



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, JANUARY 11, 2011**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Regular Meeting on Tuesday, January 11, 2011 at 7:00 p.m. in the Holden Beach Town Hall Public Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem Don Glander; Commissioners Ken Kyser, Sandy Miller and Sheila Young; Town Manager David W. Hewett; Town Clerk Heather Finnell; Police Chief Wally Layne; and Building Official Tim Evans. Commissioner Ray Lehr was unable to attend the meeting.

Mayor Holden asked for a moment of silence and then called the meeting to order.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Commissioner Kyser suggested removing Item #7, Time Warner and adding it to the February agenda.

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

APPROVAL OF MINUTES

Motion by Mayor Pro Tem Glander to approve the minutes of the Regular Meeting of November 9, 2010; second by Commissioner Young.

Mayor Holden stated he was confused about the wording of the sentence that contains this year from the four months data collected on page 3, line 33. Town Manager Hewett stated that the context of the sentence was saying for the first four months of the fiscal year (July – October). Mayor Holden asked that it be clarified by adding the dates in parentheses.

The amended minutes passed by unanimous vote.

Motion by Commissioner Miller to approve the minutes of the Recessed Meeting of November 9, 2010 as written; second by Commissioner Kyser; approved by unanimous vote.

Motion by Commissioner Kyser to approve the minutes of the Workshop of November 19, 2010 as written; second by Mayor Pro Tem Glander; approved by unanimous vote.

Motion by Commissioner Kyser to approve the minutes of the Special Meeting of December 17, 2010 as written; second by Commissioner Miller; approved by unanimous vote.

Motion by Commissioner Miller to approve the minutes of the Special Meeting of December 29, 2010 as written; second by Mayor Pro Tem Glander; approved by unanimous vote.

PUBLIC COMMENTS ON AGENDA ITEMS

No comments were made.

POLICE REPORT – CHIEF WALLY LAYNE

- When I came across the bridge at 6:50 a.m. this morning, the bridge was fine and remained fine until about 9:15 a.m. We had a light shower at about 9:10 a.m. that lasted about 10 minutes. At the conclusion of that, there were eight vehicles on the bridge that couldn't go anywhere. The bridge completely iced over in the 10 minute period. Called Department of Transportation (DOT), who assured us that someone was in route. Between 10 a.m. and 10:15 a.m., someone from DOT did arrive. The Police Department was getting the stuck vehicles off the bridge one at a time to clear the bridge. There were about two vehicles left and DOT left. Called DOT again and was told they were back in route. An hour and half later the same truck was back. He told the officer on the mainland that his supervisor wouldn't let him go over the bridge because it was already iced over and it wasn't the proper truck. Another vehicle was supposed to be on the way. The truck arrived 30 – 40 minutes later and spread salt on the bridge. The Town was able to reopen the bridge about three hours after the bridge closed.
- There was some hunting on the island in the later part of November into December. The Police Department did everything they could to rectify the situation since it is illegal to hunt on the island. U.S. Wildlife agreed to help out. It is legal to hunt on Monk Island. Did take my boat out and put signs up in the area folks were hunting in. Since that time, it has slowed down. Now hunting season is over. There are people who do not want to get rid of the deer and some who do. Someone will hit a deer with a vehicle three to four times a year. Police have hit deer with their vehicles. Has been here seven years and hasn't noticed an increase in the deer population.
- Neighborhood Watch meeting will be held next Tuesday at 7:00 p.m.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 11-01, RESOLUTION AMENDING THE TERMINATION DATE OF THE AGREEMENT FOR INTERLOCAL UNDERTAKING (TERMINAL GROINS)

Town Manager Hewett explained the resolution extends the Town's agreement with the Inlet Committee for the lobbying efforts that are intended to enable legislation that would permit terminal groins. The language is drafted for the bill. It is a bit different this year and allows The Division of Coastal Management staff to issue a permit. Town Manager Hewett explained funds were budgeted and this resolution would allow for the distribution of those funds. Commissioner Young asked if the idea was that even if towns find it difficult to contribute they can still be part of the lobbying. Town Manager Hewett replied yes and stated that there are a number of organizations involved in this and it is one of the mechanisms required to partner in this type of endeavor.

Motion by Mayor Pro Tem Glander to approve Resolution 11-01; second by Commissioner Miller; approved by unanimous vote.

DISCUSSION AND POSSIBLE APPROVAL OF CONTRACT WITH MARTIN STARNES AND ASSOCIATES FOR 2010 – 2011 AUDIT YEAR

Town Manager Hewett stated this is the contract to execute the audit for the fiscal year we are currently in. He stated that the Town did not solicit bids. He feels it is fine to keep them, with this being only his third year of exposure to the firm. He recommends that the Town do that next year.

Motion by Commissioner Miller to approve the contract with Martin Starnes and Associates; second by Commissioner Kyser; approved by unanimous vote.

Commissioner Young asked if something should be put in the motion to look for an auditor next year. Town Manager Hewett reminded everyone that each board gets to pick their own auditor and this is an election year.

The motion passed by unanimous vote.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 11-02, RESOLUTION ACCEPTING AND ENDORSING THE SOLID WASTE MANAGEMENT PLAN OF 2019 (3 YEAR UPDATE)

Town Manager Hewett explained that this is Brunswick County's plan and it is a state requirement to renew. This is a planning and programming document that encompasses recycling, waste and growth. It is a requirement for any type of planning grant process and he recommends support of the plan.

Motion by Commissioner Kyser to approve Resolution 11-02; second by Commissioner Miller; approved by unanimous vote.

DISCUSSION AND POSSIBLE APPROVAL OF AMENDED CONTRACT BETWEEN THE TOWN AND WASTE INDUSTRIES, INC.

Town Manager Hewett stated that the amendment perpetuates our existing relationship. All it does is extend the contract for three years.

Motion by Commissioner Kyser to approve the amended contract; second by Commissioner Young; approved by unanimous vote.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 11-03, RESOLUTION SEEKING AMENDMENTS TO THE NC GENERAL STATUTE CONCERNING PROPERTY TAX EXEMPTIONS FOR CERTAIN HOMEOWNER ASSOCIATION PROPERTY

Commissioner Young explained the Board passed this resolution last year and hopes to reconfirm it tonight so the Board can try to influence the change in the law to fix the loophole that doesn't allow the Town or County to collect these taxes. She stated that the builder pays a token tax when they are building. Once it is turned over to the homeowner association after it is completed, they can file for an exemption if they choose. Commissioner Young stated that the Town does have one that doesn't file and they do pay taxes. Commissioner Young went over the clubhouses she is aware of on the island. The amount assessed on some of these properties is only a token value, but the County Tax Assessor explained it would be reassessed if the law is changed. Commissioner Young read the proposed language which would make these properties be subject to taxation as individual parcels by the jurisdiction where they are located. Commissioner Young stated that Town Manager Hewett and Tax Collector Lancaster had a conference call with Chris May from the Council of Government. Commissioner Young has had further communications with Mr. May and advised him she is willing to go to Raleigh to help lobby. She also spoke with Representative Frank Iler about the situation. He stated that he and Senator Rabon are willing to work on those sorts of things so she sent the proposed language for the fix to him.

Motion by Commissioner Young to approve Resolution 11-03; second by Mayor Pro Tem Glander; approved by unanimous vote.

DISCUSSION AND POSSIBLE NOMINATION OF MEMBER TO THE PARKS & RECREATION ADVISORY BOARD

Mayor Pro Tem Glander thanked Holly Borden for volunteering for the seventh position on the Parks & Recreation Advisory Board. He suggested that Ms. Borden be interviewed prior to the February meeting since it has been the policy in the past to interview for boards. Commissioner Young stated she agrees it is important. The consensus of the Board is to conduct interviews at 6:45 p.m. on the date of the February meeting for anyone interested in the position.

TOWN MANAGER'S REPORT

- Finished geotechnical investigation for the Town's offshore project. The core bores are exactly what we thought they would be. The engineer needs to prepare a final report so an application can be submitted for a permit. Anticipates this will be done in March.
- Turkey Trap Road- all work has been accomplished. Will apply for an extension of the permit concurrent with offshore project permit.

- Lockwood Folly Inlet Crossing Navigation Maintenance Dredging Project is well underway. Assets are deployed on the east end of the beach. They have been pumping on and off. They will be on the beach for the next couple of weeks.
- Last of the FEMA monies are in. The project has been closed out. Received the check for \$532,000 and the current BPART fund balance is at \$4,751,737. Mayor Holden added that is after the recent purchase of land.
- The Coastal Resources Commission have suspended efforts to institute new inlet hazard areas based on aggressive engagement by local governments. The Division of Coastal Management has been charged with setting erosion rates for inlet hazard areas. Building Official Evans had a lot to do with the decision, he represented Holden Beach well. Erosion rates will probably take about two years to calculate. Will stay engaged with them to make sure the method chosen suits Holden Beach.
- County commissioners have directed their administrative staff to reengage with municipalities on an individual basis regarding recycling. Responded back to the assistant county manager with availability, but hasn't heard back yet.
- Look for surveys trying to scope desirable parks and recreation services. Are currently drafting the surveys. Will be distributing over different venues. Anticipates it will take several months to gauge which programs are desirable. Town Clerk Finnell will be sending out a survey tomorrow. NCDOT is soliciting feedback on bicycles and pedestrian issues.
- The boardroom is torn apart. Should have problem (mold) taken care of by the end of next week.
- This is a revaluation year. We have no idea what the values here at Holden Beach will be. The County drives the train on assessing values. Haven't heard anything from them. Probably will have information available in the March timeframe and then can go into the normal budgeting process. The tax values and water and sewer rates will be an integral part of the budget process. Received an advisory from the Local Government Commission on how our capital versus operating fees are established. Will need to look at that and probably will need to make changes. Have an analysis underway now. The Town will not be able to qualify for grants if the operating fee structure is not self supporting. The auditor presented information that our operating expenses are insolvent, but when you throw in our capital fees we are okay.
- Building Official Evans provided information on construction in this quarter compared to last year. Asked Building Official Evans to explain the report. Building Official Evans stated the report shows that there were seven new residential dwelling starts in this quarter last year. This year only shows two, but it is kind of misleading because in a matter of weeks there will be about 10. Percentagewise, the Town is doing better than any other municipality in the area. Additions and renovations are up 100% from the comparable quarter. Valuation numbers are comparable. More permits are being issued on an average from the comparable quarter. There are more inspections and permits this year. Building Official Evans explained that things are picking up. He explained that renovation and improvements are the numbers he is reporting on. Mayor Holden stated he would appreciate monthly and year to date, fiscal year totals. Mayor Holden asked the status of the problem houses and demolitions on the island. Building Official Evans explained that 393 Ocean Boulevard is being renovated. There will a problem property that is sensitive and a couple that the process will be started in February. Building Official Evans stated that people should file a complaint if there is an issue, which will help along the process. Mayor Holden asked if having an electrical meter pulled is enough to satisfy the Town's requirements. Building Official Evans replied that means that Brunswick Electric has identified their service system has a problem, but everything with the house may be fine. It would need to be assessed and it is easier with a complaint. Otherwise, we would need an administrative warrant.
- Commissioner Young stated she noticed that at least one town has a separate container for people to recycle cardboard and asked if we considered that. Town Manager Hewett stated it is not necessary because Waste Industries allows comingled recycling and they sort it. Commissioner Young stated that she wondered if it would be better because everyone doesn't break down their boxes. Town Manager Hewett stated the Town can do it, but we would need to pay for an additional container.

MAYOR'S COMMENTS

- Merchants Association is looking for volunteers for the festivals.
- On the back table there are handouts for fire ant and sand spur formulas. This is the formula that John F. Holden proved to be successful through the years to fight fire ants and sand spurs.

- Cautioned everyone on the east end about the dredge and staying out of the fenced area. It is a wonderful thing to see the sand going on the beach. There are lots of shells on the beach in that area for anyone who enjoys shell hunting. Glad they are down there hard at work.
- This is the time of year people try to pay off their Christmas debt. Keep an eye out for suspicious people.
- Rental season is upon us. Encourage people to look at decks, steps and walkways to prevent any issues before the summer gets here.
- Local businesses need all the help we can give them. Knows people are soliciting, but keep in mind our locals are having a tough time. Encouraged everyone to do business locally.
- Commissioner Lehr was visiting Pennsylvania. When he was getting ready to come back, they found his grandson had passed away. Please keep Commissioner Lehr in your prayers.

BOARD OF COMMISSIONERS' COMMENTS

Mayor Pro Tem Glander

- No comment.

Commissioner Kyser

- No comment.

Commissioner Miller

- No comment.

Commissioner Young

- Thank Chief Layne for mentioning the deer situation and explaining about the bridge being closed. Some people were concerned for the bridge being closed for so long because there could have been an emergency.
- Thanked everyone for supporting her and for being here. Happy New Year.

PUBLIC COMMENTS ON GENERAL ITEMS

Dolly Mitchell wanted to thank the Town and volunteers who did the lighting of the Christmas tree and for inviting the VFW to participate. She stated she knows it takes a lot of volunteer work and appreciates it.

ADJOURNMENT

Motion by Mayor Pro Tem Glander to adjourn at 8:02 p.m.; second by Commissioner Kyser; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk