to make sure we can do that.
- Asked if we can take down the high water signs.

## **BOARD OF COMMISSIONERS' COMMENTS**

Mayor Pro Tem Miller

- Thinks the Star News did a great job highlighting the Chapel and the Commissioners.
- Garbage day and when Public Works Director Clemmons is letting water out of hydrants is not a good day to have the top down on a convertible.

Commissioner Lehr

- Thanked Town Manager Hewett and the staff for their work on the budget. Thinks we have a good budget.

Commissioner Glander

- Thanked the old members of committees and boards. Appreciates those who volunteered to serve. Committees are extremely important to the island.

Commissioner Kyser

- Thanked those who have served and those who stepped up for the first time.
- So far have only seen three cans that are overflowing so the trash can ordinance looks like it is working.
- Asked about the permits for the odor control for the Greensboro pump station. Public Works Director Clemmons will check on the status.
- Asked about the timeframe to begin work on the Halstead Street Park. Town Manager Hewett explained it will be after July 1<sup>st</sup>

- Will not be able to attend the dredging meeting tomorrow. Needs to go to Pennsylvania to be with his dad who is in the hospital.

#### Commissioner Staley

- Will be late tomorrow to the dredging meeting, he has an appointment he cannot break.
- Thanked Town Manager Hewett and his staff for a hard job well done. Everyone does things differently, but he respects everything done. Commends the Board for passing a balanced budget with no tax increase. Commends the past Board who knew that the projects could be completed without a tax increase.
- Thanked prior and new committee members.

Commissioner Glander stated that the Board would sincerely like citizens input on changing the meeting schedule. He doesn't see the change interfering with that.

#### **PUBLIC COMMENTS**

Dennis Harrington stated he feels the assessment fees for Holden Beach Harbor are placing an unfair burden on the residents of those canals. They paid in good faith. He thinks it is unfair that the Town is asking for additional money. Mr. Harrington thinks that if anything, the Town should share in the cost of the project.

Martha Waller asked if anyone mentioned a problem with rats. Mayor Holden explained that the Town had the problem forever and probably will. In the past, the Town went on an aggressive campaign to mow all vacant lots. The campaign was effective, but it got rid of a lot of wildlife. He explained about the Town's current ordinance.

John MacIntyre stated he is concerned about the last statement about the dredging project. He doesn't see that the people on canals are being assessed a fee for professional project management. He suggested that fees should be built into the budget to support professional fees. Town Manager Hewett explained that there are fees built into the budget for Right Angle Engineering.

Tony Marwitz asked if anything is being done about the potholes on Ocean Boulevard. Town Manager Hewett explained that the Town hasn't had any success with DOT's Shallotte office with our request for repairs. Public Works Director Clemmons will see if he can take care of it.

Rob Collinson explained that the PAI Committee has t-shirts to sell. The t-shirts are \$15 each. They will try to sell them at meetings, Town Hall and festivals. The money raised will go back into the general fund.

#### **ADJOURNMENT**

*Motion to adjourn by Commissioner Staley at 8:26 p.m.; second by Commissioner Glander; approved by unanimous vote.*