



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, MAY 17, 2022 – 5:00 P.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Regular Meeting on Tuesday, May 17, 2022 at 5:00 p.m. in the Town Hall Public Assembly. Present were Mayor J. Alan Holden, Mayor Pro Tem Rick Smith; Commissioners Gerald Brown, Brian Murdock, Page Dyer and Pat Kwiatkowski; Town Manager David W. Hewett; Town Clerk Heather Finnell; Assistant Town Manager Christy Ferguson; Police Chief Jeremy Dixon; Lieutenant Frank Dilworth; and Town Attorney Rick Green.

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

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Town Manager Hewett suggested that the Board remove items 9 & 10 from the agenda. Mayor Pro Tem Smith said they have received some input from the public on the lighting ordinance. He agreed it is a good idea to push it another month.

Motion by Commissioner Brown to approve the agenda with the removal of items 9 & 10; second by Mayor Pro Tem Smith; approved by unanimous vote.

APPROVAL OF MINUTES

Motion by Mayor Pro Tem Smith to approve the minutes from the Special Meeting of March 31st, as well as our Regular Meeting on April 19th; second by Commissioner Murdock.

Commissioner Kwiatkowski said on page 12 in the 4th line on the discussion for Block Q, \$2,000 needs to be changed to \$200,000.

The Board all agreed to approve the amended minutes.

PUBLIC COMMENTS ON AGENDA ITEMS

No comments were made.

POLICE REPORT

- Page 2 of the report is missing in the packets. Copies were supplied at the meeting.
- Had Days at the Docks in April. Worked with the Governor's Highway Safety Program and had the seatbelt convincer onsite. Had a lot of participation. Also ran a dunking booth. It was a huge success. Couldn't have done it without the volunteers. Thanked the volunteers.
- Seeing an increase in people. Encouraged everyone to drive safely and wear seatbelts. That includes on low-speed vehicles. Watch out for pedestrians and cyclists.
- No pets on the strand starts May 20th. That is from 9:00 a.m. – 5:00 p.m. That runs until September 10th.
- Still heading into summer with two vacancies. Due to that we have adjusted the schedule. It is not ideal, but we are making the best out of the available resources.
- Memorial Day weekend is quickly approaching. After receiving mostly positive feedback last year, we will try to run the no left turn lane at the foot of the bridge on Saturdays through Labor Day weekend.
- Hurricane season starts June 1st. Have you plans ready now.
- May 15, 1962 was proclaimed as National Peace Officers Memorial Day. National Police Week occurs every year in May. He went over statistics from the Officer Down Memorial page. On behalf of the Holden Beach Police Department, they would like to recognize the brave men and women across our nation who have been killed in the line of duty while protecting our communities and standing for our democracy.

Mayor Pro Tem Smith said he noticed there were four more investigations requested. He asked what happens without a detective. Chief Dixon said they are stretched with resources, those sort of stay in limbo. They are sitting in the que waiting. Mayor Pro Tem Smith thanked the Police Department for their hard work. He said golf carts are starting to pick back up. He said we need something put out. He doesn't want to see any kids get hurt. Chief Dixon responded that they spent a lot of time educating last year. They will continue those efforts this year. He has seen an increase in seatbelts and child restraints.

DISCUSSION AND POSSIBLE ACTION ON CANAL DREDGING MASTER PLAN

Assistant Town Manager Ferguson explained the canal dredging working group decided they wanted to pursue a master plan update, particularly because we completed a project in 2019. Right Angle Engineering conducted the update. A draft was supplied to the working group. Comments received were minor. What is before the Board is the final to vote on. The last one we did was in 2016. Shane Lippard from Right Angle Engineering is in attendance to answer questions.

Motion by Mayor Pro Tem Smith to approve the Canal Dredging Master Plan; second by Commissioner Murdock.

Commissioner Kwiatkowski said she noticed measurements are recommended every two years. She asked if the check could be every three years. Assistant Town Manager Ferguson said we typically do that because if we have a hurricane event, it can change things, plus if bulkheads blow out, there could be shoaling that occurs that affects the flow.

The motion passed by unanimous vote.

DISCUSSION AND PROVISION OF STAFF DIRECTION CONCERNING THE CLOSURE OF A PORTION OF CAROLINA AVENUE (BETWEEN JORDAN BOULEVARD AND QUINTON STREET) AND RELATED BLOCK Q SITE DEVELOPMENT ACTIONS

Town Manager Hewett stated with the acquisition of the Block Q properties, the issue on what the best use of the property is has been raised. Staff is asking if the Board wants to proceed with closing the portion of Carolina Avenue between Quinton and Jordan Boulevard. The process involved with that is laid out in the packets. He reviewed the process. We provided a draft of the required resolution to give an idea of the process. In order to make the resolution adequate for adoption, we need to get a proper survey with metes and bounds. Town Manager Hewett said Carolina Avenue is one of our Powell Bill maintained streets. Upon withdrawal of it, we will lose that portion of the funding that attaches to it. It is only about 300 feet. If the Board wants to move forward, he will need to engage to get a survey done and bring the resolution of intent back to the Board for consideration.

Motion by Mayor Pro Tem Smith to move forward with the process to close the portion of Carolina Avenue where Block Q is so we can move forward with the engineering and survey work that needs to be done; second by Commissioner Murdock; approved by unanimous vote.

Town Manager Hewett said assuming that this happens, it is his understanding the Board wants to proceed with master planning that site. At this time, it would probably be a good thing to engage a consultant engineer to look at the master site plan. He recommended the Board do that. If they are going to do get a consultant engineer engaged for the layout at Block Q, you may as well get the same one to do the pier layout. Commissioner Kwiatkowski said that is something that can be discussed Friday when they see where the Town stands with money and various priorities. Town Manager Hewett said he is just talking about getting a plan together, with no appropriations intended. He said putting out a request for qualifications will take some time. He said there is a contract with McGill & Associates for the Parks & Recreation Master Plan. We may be able to work something out as far as a change order, but it is up to the Board. Commissioner Murdock asked if we would be putting the cart before the horse if we do anything before closing Carolina Avenue. Commissioner Kwiatkowski agreed and thinks the Town should get the road closed first.

The Board talked about what to do with Block Q at this time. Designating part as boat trailer parking temporarily and controlling the area was discussed. Jim Varner from Otto Connect shared his recommendations for the area.

DISCUSSION AND POSSIBLE APPROVAL OF CYCLE NC BEER GARDEN

Assistant Town Manager Ferguson stated we are the final destination for the Cycle NC Tour. We will have 1,000 cyclists. There will also be a kite festival on the beach that weekend. Chip Hofler from Cycle NC, North Carolina Amateur Sports is in the audience. She, along with Chief Dixon and Public Works Director Clemmons met onsite with Mr. Hofler today to work on logistics. They will be camping overnight. They are requesting to have a beer garden.

Motion by Mayor Pro Tem Smith to approve the beer garden for the Cycle North Carolina Mountains to Coast for October 8th of this year; second by Commissioner Murdock; approved by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON RESPONSES FOR FOOD TRUCK VENDORS AT THE PIER

Town Manager Hewett would like the Board's input on what they would like to do with the food truck vendors. Per the Board's direction, staff solicited for vendors to provide services at the pier property for the period between Memorial Day and Labor Day. We received two companies that submitted proposals, plus one that came in late. He said we have a general idea of where they might go.

The Board talked about the availability of the vendors and scheduling. Town Manager Hewett said he thinks what he is hearing is that there is none of the three that they wouldn't want to see and general guidance is to see how to maximize in terms of presence, calendar and space. The Board agreed. Town Manager Hewett said since there was a limited response, we can see what can be worked out. If it is problematic, he will bring it back to the Board. Commissioner Kwiatkowski asked if the Board needed to modify peddling. Town Manager Hewett responded we reviewed it. The interpretation of the chief building official is that no, it is a recreation associated amenity and the Town is exempt from it. His understanding is this is okay with the Board. He will move forward.

Mayor Pro Tem Smith said there are some oceanfront campsites available at the pier. He asked if that is something we can move forward on. Mayor Holden stated the Board talked about that and agreed they wanted to resurrect their livelihood and move forward. He and Town Manager Hewett followed up on the Board's discussions and Inspections Director Evans is looking into that.

DISCUSSION AND POSSIBLE ACTION ON LAND & WATER TRUST FUND GRANT

Assistant Town Manager Ferguson explained this is a grant that the Town asked for a waiver for. The waiver was to allow us to do the purchase, then the Town could apply retroactively for a grant. The waiver is only valid through September 30th. In diving into the grant once it was released, staff

recommendation is the Town should not pursue the grant. She said there is a difference in strings and anchors and went over some the restrictions and reasons for the recommendation.

Motion by Commissioner Kwiatkowski that we follow the assistant town manager's recommendation and not pursue this grant; second by Mayor Pro Tem Smith; approved by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON OCEAN BOULEVARD WEST RIGHT-OF-WAY AT HARBOR ACRES

Mayor Holden stated this issue has been ongoing since Hurricane Hazel recovery and when the state relocated the street. At that time houses were built about where they thought the houses used to be, some houses were across property lines. Most of that has been corrected throughout the years. Today, as you go west down Ocean Boulevard and you approach the area of Harbor Acres, the state hard surface is not properly located. There is a discrepancy in the boundary lines of some of the oceanfront lots in that area versus the second row lots. In some cases, there is more space between the second row lot southern property line and the oceanfront lot northern property line; the distance is wider than the street right-of-way (ROW).

Mayor Holden talked about the history and stated in the area from Ferry Road, back this way to about 122 Ocean Boulevard East, there is a change in the width of ROW. It is similar because the ROW was staggered and the location of hard surface. The Town worked with the owners and agreed to a line that the Town would use, tied to all the information of record. The Town agreed to govern the construction of the properties. They tried to agree to a working line for the setbacks so all of the houses would be in a line. He talked about the problems in Harbor Acres. Mayor Holden suggested the Town look into the past and come up with a solution similar to what we did for Ocean Boulevard East.

Mayor Holden suggested the Town formalize some action to solve the problem for the property owners in the area. He would like to agree to a theoretical line that would not interfere with any legal rights of anybody, just a way to process applications for permits for the area. He would like a process to seek a remedy for the continuing problem that has been a problem since 1955.

Mayor Holden would like a directive to be given to the town manager to come back with some suggestions. When the bike path project is completed this September, we can see what we are working with. We could start talking about it now rather than waiting. The Board did not have a problem with the request.

DISCUSSION AND POSSIBLE ACTION ON ENDING STATE OF EMERGENCY FOR COVID-19

Mayor Holden said we have been operating Town Hall under emergency guidelines for COVID. There has been concern that it is probably time to lift the restrictions on Town properties. He would like to suggest as the emergency management director that the regulations be lifted as of June 1st. He asked

if anybody had any objections. None were made. He asked Town Clerk Finnell to prepare the paperwork.

PUBLIC COMMENTS ON GENERAL ITEMS

Gay Atkins asked if there is any way people can go into the Inspections Department and get files since the restrictions are being lifted. She said files now need to be emailed, but she wants to go back to where people can look through folders and make copies. She said it takes forever with the current process. Mayor Holden suggested Ms. Atkins ask Inspections Director Evans.

Jerry Baker stated he went to the Inspections Department today and found out the inspector is not doing inspections until Monday. He thinks an inspection needs to be done within 48 hours of when it was requested. He understands he has COVID, but people could lose rentals if there aren't inspections. He wants something to be done so that inspections are done in a reasonable time.

Drew Sellers from Sunset Slush said they applied to be a food truck vendor, but their name wasn't mentioned. Town Clerk Finnell said she didn't see it and asked them to send it in again.

Marti Arrowood stated Jeff Conway passed away on Sunday. He had a store at the corner of Jordan and Brunswick. His daughter is Dee from Dee's by the Sea, president of the Merchants Association. She said he was an ambassador to the beach.

Charlie Samardelis asked about the vacancies in the Police Department. He thinks they do a great job but believes it will become an issue if they are understaffed. The Board agreed to let Chief Dixon respond. He said law enforcement across the nation is seeing a shortage. Classes in BLET are much smaller than they were. Other agencies pay more and have more toys. Mr. Samardelis inquired if our salaries are competitive. Town Manager Hewett responded no.

Keith Smith would like to see a master plan on how the Town can make the pier an iconic family focused cultural center. He talked about his experiences at the pier. He asked if the underwater engineering report would be a public record. Mr. Smith said it takes too long to get a permit in the Town. He talked about his experience. He suggested getting more resources for Inspections during budget time.

TOWN MANAGER'S REPORT

- Seagull Street Paving – understands they were setting grade stakes today. They are usually not there long before a bulldozer comes in. Forecasts if they don't start at the end of the week, they should be onsite with materials the beginning of next week.
- Just received the divers' inspection. He read the executive summary. Repairs are recommended, but the priority of the recommended repairs is low. Table 1 summarizes the conditions observed during the inspections. The cost associated with the table is \$116,000. He said he is sure there is

more to it, but in answer to the state treasurer's question, he thinks there is some relative assurance that the Town has not bought a lemon.

MAYOR'S COMMENTS

- Had an emergency planning meeting at Odell Williamson Auditorium involving all the parties that get involved with emergencies in the area, federal, state and local. It was a well-attended meeting. Didn't learn a lot of new things, but it brought up a lot of important things that we needed to be reminded of. Will have meetings and follow-ups as needed to help this island be prepared.
- Talked about the bear on the island. Had various wildlife on the beach. Always interesting to see what is visiting us.
- Concerned over the high tides we are having more and more each year. Encouraged all homeowners in areas prone to excessive high tides that they should always have ground level properties elevated. Be mindful of that as your store things.
- Have a volunteer luncheon on May 27th. Thanked all past, present and future volunteers.
- Oceanfront Homeowners – it is an annual problem that house numbers are not being replaced. Need them for emergency purposes. Oceanfront numbers are critically important. Encourage neighbors to put numbers up.
- Overall, the island looks great, doing a lot of great things. The community is moving in the right direction. People's comments make him proud to be part of the Town.

BOARD OF COMMISSIONERS' COMMENTS

Mayor Pro Tem Smith

- Had several calls about the house that burned on Ocean Boulevard. Spoke with Inspections Director Evans and he said a demolition permit has been issued. There is a track hoe, excavator in front of house today.
- Days at the Docks was fun. It was a great event.
- Thanked Assistant Town Manager Ferguson for working on the grants, Town Clerk Finnell for her work on the light ordinance, Chief Dixon for the dunk tank and Lieutenant Dilworth for his work on the pier parking spaces. It really helped getting the area uniform and neat. Also thanked Public Works Director Clemmons and his staff for their work on the parking lot. It was a great effort from staff for everything they did in the area.
- Saturday morning, they came to get the next to last section of pipe from the beach. Sunday morning the last set of dredging pipes were removed. The beach is back to normal.
- Got a lot of calls about parking. It is a work in progress. Will have bumps in the road. Will address them as we go.
- We are not far from rental season. Hopes everything goes good for everyone who has their houses rented.

Commissioner Brown

- Two or three brought up about the Inspections Department. He said it is a cluster. He went to the office to turn in an inspection and it said they would be back at 8:00 a.m. the next day. Saw two employee vehicles, but they couldn't come out to take the inspection. Went back the next morning and it has been changed to 8:30 a.m. People are mad. Said we are just a step above Mayberry and they don't deserve the treatment. He said it's been going on long enough. He is tired of people calling him. Talked about going into the office. Never been in an Inspections Department where you don't see everybody. Let your voice be heard. Said the inspector has been there the last few days and needs to be put back to work.

Commissioner Murdock

- Heard what was said loud and clear. When you get up and speak, we take what you say and try to do something about it. There were three comments about the Inspections Department so they will see what they can do. Has been a contractor at the beach for 20 years or more. Thoroughly have enjoyed working building here. Until a little while ago they only had two people in the department and an in and out administrator. Inspections Director Evans wears a lot of hats and is tasked with a lot of things to do that doesn't even necessarily concern inspections or permits. The CAMA permit process is 21 days minimum. That is if you have all of your paperwork. The paperwork alone is not an easy process. Had a ton of building on the island. They are overworked. If they took the time to answer every question as people come in they wouldn't have time to do an inspection. What we have is a mess, they do need some help. We hired another person and hopefully it will improve. Agreed shouldn't need to wait from Tuesday until Monday. Thinks we should be able to get an interim person to do the inspections. It is a hard process at best. Will try to make it better.
- Thanked Jim Varner for his effort with parking. Knows people have complained that they paid and they still got a ticket. Tried to address construction workers. Talked about the issues for contractors. Need to work on that. We are in a learning curve.
- Thanked Chief Dixon and his staff. Getting ready to get busy. Knows the person we were looking at went elsewhere because of money. Need to look at that from a budget standpoint. Agreed it is a nationwide thing, nobody wants to be an officer at this time.
- Town staff tirelessly works getting things done, thanks.
- Events so far this year has been very successful. The plant sale at his building had a great turnout. Understands they had one of the best ones they ever had. Enjoyed them coming out. Days at the Docks was great. Will have a big year. Have a great beach strand. People are enjoying the big beach stand.
- Appreciates people coming out.

Commissioner Dyer

- Days at the Docks was successful. Would have liked to see a little more vendors, but knows we are coming back from COVID. It was a beautiful day. It was nice to see everyone out enjoying it.

- Thanked staff for the work done on the pier since we purchased it. It is cleaner and nicer. Thinks it is good to let people know we are working on it. Some stuff is temporary. We have more work to do with things like master plans.
- Seeing Block Q bushhogged looks so much better. Will look great for renters coming in. Thinks people will see we are trying to get things done.
- Bear with us with parking. Knows one morning at 7:00 a.m. Mr. Varner was out there digging holes. He has a hands-on approach. Need to work out the bugs, thinks it started off well.
- Have a safe holiday. Slow down, look out for people crossing the street.
- Thanked Chief Dixon and his staff. Knows will need to work hard with all the hours. Appreciates everything all the officers and staff does.

Commissioner Kwiatkowski

- Appreciates seeing everyone starting to come back. Hope you can talk to neighbors. Having an audience really makes a difference.
- Thanked staff in advance of season. Have been doing great all year, but it will be crazy this year.
- Do have a budget workshop on Friday morning if you want to come and listen to discussion on how to pay for everything that we hope to do. Encouraged people to come and see how we can work through everything.
- Have a good Memorial Day.

Mayor Holden has a letter from Heather Ramsey in regard to Tourette Syndrome Awareness Day. The Board does not have a problem with him declaring it for the Town.

ADJOURNMENT

Motion by Mayor Pro Tem Smith to adjourn at 6:51 p.m.; second by Commissioner Brown; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk