



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS'
REGULAR MEETING
TUESDAY, AUGUST 26, 2008**

The Holden Beach Board of Commissioners met for a Regular Meeting on Tuesday, August 26, 2008 at 7:00 p.m. in the Holden Beach Chapel Fellowship Hall. 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; and Public Works Director Chris Clemmons.

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

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Motion by Mayor Pro Tem Miller to approve the agenda as written; second by Commissioner Lehr.

Mayor Holden requested that a Conversation Regarding a Personnel Matter be added to the Executive Session.

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

APPROVAL OF MINUTES

Town Manager Hewett explained that the \$65,000 for retainage is the amount held back from the contractor until all of the work at the EOC is complete.

Motion by Commissioner Glander to approve the minutes of the Regular Meeting of August 12, 2008 as written; second by Commissioner Kyser; approved by unanimous vote.

PUBLIC COMMENTS ON AGENDA ITEMS

Sheila Young stated the Shoreline Protection Committee recently toured the beach and they have concerns over large holes and the several cabanas they saw. She stated that if they are left on the beach they are a hazard to people and to turtles. Ms. Young stated they hope the Town doesn't have to ban them completely. She suggested registering cabanas, allowing them from sunrise to sunset and presenting a fine if they are left on the beach.

Sandi Dillon stated she knows cabanas are a nuisance, but they are not that easy to take up or down. She stated we haven't had any problems. She stated that the way the economy is she thinks Holden Beach would lose a lot of people if the Town does anything serious in regard to cabanas.

GUEST SPEAKER – BRUNSWICK COUNTY SHERIFF JOHN INGRAM

Sheriff Ingram explained that the Sheriff's Office is working hard to come up with innovative ideas to bring people together; pushing community watch programs; setting up mass community email lists to alert people of events in the area; and is starting a citizens academy in October to teach about various programs. The main goal of the academy is to teach the capabilities as well as the limitations of the Sheriff's Office. They have redeployed their canine division. Sheriff Ingram explained they are targeting the problem areas and are being very aggressive. He welcomes any comments or criticism and encourages everyone to stop by the Sheriff's Office for a tour. Nydia Glander stated that she noticed a lot of traffic tickets are being dismissed when people go to the courthouse and asked him to look into it. Sheriff Ingram stated he would have his men check into the tennis shoes on the overhead lines in our area. He stated it used to indicate drug areas, but he hasn't seen it as indicator in the last few years.

TOWN HALL/ POLICE DEPARTMENT AND EOC UPDATE – JIM STEWART OF STEWART COOPER & NEWELL

Mr. Stewart explained that the overhead doors are up and the motors are in at the EOC. Now they just need to complete the wiring this week and then they will send a cleaning crew in at the end of the week. He explained they are arranging a final inspection with the USDA. The outside of the Town Hall/ Police Department is moving quickly. The roofing material should be put in place within the next week or too. In the inside, the metal studs are in place. He explained they will have their engineers here and they will check everything in the walls before the drywall is put up. Mr. Stewart thinks that they are still ahead of schedule and explained there hasn't been any significant change orders at this time.

MAYOR J. ALAN HOLDEN WILL PRESENT THE OATH OF OFFICE TO THE NEW PLANNING & ZONING BOARD AND BOARD OF ADJUSTMENT

Mayor Holden presented the oath of office to the following people: Planning & Zoning Board Regular Member Suzanne Prince; Planning & Zoning Board Alternate Members Tony Marwitz and Sheila Young; Board of Adjustment Regular Members Tom Decker, Sandi Dillon and Larry Ivey; and Board of Adjustment Alternate Members Carol Byrnside, Marlene Hahn and Jo Ann Moore.

FEEDBACK FROM THE PUBLIC IN REGARD TO CABANAS, TENTS, ETC. ON THE BEACH STRAND

Ed Thomas stated he hasn't see that many.

Tony Marwitz stated that the Town has a small problem now, but the problem is growing. He thinks now is the time to make regulations. He would like to see cabanas off the beach at night, but he doesn't want to see them banned. Mr. Marwitz gave examples of what he has seen on the beach.

Commissioner Glander stated that so far the Board has only heard from one real estate company. He would like to hear from the rest to see if they feel there would be an economic impact on rentals if regulations are put in place.

Sandi Dillon stated that the biggest problem is that they cost less now and people leave them behind. The Beach Patrol has been trying to talk to the families and asks them to take them down before they leave. Getting them off the beach is the main thing.

Jim Gregson stated he sees a sea of cabanas from his deck now and they are left unattended. He thinks it is a growing problem.

Planning & Inspections Director Walker explained that he doesn't think Sunset Beach makes a routine trip, but their Beach Patrol does occasionally issue citations and the Public Works Department will pick the items up if they become a nuisance.

Brunswick County Commissioner Marty Cooke requested that he take off his commissioner shirt. He served on a committee regarding the subject in Ocean Isle Beach. In Ocean Isle Beach they found that there was no appreciable difference in rentals from last year. Commissioner Cooke stated that people will come to Holden Beach because they love it and that the ban is a tremendous relief to his island. He doesn't think it will be an adverse reaction to the rental market.

Marlene Hahn stated she thinks it is laziness.

Mayor Pro Tem Miller stated that the issue is on agenda for the Holden Beach Property Owners' Meeting. They are trying to get a sense of what everyone feels. If you have anything else to say, come to the meeting. It was on the agenda last year, but there was no action taken at that time. Commissioner Staley asked Chief Layne to contact the chief of Sunset Beach to see how it works on their island.

Mayor Holden stated that Dr. David Tart sent documents to the Board and Town Manager Hewett addressing the issue. He thinks it would be nice if it could be available to the public and requested it be put on our website. Mayor Holden also added that Ocean Isle Beach is different because they are experiencing severe erosion on their west end. The biggest comment he hears is that people need a place to get out of the sun on our west end because of the distance from the house to the ocean. Mayor Holden cautioned everyone to remember that circumstances are different from one end of the island to the other.

PROCLAMATION BY THE GOVERNOR OF NORTH CAROLINA DECLARING SEPTEMBER 20 – OCTOBER 4, 2008 AS FALL LITTER SWEEP TIME

Mayor Holden explained that this is something that has been ongoing for years. Town Manager Hewett stated they are trying to coordinate a volunteer group that will hold some sort of event in relation to this, but the details are not worked out yet.

Motion by Commissioner Lehr to endorse the Governor's Proclamation; second by Mayor Pro Tem Miller; approved by unanimous vote.

Mayor Holden requested that Town Manager Hewett move forward with planning events in relation to the proclamation.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 08-24, RESOLUTION ACCEPTING THE NCLM GREEN CHALLENGE

Commissioner Glander stated we are a really small town and he is concerned that we may not be able to complete a lot of the items. Town Manager Hewett explained that it establishes five levels and a town our size only has to complete two items, which he feels we will have no problem with.

Motion by Mayor Pro Tem Miller to approve Resolution 08-24; second by Commissioner Staley; approved by unanimous vote.

TOWN MANAGER'S REPORT

- The picnic tables are in place at Jordan Boulevard. He would like to give Public Works Director Clemmons crew, especially Eric Long thanks for putting them together.
- EOC – The Police Department was able utilize the facility. Right Angle Engineering has engaged on the parking lot. We have our grade shot and it will probably take about three weeks of hard work to get asphalt there.
- Attended a windborne debris workshop with Planning & Inspections Director Walker. Planning & Inspections Director Walker gave a brief summary of what was discussed at the workshop.
- Met the new Wilmington District Corps' Commander at the BBC Meeting this week. The issue of beach nourishment is a very complicated thing and he encourages everyone to attend BBC meetings if possible. We need to spread the knowledge base on the issues. It looks like it will be about four years before the 50-Year Project.
- Terminal groin bill did not make it out of committee this year. They will make another run at it. The Oak Island, Holden Beach no wake zone from the bridge to the Lockwood Folly Inlet was a chaptered bill. He is not sure how it will be enforced.
- Canal Master Dredge Plan – Has the contract bids and specifications. They were advertised yesterday and the bid opening will be September 25th. There is a mandatory meeting with the interested bidders mid-September. They are looking at late November to issue the notice to proceed to whoever wins the contract.
- Put out a Request for Proposals for the Debris Removal Contract. They are due back on September 5th.
- If you don't have a passport you can get one at the Chapel on September 4th from 9:00 a.m. – 2:00 p.m. There is a list of documents that you will need to bring with you.

MAYOR'S COMMENTS

- The Emergency Plan calls for a center to work from if there is an emergency. There was a communication sent out to clarify that the interim Town Hall will be the emergency center that we will work from until further notice is given. Right now we have one hurricane in existence and another storm trying to grow into a hurricane. Still need more volunteers; we are in the heart of the hurricane season. We do have a plan that will work that has been in existence. We will have a meeting before we get into any kind of evacuation.
- Suggestion for the next agenda – discussion about bicycle trails other than the boulevard. Thinks that those who have fought the battle for a long time realize there is no DOT help to come for the boulevard. We need to look at other alternatives. Let's look at the possibilities of side streets.

BOARD OF COMMISSIONERS' COMMENTS

Mayor Pro Tem Miller

- Reminded everyone of the Holden Beach Property Owners Meeting at 10:00 a.m. on Saturday and the BBQ at 5:30 p.m. Have about 100 people who have signed up for the BBQ. It should be a fun time for everyone.

Commissioner Lehr

- The subject on cabanas came up, which is a broad subject. Appreciates all the input. They won't be able to please everyone, but hopefully they can please a few people. Thinks it is an area we need to look at and make decisions on.

Commissioner Glander

- No comments.

Commissioner Kyser

- Thanked those that served on boards in the past and thanked those who stepped forward and were sworn in tonight. It is a big job and will require work. Will be asked to make decisions that are hard to make and he appreciates the efforts.

Commissioner Staley

- Causeway Beautification - there will be a meeting Thursday, September 18th from 6:30 p.m. - 8:00 p.m. The Brunswick County Planning Department is asking for anyone to attend and to share their ideas on how to make the Causeway more beautiful. They will be discussing shared parking. Encourages everyone to attend. The meeting is at the Holden Beach Marina. They will have some brochures to hand out.
- Asked Town Manager Hewett about the new computer system. Town Manager Hewett explained that the Town transitioned from an onsite file server to an offsite file service. All files are in Duplin County. The transition occurred about two weeks ago. We are still fine tuning it. We have training on the new financial systems that will be completed the 2nd week of September. Commissioner Staley asked if they should start receiving reports again at that time. Town Manager Hewett would like to know what type of reports the Board desires.

PUBLIC COMMENTS ON GENERAL ITEMS

Anne Arnold would like to report that there was a dense high sheen on the water in her canal at Harbor Acres.

Larry Ivey asked what the background history on the no wake zone is. Mayor Holden explained there was already technically a no wake zone from east of Betty's Waterfront Restaurant to the west end of Yacht Watch. He gave details on the new bill.

Linda Patton thanked Commissioner Glander and Commissioner Kyser for coming back into town. She asked Chief Layne about the information in the Star News that listed a number of break-ins at Holden Beach. Chief Layne explained that break-ins and larcenies are lumped together. There were no break-ins, they were all larcenies. This is typical summertime activity and this has been a quiet summer.

Jim Gregson thanked the parties responsible for cleaning up the eyesore at the foot of the bridge.

EXECUTIVE SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTE §143-318.11(a)(3) AND §143-318.11(a)(6)

Motion by Commissioner Glander to go into Executive Session at 8:16 p.m.; second by Mayor Pro Tem Miller; approved by unanimous vote.

OPEN SESSION

The Board went back into Open Session at 8:58 p.m. and announced that no action was taken.

ADJOURNMENT

Motion by Commissioner Kyser to adjourn at 8:59 p.m.; second by Commissioner Lehr; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk