



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, SEPTEMBER 17, 2024 – 5:00 P.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Regular Meeting on Tuesday, September 17, 2024 at 5:00 p.m. in the Town Hall Public Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem Tom Myers; Commissioners Rick Smith, Tracey Thomas, Page Dyer and Rick Paarfus; Town Manager David W. Hewett; Town Clerk Heather Finnell; Assistant Town Manager Christy Ferguson; Police Chief Jeremy Dixon; Inspections Director Tim Evans; Public Works Director Chris Clemmons; Finance Officer Daniel McRainey; and Town Attorney Sydnee Moore.

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

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Due to the storm, Town Manager Hewett recommended that the Board limit the agenda items to only those that need to be done tonight. His recommendation is to push items 8, 9, 10, 12, 13, 14, 15, 16, 19, 20, 21 and 23. Subsequent to the suggestion, he received feedback from Mayor Pro Tem Myers to keep the manager report in the form of a situation report concerning the storm and from Commissioner Thomas to keep the discussion concerning the Rules of Procedure.

Motion by Commissioner Paarfus to delete the items that the town manager has suggested with the exception of items 15 and 16; second by Commissioner Thomas; approved by unanimous vote.

CONFLICT-OF-INTEREST CHECK

No conflicts were disclosed.

APPROVAL OF MINUTES

Motion by Commissioner Smith to approve the minutes from our August 20th Special Meeting (2024) and the August 20th (2024) Regular Meeting; second by Commissioner Thomas.

Commissioner Paarfus said at the last meeting, there was discussion that the pier tasker could not be worked on outside of a public meeting. He thinks that was important to capture because it

speaks to why it takes a while to get some stuff done. He suggested having Town Clerk Finnell capture that in the minutes. After discussion, Commissioner Paarfus withdrew the suggestion.

The motion to approve the minutes was approved by unanimous vote.

PUBLIC COMMENTS ON AGENDA ITEMS

No comments were made.

DISCUSSION AND POSSIBLE ACTION ON GREENSBORO STREET LIFT STATION

Town Manager Hewett said tonight's agenda includes a suite of actions that are required in order to proceed with the upfit of the station. He provided history on the topic. The Town was able to procure almost \$3 million in EPA grant funding and a \$2 million state appropriation that collectively may just pay for the entire project. He reviewed the items before the Board tonight, including the Terrahawk contract in the amount of \$3,899,000, the bid tab and recommendation of award from the engineer, the award resolution and an addendum to the Engineering Services Agreement which increases the fees by approximately \$85,000. There are also two budget items, Budget Amendment 24-11 and the adoption of a Capital Project Ordinance. The granting agencies require that our project be identified in a standalone capital project. As scoped, we believe the grants will pay for everything. If any of the reimbursements are denied for any reason, the Town will need to foot the bill. If there are any change orders that exceed the project as scoped in the Capital Project Ordinance, the ordinance will need to be amended. In order to keep the project on track with the work beginning in October/November with the work going through July/August 2025, the Board would need to act on all of the items (a – f).

Motion by Commissioner Smith to direct the town manager to execute all documents and complete associated administrative actions including amending Ordinance 24-11 and 24-12 and 24-13, second by Commissioner Paarfus.

Mayor Pro Tem Myers said he understands we are taking basically all the items out of the current budget ordinance and setting them up in a project ordinance. It is going from \$4,776,000 down to \$4,551,000. The construction estimate is \$4,300,000 and the bid was \$3.8 million. He asked if a buffer was put in there to match the revenue that was coming in from the grants. Town Manager Hewett responded that it includes a contingency of 5% and the procurement of the skid, which is \$207,000. Public Works Director Clemmons explained what the skid is. The purchase of the equipment was on the Town. We have not procured the equipment yet. If we had purchased it, the warranty would have ended. We need to purchase it from AirVac. Town Attorney Moore has reviewed the contract.

The motion passed unanimously.

Attorney Moore asked if the motion included adopting the resolution. Town Clerk Finnell confirmed it did.

TOWN MANAGER'S REPORT

- We have been presented with a set of circumstances that instead of us requesting aid from the county, we have been requisitioned help regarding high water vehicles and digital signage. We loaned our sign for traffic control. Lieutenant Dilworth assisted Boiling Spring Lakes with the Humvee.
- Ocean Boulevard – reviewed street closures that occurred on Monday. We opened everything by noon today.
- Pumping Locations - started on the west end on Sunday and moved to the east end in the Ranger Street area yesterday. As of this morning, it seems to be working somewhat, enough that it has allowed us to keep our sewer system operational. Whenever you get that much water on top of the valve pits, it is going to continue to be problematic. Thankful we didn't have a lot of people with the load to the system.
- Property Damage – Hasn't been made aware of any private property damage. If there are any issues with Town roads and streets, along with any lift station issues, those things tend to start popping and ping-ponging a day or two afterwards.
- Beach Strand – it is not apparent from the way the beach is measured that we have significant damages. We have seen a couple of incursions in the dry sand beach but believe with the high tides over the next several weeks we will see a high degree of equilibration that will spread it back out. Remember this is King Tide week.
- Still have the super full moon tomorrow night. There is a lot of water coming down the river. If you are going to be traveling, keep in mind that the road closures will change as the infrastructure settles from this event. There is a 30' x 30' slab that slid down three or four feet at the bridge. This water situation is evolving. Hazardous road conditions are probable for the next couple of days. Be vigilant.
- Trash will be picked up on Saturday.

Mayor Pro Tem Myers asked why the Town doesn't pump the 300 block. Public Works Director Clemmons explained he started pumping where there were sewer outages to help with recovery, which is the main reason he started on the west end. He started the area on the east end next because just outside of Ferry was under water from end to end. He almost attempted the 300 block today, but unless you have enough lines, you may damage the frontal dune and vegetation. He explained he only has so much manpower and resources. Commissioner Dyer asked about Saturday pickups. Town Clerk Finnell said she believes Saturday pickups run through the end of September.

DISCUSSION AND POSSIBLE ACTION ON RULES OF PROCEDURE UPDATE

Commissioner Thomas said this is a small change. She read the current rule. The proposed change would add the mayor pro tem as the backup for the executive secretary position in the case the executive secretary is unavailable.

Motion by Commissioner Thomas that we adopt this change to the Rules of Procedure; second by Mayor Pro Tem Myers.

Commissioner Smith asked why the town clerk couldn't handle doing it or if not the town clerk, another commissioner. Commissioner Thomas said another commissioner could do it, she just thought it was easier for the mayor pro tem, since that person is already designated. Commissioner Paarfus said he doesn't want that job; if another commissioner wants to take that job on it is fine. Commissioner Dyer said she doesn't think it is necessary position. The Board discussed potential wording. Town Attorney Moore suggested adding another sentence after what is already there.

Commissioner Thomas amended her motion: to cross out the redline and add another sentence that says if the executive secretary is unavailable, they can designate a replacement. Mayor Pro Tem Myers agreed to the change; approved by unanimous vote.

BOARD REVIEW, APPROVE AND DIRECT ISSUANCE OF ENGINEERING, DESIGN AND FINANCIAL SERVICES REQUEST FOR QUALIFICATIONS (HB PIER COMPLEX)

Town Manager Hewett said the Board has expressed a desire to solicit request for qualifications for firms to provide preliminary design and budgetary information in accordance with the Pier Development Plan approved by the Board in April. It has been drafted with that in mind. He thinks it is ready to go out contingent on the Board's approval.

Motion by Commissioner Paarfus to ask the town clerk to poll the commissioners to have a special meeting to hash through these comments so we can discuss them and let's get that done before October 7th so we can get it on the October agenda; second by Mayor Pro Tem Myers; approved by unanimous vote.

Town Clerk Finnell will try to schedule it before October 4th in order to have it for the agenda.

RECEIVE MODULAR STORMWATER PLAN FOR BLOCK Q TO ACCOMMODATE GRANT ELEMENTS

Town Manager Hewett explained in March, the Block Q grant plan was approved to include the restroom, associated parking for the restroom, site prep and landscaping. At the April meeting, staff was directed to come back with a modular stormwater solution in order to accomplish the grant requirements. He believes a modular solution to accomplish the requisite stormwater can be attained for approximately \$10,000, which is within the existing budget. He is recommending approval of the plan so the Town can engage the engineer and the architect on the restroom facility design and publish a Request for Proposals (RFP) for construction.

Motion by Commissioner Paarfus to approve the modular stormwater plan; second by Commissioner Thomas.

Commissioner Paarfus asked if what the Board has in front of them is an approach to stormwater. He inquired if it is correct that it gives us a set of options that will be employed to deal with 3,200 square feet of impervious surface. Town Manager Hewett replied in various dimensions, but generally speaking it is a modular system. Commissioner Paarfus said looking at the design he

doesn't see that there are any serious load limitations, in other words you should be able to drive a truck over it and we should have a foot of dirt on it so that it will be available for whatever. It could be a dog park. Town Manager Hewett agreed that is correct. Mayor Pro Tem Myers asked if there is a site plan. Town Manager Hewett explained what will be accomplished next is for the architect to develop the site plan, based on the constraints of it, using these parameters. It would be for the bathrooms and the associated parking. Mayor Pro Tem Myers asked if the Board would see the site plan. Town Manager Hewett explained that is not what he is proposing to do. We only have nine months left. Once the Board approved the grant, the direction as he perceived it was to go ahead with construction. He doesn't think staff was directed to bring this back to the Board, but he wanted to make sure he did since during the budget there were concerns of it being accomplished within the budget. Assistant Town Manager Ferguson added the Board turned the site plan down, the only thing approved was where the bathrooms are. The architect would be moving forward with making the schematic/renderings, but not producing a site plan. Commissioner Thomas asked if the Board would see those before it goes out to bid. Town Manager Hewett said staff intended to move forward with the stormwater approval and go to solicitation with a RFP for construction. We are going to run into some time crunches if it goes back to the Board. He said the Board approved the grant that contained the elements of the site portion that has the bathrooms and parking in it. He can't imagine that the architect's final rendering and what goes out to bid is going to be drastically different than what was already approved by the Board. Commissioner Smith said he remembers when they did the basketball court there is an unbelievable amount of pipes under that.

The motion passed unanimously.

DISCUSSION AND POSSIBLE ACTION ON ENCROACHMENT AGREEMENT FOR HILLSIDE DRIVE BETWEEN THE TOWN AND LOST BOY HOLDINGS LLC

Inspections Director Evans explained this is encroachment agreement with Lost Boy Holdings LLC for Hillside Drive. This agreement allows them to put a walkway across the frontal dune to get to the toe of the dune. He went over the terms in the agreement.

Motion by Commissioner Smith to approve the encroachment agreement with Hillside Drive between the Town and Lost Boy Holdings LLC; second by Commissioner Paarfus; approved by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON HIGH BID FOR 796 OCEAN BOULEVARD WEST

Town Clerk Finnell explained the Board adopted Resolution 24-06, dated June 18, 2024, authorizing the sale of Town-owned property at 796 Ocean Boulevard West by the upset bid process. A final high offer in the amount of \$565,000 was received from Paul Buchanan. The Board must approve the final high offer within 30 days after the final upset bid period ended before a sale can be closed.

Town Clerk Finnell stated if the Board would like to accept the offer, staff suggests making a motion to direct the town attorney to prepare the closing documents and the town manager to execute the documents and any follow-on actions.

BOC

Motion by Commissioner Thomas to do what Town Clerk Finnell said; second by Mayor Pro Tem Myers.

Commissioner Smith asked if the Town should give it another month to see if someone would give a higher price. Town Clerk Finnell said the Town would need to start the process again and provided information on the process. The proposed offer is \$565,000. Finance Officer McRaney said the Town purchased the property for \$343,935. Commissioner Smith asked about the appraised value. Assessed/appraisal values were discussed. Mayor Pro Tem Myers said the Town did not buy it as an investment. We never had a viable plan for it. He said this is the high bid, the market price per the market. He suggested accepting the offer and moving on to more important things. Commissioner Smith stated the Town did have plans for the property, we just never had the funds in the budget to move forward. He said you can't replace it when it is gone. He doesn't think it is enough money for it. Commissioner Dyer thinks it is a valuable piece of property to the Town, the proximity to the pumping station. With that location it could be a valuable asset to the Public Works Department. She suggested waiting until the ADA assessment is completed. We need some ADA compliant bathrooms down there. The access there is handicap accessible. She thinks at that price, it is more valuable for the Town to hold onto it.

The motion passed by a 3 – 2 vote with Mayor Pro Tem Myers and Commissioners Thomas and Paarfus voting for the motion and Commissioners Smith and Dyer voting in the negative.

PUBLIC COMMENTS ON GENERAL ITEMS

Jim Bauer said he is glad the Town is finally doing something regarding pumping. He said if the Town is running low on manpower, ring his bell. He explained the standing water is a hazardous condition. He suggested calling the Fire Department for help. He said major roads should be done first. Mr. Bauer stated if you don't have a plan for the pier, you can't ask for qualifications. He said the Town can tear down the two buildings and make them into parking spots until a plan is established. Mr. Bauer said for the modular plan he hopes no paving is involved, except what is necessary for ADA compliance.

MAYOR'S COMMENTS

- Thanked the Police Department, the maintenance department and staff who worked long hours, some of which who didn't go to bed or go home. It is beyond what would be reasonably expected by any employer. These people are dedicated and do their jobs. Wishes the general public could see a lot of the things that went on that they never hear about or see. Always said if we can get by October 15th without a hurricane in sight, we have made it through another season. We have another month to go. Commended the general public and property owners in the last event we just went through. People were seemingly nicer and more understanding. Overall thought the behavior was much better this time around than in some in the past.
- This week was free trash week at the County landfill. Has asked if it would be extended or changed. Has not received an answer yet. Be on the lookout for a change in dates.

- Thankful we received so little damage overall. We were very fortunate. We can thank the good Lord for that.

BOARD OF COMMISSIONERS

Mayor Pro Tem Myers

- Thanked everyone for coming and for those online participating. Don't hesitate to reach out. We want your input and to hear your comments.

Commissioner Smith

- Thanked staff. These guys get out and risk their lives. They are brave guys and are understaffed. Thanked the chief, with his super thin staff that he has to continue to monitor our beach and keep us all safe. Knows it has been tough.
- It is good to have our island back. Seems to be a lot less traffic now that we got through Labor Day. Good to have that island feeling back.
- Glad we got through the storm. The aftereffects of what happened inland will be coming.
- Thanked Lieutenant Dilworth for his efforts helping out Boiling Springs.
- ADA compliance is something we need to continue to be mindful of. We just sold a piece of property that might be something that is required in the future.
- Thanked everyone for coming out and the people online.

Commissioner Thomas

- Thanked everyone for coming. Reiterated thanks to the staff. Their hard work is appreciated.

Commissioner Dyer

- Thanked staff, many were stuck here all night. They couldn't get home or had to work all night. It was awesome to loan out Lieutenant Dilworth when we are already shorthanded. When you see the chief putting out cones in the pouring rain, you know everyone is working hard. Usually, we use Brunswick Avenue as an escape route from Ocean Boulevard, thinks that was just as flooded. Driving through Varnamtown yesterday around lunchtime was a scary situation. Thinks our staff did a great job and is appreciative of that. Thankful for the staff for the work they have done with the sea oats program. Thinks the sea oats have stood the test of time with these last two storms.
- Thoughts and prayers are with our neighbors. Lots of people have lost their businesses, homes and cars. Material things are easily replaced, but you have to understand what people go through to obtain these things. This storm was a once and lifetime for a lot of people, it was devastating.
- Thankful for everyone coming out tonight.

Commissioner Paarfus

- Second what many people said about staff and the hard work they put in. Sees some tired faces out there and has heard some tired voices. Thanked them for getting it done, Knows many departments are short. Many people have been here a long time and need to get home.

- Thinks we have a no swim situation. Saw an advisory today but hasn't been by the beach to look.
- Thanked everybody who came and those online. It is important to participate in your government.

ADJOURNMENT

Motion to adjourn by Commissioner Paarfus at 6:15 p.m.; second by Commissioner Smith; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk