



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, AUGUST 11, 2009 – 7:00 PM**

The Board of Commissioners of the Town of Holden Beach met for a Regular Meeting on Tuesday, August 11, 2009 at 7:00 p.m. in the Holden Beach Town Hall General Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem Sandy Miller; Commissioners Ray Lehr, Don Glander and Ken Kyser; Town Manager David W. Hewett, Town Clerk Heather Finnell; Public Works Director Chris Clemmons; and Police Chief Wally Layne.

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

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Motion by Mayor Pro Tem Miller to switch items 7 and 12 - making Discussion and Possible Decision on Providing Access from Boardroom to Kitchen item 7 and Police Report Item 12; and to add Setting a Time, Date and Location for Goals, Objectives Review Workshop as item 12b; second by Commissioner Kyser; approved by unanimous vote.

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

PUBLIC COMMENTS ON AGENDA ITEMS

No comments were made.

UPDATE ON H1305 "BEACH PLAN" BY CAMERON MOORE, GOVERNMENT AFFAIRS DIRECTOR, BUSINESS ALLIANCE FOR A SOUND ECONOMY (BASE)

Mr. Moore explained that BASE is retained as a lobbyist for a group called NC20 and is working on coastal insurance issues. The issue had legislation, public participation and involvement from local governments and ended up with the lawsuit during the process. The General Assembly session has come to a halt. House Bill 1305 "Beach Plan" has been cleared as of last Thursday, it has been ratified, but is sitting on governor's desk and hasn't been signed yet. Mr. Moore explained that the bill will legislatively set surcharges at their current rate and homeowners will not see the increases that we were seeing when the surcharges first came out. The provision where commercial and dwelling policies were allowed to be surcharged was removed from the bill. The final version of the bill provides language that will authorize the Legislative Research Committee to study changes and allow for more public participation in the rate making process. It will also set time limits for approval/ disapproval for rate changes. The biggest issue to deal with on the coast is the maximum coverage limits. It was up to \$1.5 million. After all the amendments, the bill will only offer coverage up to \$750,000 but that is only for the structure and it doesn't count the land. There is now a 1% deductible for named storms. The bill also provides for some grant programs. Surpluses will retain and maintain back into the system. The bill will allow for a schedule of credits for policy holders based on mitigation and construction features. It will allow for installment payment plans. Mr. Moore explained that NC20 is a coalition formed of public and private entities. Many

local governments are involved. Mr. Moore explained he doesn't know when the credits will take effect. He encourages everyone to talk to their insurance agency once the changes go through.

DISCUSSION AND POSSIBLE DECISION ON PROVIDING ACCESS FROM BOARDROOM TO KITCHEN

Jim Stewart of Stewart Cooper and Newell brought to Town Manager Hewett the last documents from the mechanical contractor and the final application for payment from the general contractor. The changes discussed were extending the wall down the hall in the Finance Department and putting another door in, so that people in the boardroom would have access to the kitchen. He received a price of \$8,802 from the contractor. Some of the panel systems would need to be moved, so he contacted Alfred Williams for a quote since they installed the systems. Mr. Stewart stated that the whole project would cost about \$12,000. He explained some mechanical changes would also need to be made. Mayor Pro Tem Miller inquired if any thought was given to using the conference room as a kitchen since it cannot be used for executive sessions. Mr. Stewart explained that in the original plan there were two different areas, but they were told not to do that. Commissioner Kyser asked why a coffee pot couldn't be put out in the foyer instead of spending the money to make the changes. Mr. Stewart explained that someone had mentioned putting a sink in the AV Room, but there is a lot of expensive equipment in that room and a sink would probably cost \$25,000 to put in. After discussion, the Board decided not to make any changes at this time. Mayor Holden asked if there is anything unresolved between the Town and the contractor. Mr. Stewart asked Town Manager Hewett about the generator. Town Manager Hewett stated the generator comes on every Friday and it does work. Mr. Stewart stated that was the last issue. Mayor Holden asked if there is a reason the Town has a diesel generator, instead of a quiet one. Mr. Stewart explained that was the decision of the Board and staff at the time, but there was also an issue about the distance the tanks had to be from the building and there wasn't enough room to put it in.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 09-12, RESOLUTION OF ADOPTION – TOWN OF HOLDEN BEACH HAZARD MITIGATION PLAN

Town Manager Hewett stated this is the exact plan that was previously approved by the Board before it was sent to FEMA for their review. FEMA has approved it without change. It is the first plan approved in North Carolina and he recommends the Board approve it as is.

Motion by Commissioner Glander to approve Resolution 09-12, Resolution of Adoption – Town of Holden Beach Hazard Mitigation Plan; second by Mayor Pro Tem Miller; approved by unanimous vote.

DISCUSSION AND POSSIBLE SELECTION OF CONTRACTOR FOR DISASTER DEBRIS MANAGEMENT

Town Manager Hewett explained that the Town solicited firms who specialized in the disaster debris management business and received six responses from firms across the nation. They used several different criteria to assess the firm's capability. Public Works Director Clemmons and Town Manager Hewett performed the analysis on the firms' capabilities and are recommending that the Board select Unified as the contractor for disaster debris management. He explained their prices are lower; they are the County's contractor for hurricane debris removal; they have a presence in North Carolina and have some other assets unique to our community. A representative from Unified is present in case the Board has any questions. Commissioner Glander asked why the Town needs to do something additional if the County is already doing it. Town Manager Hewett stated that the Town has to take care of the area within the municipal limits. Town Manager Hewett confirmed that this is a pre event contract with no annual cost to the Town. Mayor Holden explained that in the past we never had anything to this scale, but the Town did negotiate with some local contractors to give us priority if there was a storm.

Motion by Commissioner Lehr to approve Unified as the contractor for disaster debris management; second by Commissioner Kyser; approved by unanimous vote.

RECOGNITION OF KEN AND CECILIA WESTON FOR CONTRIBUTION OF POPCORN PROFITS

Mr. Weston explained that he and Cecilia originally started out a couple of years ago working with the Merchant's Association. This year as of Monday they turned in just over \$1,100 in profits to the Town. The money is going straight towards beautification of the stage area since that is where it was raised. Mr. Weston explained that they had money in an account for the Causeway Beautification project, but that project died. He stated that after speaking with Ron Champion and the leaders of the Holden Beach Merchant's Association he has another check of \$1,993.32 to present to the Town. Mayor Holden presented a plaque to Ken and Cecilia Weston on behalf of the Town, Board and citizens for their hard work.

DISCUSSION AND POSSIBLE SELECTION OF MEMBER FOR REGULAR POSITION ON THE PLANNING & ZONING BOARD TO FILL THE POSITION VACATED BY SUZANNE PRINCE

Mayor Holden explained that Ms. Prince is no longer a resident of the island, so she has tendered her resignation. The Board came to a consensus to have the item added to the next agenda so an opportunity can be given to people to volunteer for the position. The opening will be posted to Channel 8.

POLICE REPORT – CHIEF WALLY LAYNE

- Received 18 applicants for the vacant position. Nine were worthy of an interview. Completed eight interviews and have one more to conduct next Monday. Will hopefully have made an offer to someone by the end of next week.
- There were 12 B&E/larcenies on this month's report. The majority of the 12 were larcenies. One of the B&Es was someone who had a key to a rental home and went in to spend the night without permission. Larcenies involved primarily bicycles and surfboards. Most of the bicycles have been recovered and they have a suspect in the thefts of the surfboards.
- As of 4th of July week the Police Department took on the job of beach patrol. For three months of the year, the Town's community is on the beach. By the Police Department being out there they have expanded the role of community policing to include those folks. It has been good for the Police Department and from the comments received, it has been good for those folks also.
- The interviews are for an entry level position. It will put the total of the Department to nine. Chief Layne explained in response to Mayor Pro Tem Miller's question that if you get a Town citation – you pay the Town. If you get a state citation for speeding, you pay the state and get points against your insurance. Lou Cutajar asked the hours the Police Department is on beach patrol. Chief Layne explained it is seven days a week and the hours vary. His goal is to be on beach during peak hours, which is 10:00 a.m. to 2:00 p.m.

SETTING A TIME, DATE AND LOCATION FOR GOALS, OBJECTIVES REVIEW

The Board came to a consensus to have the review on September 8th at 6:00 p.m.

TOWN MANAGER'S REPORT

- Drinking Water Quality Issues (taste and smell) – Holden Beach is a retail distributor, the County is the manufacturer. It does appear to be clearing up.

- Terminal groin legislation was sidelined for this session. Speaker Hackney has substituted some language in another bill which directs the Coastal Resources Commission to study the merits of the terminal groins structure. Talked to Harry Simmons, (Executive Director of NCBIWA) he doesn't seem to be disappointed.
- Sandspur War – Public Works Director Clemmons has been spraying environmentally friendly herbicide on the roads. About 90% of the roads are done. Been careful to avoid sodded areas. It has cut down on some of the mowing requirements for Public Works. It will be a multi-year project.
- Telephone recall was initiated last night. For the most part it worked fairly well.
- EOC is now fully operational. The landscaping is complete and the telecommunications are hot. The onsite wastewater system was inspected and passed by the Health Department.
- Bike event for May 2010 - had kick-off event with representatives from the bike committee. Will use a recreation intern from UNCW to do some of the staff work. We have received information that there is call out for DOT enhancement grants. This may be an opportunity for bike path money.
- Received verbal okay for \$117,000 from NC Crime Control and Public Safety for the Town's portion of last winter's inner bar dredging. This is in addition to the big FEMA grant. We were able to qualify the expense as storm damage repair.
- Audit work was conducted all last week. This year's report will be submitted on time to the Local Government Commission.
- Real Estate Signs Workshop will be held on August 22nd and it will be facilitated by Penny Tysinger.
- Condemnation hearing for the grey house on OBW across from the bridge intersection is scheduled for August 13th.
- Brunswick Beach Consortium Meeting is scheduled for August 13th at 10:00 a.m. in the Town Hall.
- Census will be kicking off soon.
- Mosquitoes seem to have died off a little. We have a shallow reservoir in the top of the sewer valve pit that collects and holds water. Public Works has placed biscuits in each one to help mitigate that problem.
- Representatives from Our State magazine visited the area. They are doing a special on how farming has changed in North Carolina and selected Steve Mercer as a subject. They spent a total of three days at Holden Beach. Look for the article to be in the October issue.
- Beach and dunes are looking really good. We have been contacted by a recycling company that wants to look at using crushed glass as a component of our beach nourishment projects.

Mayor's Comments

- This past week the NC Travel Industry Association Board of Directors met in Jefferson, NC. As a director of that organization, found a good bit of information that was interesting. The consensus is from California to Maine that the travel industry is down. One of the things that really caught his interest concerns the talk regarding the school system's summer vacation time. There is a new theory being tested in North Carolina this coming year. If the school days were extended 30 minutes per day, the schools would be able to reduce the amount of school days by 15 days. They are going to measure the impact and savings so it will be interesting to see what results from that.
- Been talking about water and sewer costs. The County keeps raising their prices and the Town keeps passing it along. The Town determined it would charge \$75 per year to inspect the connections of residents that installed a second meter. The reason the Town made this decision was there are approximately 330 meters and only three people reported their inspections. Some people are complaining about the \$75 because they claim they can get someone to inspect their connections for less. Thinks we need to be fair when the Town analyzes the

cost to pass along to the owners. Asked when the Town would review all these water and sewer charges again. Town Manager Hewett responded that 60 days would be a good target date.

- Motorcycles in Myrtle Beach - At the NC Travel Industry Association Board of Directors meeting they were given a copy of an executive order issued by the governor of Virginia. Mayor Holden read from the letter which is at www.motorcycleva.com. It is interesting that South Carolina is trying to run them off, but Virginia wants to attract them.
- Received several phone calls in regard to the grounds of the Town. Hats off to Public Works Director Clemmons and his people. The Town looks good.
- Emergency Teams - team 1 is without a team leader so we do need a leader. Also need some more volunteers. May have to move someone to team 1 if someone doesn't step up to be the team leader.
- Read a letter regarding Chief Layne who assisted a family whose son broke his neck. Also read a letter complementing the Police Department for assisting someone who had an allergic reaction to seafood.

Board of Commissioners' Comments

Mayor Pro Tem Miller

- Reminded everyone that the Holden Beach Property Owners Association will have its Labor Day meeting on the Saturday before Labor Day, which is September 5th. Will have a local insurance person at the meeting to answer homeowners' questions regarding all the recent changes. There will be a BBQ at 5:00 p.m. at the Chapel. Wiley Langley is providing the BBQ.
- Welcomed Town Clerk Finnell back and thanked Zoning Official Wooten for going above and beyond during her absence.

Commissioner Lehr

- No comment.

Commissioner Glander

- No comment

Commissioner Kyser

- The lift station landscaping has been completed by Town staff. It looks good. Everyone should look at it if you get a chance. They did a great job.
- Had Town Manager Hewett look at occupancy tax. It is basically at the same level as 2006. It is down from what it was in 2007 and 2008.

PUBLIC COMMENTS ON GENERAL ITEMS

John Lytvinenko stated that on Saturday, August 1st there was a family next door whose baby had fallen and they couldn't keep her awake. Officer Dilworth, Detective Hewett and another officer came to assist. Officer Dilworth knew exactly what to do. Mr. Lytvinenko told Chief Layne hats off to his team.

Sandi Dillon stated Town Manager Hewett was very unprofessional in how he let the three people from Beach Patrol go. She stated they were let go by the Town secretary. Ms. Dillon stated it was never mentioned on any agenda that the Town was going to get a new 4 wheeler for the Police Department to patrol the beach. She stated she has barely seen them out there. She stated she has seen numerous holes on the beach and received complaints asking where the Beach Patrol was at. Ms. Dillon stated she was never given a reason why they were let go. She provided information on what the beach patrol did. Ms. Dillon stated she is resigning her position as team leader for the evacuation teams and also as a Board of Adjustment member. Mayor Holden stated the Town does appreciate everything the Beach Patrol did.

Burton Hall asked about having cabanas on the strand overnight and what action was taken. Commissioner Kyser stated that the Holden Beach Property Owners Association chose to put a letter and magnets in beach houses asking people not to leave cabanas up overnight. Mr. Hall asked if the Board wished to take action. Mayor Holden stated he thinks that rather than making a quick decision, the Town decided to see what happens. Commissioner Kyser stated he goes the whole length of the beach every Friday and counts each umbrella and groups of chairs out there so he can provide the data to the Planning & Zoning Board. Bill Cohen stated the issue is coming back up on the Planning & Zoning Board's agenda. Mayor Pro Tem Miller stated it will also be on the Holden Beach Property Owners Meeting agenda.

Jim McMurray stated the thing that upsets him most about the Beach Patrol is that he never received an answer to an email he sent to the Board and to the Town Manager. He stated as a citizen and someone who worked for the Town he would like a response.

ADJOURNMENT

Motion by Mayor Pro Tem Miller to adjourn at 8:42 p.m.; second by Commissioner Kyser; approved by unanimous vote.