



**Town of Holden Beach
Board of Commissioners
Regular Meeting**

**Tuesday, November 19, 2024
5:00 PM**

**Holden Beach Town Hall
Public Assembly**



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS' REGULAR MEETING
HOLDEN BEACH TOWN HALL – PUBLIC ASSEMBLY
TUESDAY, NOVEMBER 19, 2024 - 5:00 P.M.**

1. Invocation
2. Call to Order/ Welcome
3. Pledge of Allegiance
4. Agenda Approval
5. Conflict-of-Interest Check
6. Approval of Minutes
 - a. Minutes of the Special Meeting of October 3, 2024 (Pages 1 – 2)
 - b. Minutes of the Regular Meeting of October 15, 2024 (Pages 3 – 16)
7. Public Comments on Agenda Items
8. Presentation to Development Services Officer Janna Pigott for Achieving Floodplain Management Certification – Town Manager Hewett
9. Presentation of Fiscal Year 2023 – 2024 Audit Results – Elsa Swenson, Martin Starnes and Associates – (Finance Officer McRailey) (Pages 17 – 38, Separate Packet)
10. Annual Monitoring Report Results – Fran Way, Applied Technology and Management (Assistant Town Manager Ferguson) (Pages 39 – 53)
11. Discussion and Possible Action on the Results of the Town of Holden Beach 2024 Pavement Condition Survey – Shane Lippard, Right Angle Engineering (Public Works Director Clemmons) (Page 54, Separate Packet)
12. Police Report (Written Only) (Pages 55 – 60)
13. Inspections Department Report – Inspections Director Evans (Pages 61 – 63)
14. Finance Department Report – Finance Officer McRailey (Pages 64 – 67)
15. Town Manager's Report – Town Manager Hewett (Pages 68 – 69)

16. Discussion and Review of Site Plan for Potential Concert Venue Location – Assistant Town Manager Ferguson (Pages 70 – 72)
17. Discussion and Possible Action on the Second DEQ Offer to Fund Greensboro Street Lift Station – Assistant Town Manager Ferguson (Pages 73 – 94)
 - a. Resolution 24-09, DEQ Project No. SRP-W-134-0021
 - b. Ordinance 24-16, An Ordinance Amending Ordinance 24-11, The Revenues and Appropriations Ordinance for Fiscal Year 24-25 (Amendment No. 2)
 - c. Ordinance 24-17, Capital Project Ordinance
18. Discussion and Possible Action on Ordinance 24-18, An Ordinance Amending Ordinance 24-11, The Revenues and Appropriations Ordinance for Fiscal Year 24-25 (Amendment No. 3, 796 Ocean Boulevard West) – Finance Officer McRainey (Pages 95 – 96)
19. Discussion and Possible Action on Proposal Received for ADA Self-Evaluation and Transition Plan Request for Proposals and Alternative Option– Inspections Director Tim Evans (Pages 97, Separate Packet)
20. Review Conceptual Proposal for a Public Private Partnership for the Pier Building with Possible Action to Issue a Request For Proposals – Commissioners Smith and Dyer (Pages 98 – 117)
21. Public Comments on General Items
22. Mayor's Comments
23. Board of Commissioners' Comments
24. Executive Session Pursuant to North Carolina General Statute 143-318.11(a)(6), Personnel – Mayor Pro Tem Myers and Commissioner Paarfus (Page 118)
25. Adjournment

* Visit <https://www.facebook.com/holdenbeachtownhall/> to watch the livestream of the meeting. Public comments can be submitted to heather@hbtownhall.com prior to 12:00 p.m. on November 19, 2024.



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
SPECIAL MEETING
THURSDAY, OCTOBER 3, 2024 – 5:30 P.M.**

The Board of Commissioners of the Town of Holden Beach North Carolina met for a Special Meeting on Thursday, October 3, 2024 at 5:30 p.m. in the Town Hall Public Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem Tom Myers; Commissioners Rick Smith, Page Dyer and Rick Paarfus; Town Manager David W. Hewett; Town Clerk Heather Finnell; Assistant Town Manager Christy Ferguson; and Inspections Director Tim Evans. Commissioner Tracey Thomas was unable to attend the meeting.

Mayor Holden called the meeting to order.

DISCUSSION AND POSSIBLE ACTION ON PROPOSED CHANGES TO THE PIER REQUEST FOR QUALIFICATIONS

Commissioner Paarfus said the town manager has requested that the September 17th agenda item cover sheet for this tasker be added to the documents for the meeting. The consensus of the Board is it is okay to add it. Commissioner Paarfus met with Town Manager Hewett and went over the proposed changes. He said it is safe to say Town Manager Hewett agreed with 80% of them, but there are a few changes to the changes. The Board went over the proposed changes.

Page 11 – no change

Page 12 – accept as it, except cross out the definition for class 3 estimate

Page 13 – cross out section C. Town Manager Hewett said if staff can't handle the finance part, he will come back and ask for help.

Paragraph D will be put back in, Town Manager Hewett will reword it.

Dates will be adjusted.

Page 14 - accept as is

Page 15 – accept as is, but add one more selection criterion under D, that is experience in developing maintenance plans

The deliverables schedule was discussed. Is desired to be fulfilled within 90 days will be added.

Motion by Commissioner Paarfus to direct staff to incorporate the changes as discussed and get this RFQ issued; second by Commissioner Smith.

Mayor Pro Tem Myers asked if the lawyer needs to look at this. Town Manager Hewett answered this is just a RFQ, there is no contractual obligation by the Town.

The motion passed by unanimous vote.

ADJOURNMENT

Motion by Commissioner Smith to adjourn at 5:47 p.m.; second by Commissioner Paarfus; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, OCTOBER 15, 2024 – 5:00 P.M.**

The Board of Commissioners of the Town of Holden Beach North Carolina met for a Regular Meeting on Tuesday, October 15, 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

Town Manager Hewett explained Shane Lippard from Right Angle Engineering has been detained and asked the Board to push item #9 to next month (Discussion and Possible Action on the Results of the Town of Holden Beach 2024 Pavement Condition Survey).

Motion to approve the agenda as changed by Commissioner Smith; second by Commissioner Paarfus; approved by unanimous vote.

CONFLICT-OF-INTEREST CHECK

No conflicts were disclosed.

APPROVAL OF MINUTES

Commissioner Smith asked if there are minutes to approve from the special meeting. Town Clerk Finnell answered they are not ready yet.

Motion by Commissioner Smith to approve the minutes (Regular Meeting of September 17, 2024) as written; second by Commissioner Paarfus; approved by unanimous vote.

PUBLIC COMMENTS ON AGENDA ITEMS

Jim Bauer said he is addressing items 16 the concert venue, 17 pickleball courts, 19 open flame devices, 21 the stormwater master plan, 22 the emergency pumping plan and 24 the pier grants. He said to ask the people in the Town what they want to do before spending any more money. He said there is a lot of talent on the island that could help with an emergency pumping plan.

RECOGNITION FROM THE NATIONAL WEATHER SERVICE THAT THE TOWN IS STORM READY/TSUNAMI READY

Inspections Director Evans provided the background on obtaining this designation and introduced Steven Pfaff from the National Weather Service who provided information on the designation and presented the Town with a certificate.

PRESENTATION ON WATER AND SEWER SYSTEM ASSET MANAGEMENT PLAN

Public Works Director Clemmons introduced Barry Parks from Green Engineering. Mr. Parks explained what the plan included and how the research was conducted. As part of the project, utility staff were trained using equipment furnished by Green Engineering and utilizing the database created by Green Engineering they could locate exactly any of the assets in the system. That is important during storm events and it can be used in daily maintenance. He provided information on how the system worked.

Mr. Parks said overall the water system is in very good condition. The existing system is composed of approximately 22.32 miles of water lines, ranging in size from 1" to 12". There are 3,270 water services. The Town has one elevated storage tank, holding a maximum of 300,000 gallons. It has two 12" major transmission supply lines. Water treatment is provided by the county. There is capacity for many years in the future. He provided details on use, demand, growth, assets and fire flow. The amount of storage for the elevated tank is adequate, as the minimum state standards under 15A NCAC 18C 0805(c) is one half day's supply on an average day. It does not meet the standard the Town wishes for a peak day. Based on the projections, the Town would not meet the requirements in 2045. Ultimately a second tank is recommended by Green Engineering. The second tank is currently shown being funded in the 2033 and 2034 budgets in the Capital Improvement Plan before the Town fails to meet the state requirements. That could be adjusted. Current cost estimates are \$2,473,000 for a tank. A second vulnerability for the Town is the 12" AC main that runs all down Ocean Boulevard. In the event the 12" water line failed anywhere west of Sea Gull where the second feed comes in, about 10 percent of the system would be without water until the line is repaired. Mr. Parks explained that the Town authorized testing of the pipeline

at three locations and the testing showed the pipeline to be in excellent condition just a few years ago. Not all pipelines fail at the same time; this is a predictive tool.

Mr. Parks said Green Engineering also performed a brief review of the vacuum sewer system. They are currently designing an upgrade to station 2. That project should start very soon. He reviewed background and details on the wastewater system.

Mr. Parks provided information on staffing and succession planning.

Mayor Pro Tem Myers asked about stormwater inventory. Mr. Parks responded that some assets were inventoried, just the assets in the Town. Commissioner Thomas said she thought she heard they tested the water pressure and it was very good. Mr. Parks replied they performed hydraulic analysis on the system and based it on modeling numbers. They did not test pressure at every location. They reviewed fire flow data and it was put into their modeling. Commissioner Thomas said there have been some concerns about the pressure on the west end of the island in the case of a fire. Mr. Parks said based on the pressure analysis, there is good pressure within the system. Commissioner Thomas said on page 9, it seems they are saying the Town doesn't need a new water tower until 2046 based on the assumptions on the growth. Mr. Parks said that is when the Town would need one based on state requirements. They recommend the Town do that some time before that if growth tells us that. Growth was discussed. Commissioner Paarfus thanked Mr. Parks for answering his questions that he sent.

POLICE REPORT – POLICE CHIEF DIXON

- Reviewed the numbers in the report. Commissioner Thomas asked about shots fired in the report. Chief Dixon said that will be part of his PSA about hunting. He doesn't have the specifics on that, but his guess is it is from hunting. Mayor Pro Tem Myers said he received some complaints about speeding on the west end and advised them he would share the feedback with Chief Dixon.
- Staffing Levels - We are through the first quarter of the fiscal year. Had four applicants in three months. Reviewed candidate information. Mayor Pro Tem Myers asked how many of this month's incidents would have been referred to a detective. Chief Dixon went over some of the calls.
- Commissioner Smith asked about parking. Chief Dixon explained they are seeing more compliance. We also don't have the volume of people this time of year.
- The Town has ordinance 130.02 regarding hunting in Town limits. Provided information on hunting season and calls they receive during this time. If you hear shots fired, let the Police Department know.
- Be mindful, it is getting darker earlier. Went over safety rules for cyclists and state law for using sidewalks.

INSPECTIONS DEPARTMENT REPORT – INSPECTIONS DIRECTOR EVANS

- Went over report.
- Went over the status of each item of the ADA Mediation Agreement and other ADA related items including 114 OBE, east end of Avenue E, 801 OBW, 700 block, Jordan Boulevard, 915 OBW, Halstead, 441 OBW and 329.5 OBW. The only outstanding thing we have is the ADA assessment. Believes we received a package back on that. We should be complete with all parts of the agreement within the tentative deadline.

FINANCE DEPARTMENT REPORT

- Went over the revised report that was created after working with Audit Committee members.

Mayor Pro Tem Myers asked about water/sewer charges. Finance Officer McRainey explained the capital charge will be billed with taxes.

TOWN MANAGER'S REPORT

- Greensboro Street Lift Station – TerraHawk has been getting their paperwork together so the contract can be executed. Their end should be accomplished by the end of the week. We have both approvals from the EPA and the NC Division of Water Quality.
- 796 OBW is set to close. Will temporarily book the proceeds from that sale to the Water & Sewer Miscellaneous Revenue. As a follow on in November, staff will bring a budget amendment back. Assuming there will be a desire to early pay off the debt that went with that.
- NC General Assembly convenes in mid-January. This is the long session. Normally crossover happens in early April/May timeframe. That would be the latest that a legislator can advance some legislation. If there is anything the Board wishes to ask, we need to start formulating those asks sooner rather than later.
- The Coastal Resources Commission meeting will be held in Ocean Isle Beach in mid-November. Was under the impression that the inlet hazard areas revision might be coming to the forefront in November but after dialoguing with Coastal Resources staff, it will probably be after the new year.
- The new certified population estimate for the Town is 1,054. That is the basis of distribution for many state distributed revenues.
- Ocean Boulevard Bike Lanes – DOT was about \$75,000 overbudget. Our share of the overage which is 42% of that is right at \$31,000. We are working with GSATS to identify potential substitute funding for that. Doesn't know if we will be successful with that. DOT has let us know that their standard for keeping the bike lanes clean is probably not the same as the Town's standard. Staff is evaluating the options available to us, in-house versus a contract for sweeping. Any arrangement will require an agreement with DOT before we can perform the work. Crosswalks and rights-of-way were discussed.

- ADA Self-Assessment RFQ - We received one response today that didn't indicate they have done any projects in North Carolina and it was about \$100,000. Has not read it completely, those are just the high points from the executive summary.
- Reviewed upcoming parks & recreation events.

Commissioner Paarfus added the Town has the RFQ for engineering services for the pier on the street.

AUDIT COMMITTEE REPORT REGARDING ANNUAL AUDIT

Mayor Pro Tem Myers reviewed the Audit Committee letter. The committee reviewed the draft audit report information. The audit will reflect very strong financial results with a total net position increase of over \$4.5 million. We will receive a clean opinion from the auditor. No internal control deficiencies were identified and there are no issues with the Water Resources Development Grant Program. The audit is on track for meeting the October 31st filing deadline with the Local Government Commission (LGC). The way the Water and Sewer Fund works, the LGC does not consider the capital fees as revenue. When you take that out of the revenue, it shows the Town has an operating loss. The Board will need to send a letter to the LGC explaining this. Overall, it is really good news. There are no recommendations from the committee. Commissioner Smith said in other words, we still have a very strong financial situation, as we did last year.

DISCUSSION AND POSSIBLE ACTION ON LONG-TERM SUMMER CONCERT VENUE

Commissioner Thomas thought the Board should talk about the summer concert venue since this season is over. She went over the background of using Bridgeview Park for the concerts. Assistant Town Manager Ferguson thinks the concerts were well attended. The main negative feedback she received was that the dance floor is behind the band. Some of the bands found it difficult to get equipment to the facility. There was positive feedback regarding the smell since it is not by the sewer station and people liked being on the water. She said it is not optimal as a long-term fix, but the Board would need to decide when they would like to complete a long-term fix.

Assistant Town Manager Ferguson confirmed that the Parks & Recreation Advisory Board (PRAB) did have a stage on the plan they previously completed for Block Q. Commissioner Smith thinks from photographs he has seen from other nearby islands, the Town could do something inexpensive instead of building what we had before. He asked the Board to let the PRAB recommend some things that the Town could do at Block Q. Commissioner Thomas agreed that is part of the discussion and she thinks that will come up when they talk about pickleball court locations. She inquired if the PRAB is currently reviewing the Parks & Recreation Master Plan. Assistant Town Manager Ferguson answered that the PRAB is looking at what has been accomplished in the plan. There will probably not be a new plan recommended in the budget until 2026. These items would be new, so the Board would need to send them a tasker since these items are not in the plan. Commissioner Dyer stated she

thinks the Town needs to find a permanent location and they need to task the PRAB to find the location. She said the Town could consider a portable stage or different types of stages. The community has mentioned they want it back in the old location, but we purchased Block Q, so both locations should be taken into consideration. Commissioner Dyer said ADA compliance needs to be taken into consideration. She explained there are a lot of things to consider. She thinks the Town needs to move forward to get something completed by the following season if it cannot be done by the next season. Commissioner Paarfus encouraged the Board to look at Block Q, Jordan Boulevard, the old pavilion site, under the bridge as a collective, whole project. It could be phased in. He thinks we have a combined really nice piece of real estate the Town can do some outstanding things with. Commissioner Paarfus stated he thinks a pro needs to come in. He explained he thinks we put ourselves at risk if we do a parcel at a time. Mayor Pro Tem Myers said he agreed with everything said, next year is coming. He is hearing that the fastest, easiest thing for next year is to put a portable stage on Block Q and see how it plays out. Other than that, the Town can make a commitment on building something. Assistant Town Manager Ferguson advised the Board that the bands' contracts need to be signed ahead of time and location information needs to be provided. She added the Inspections Department will need to weigh in on this as far as compliance. Commissioner Dyer doesn't agree with tying this into the pickleball courts. Commissioner Thomas asked if bands prefer to be flat or elevated. Assistant Town Manager Ferguson replied that it needs to be a flat surface. If it is elevated, they can back their truck to unload. Commissioner Paarfus inquired if there is a minimum square footage required. Assistant Town Manager Ferguson said the contracts vary. Our old stage was 40' by 40', most of the bands took up all of it. A lot of the contracts say at least 36'. We have large groups with multiple instruments who perform. She would need to look at the details of the portable stage she had a quote for in the past. Commissioner Paarfus said if money is available, we could do something portable. He doesn't think there is enough time to get a good permanent solution, but if funding is made available, it might be worth considering. Commissioner Thomas agreed with everything being said and would like to figure out what will work for next year and what would work for the long term. Permitting, locations and bathrooms were discussed. Assistant Town Manager Ferguson said on the site plan the PRAB completed, it showed a pavilion where the architect had said it was the best place for it to go based on studies they had done. She inquired if the Board is opposed to that spot on the plan. Commissioner Dyer said no. Commissioner Smith replied he doesn't see why we would need to start over. Commissioner Thomas said no, it was the boat parking that they were opposed to. Holding yoga at Block Q was discussed. Commissioner Smith would like Assistant Town Manager Ferguson to get that back in front of the Board by the next meeting to review.

Timing, how to move forward and stormwater were discussed. Commissioner Thomas said she thinks the Board is asking for the plan from before with just the stage and to take off all parking, then bring it back to the Board. She said if it needs to be taken to PRAB to do that, it's okay. Commissioner Smith said then Inspections Director Evans can look at it to give the Board the information needed to move forward. Inspections Director Evans inquired what the Board would like to review, the plan with things crossed out or an engineer or a design person to actually draw a site plan that is to scale for review. Commissioner Paarfus said it

is risky to try to shoehorn it in for next season given the timeframe. Commissioners Smith and Thomas agreed it can't get done for this season. Commissioner Smith thinks it needs to get started.

Commissioner Paarfus suggested that Assistant Town Manager Ferguson provide the previous drawing that showed the stage without getting the architect, the Board can give it a look and continue the discussion. Commissioner Thomas said the Board wouldn't approve anything, they would decide if they liked the concept and then it can be architecturally designed and permitted.

Assistant Town Manager Ferguson summarized that staff will bring back to the next Board meeting the same drawing that we had before, the Board will take a look at it again. If there is a wish to move forward then we will look at having the architect pull the parking spaces that are on it. The Board agreed by consensus. Commissioner Thomas added it sounds like will need to have one more year at the park.

DISCUSSION AND POSSIBLE ACTION ON HAVING THE PARKS & RECREATION ADVISORY BOARD DO AN EVALUATION OF ADDING PICKLEBALL COURTS TO THE ISLAND

Commissioner Dyer stated one of the Board's objectives was to consider locations for pickleball courts. She thinks with the growing popularity the Town has outgrown the current location. She would like the PRAB to look at some locations on Town-owned land. She said if the stage will be moved to Block Q, they can take into consider where the old pavilion was, there is land in the 800 block and there is land at the end of Lois and Gerda. There are a bunch of different sites, but specifications/requirements need to be determined. She would like the PRAB to supply the Board with cost estimates to the best of their ability on similar projects currently being constructed in the area.

Commissioner Thomas agreed that the Town has outgrown the facility for pickleball. She would like to include looking at Block Q to the tasker. She suggested talking to Lockwood Folly and Ocean Isle Beach to get cost ideas. Commissioner Paarfus is in favor of looking for new sites. He said the first thing is to establish some minimum requirements. He would like the PRAB to determine the requirements that are needed and then look at properties. He would like to see the pavilion area/Block Q addressed collectively, but there may be other properties that are viable. Town Manager Hewett said surveying and maybe wetland delineation may be required. He said staff needs to be able to use the Available to Appropriate line in the BPART Fund in case there is a line item that needs to be paid to do this work so we can execute it without being pennywise and pound foolish. Inspections Director Evans explained you need to take into account usable area to identify locations. Using funds to move forward was discussed. Town Manager Hewett said a budget amendment would not need to be completed. If funds are needed, it would be sourced from Available to Appropriate.

Motion by Commissioner Smith that we approve Town Manager Hewett to use \$5,000 and with the PRAB's recommendation on court sizes to find the location for us to put these; second by Commissioner Paarfus; approved by unanimous vote.

Commissioner Thomas asked if they would also look at other items that are appropriate such as proximity to bathroom facilities. Assistant Town Manager Ferguson replied she believes they would be considering if there is enough parking there and restrooms because you cannot have that type of occupancy without the restrooms.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 24-15, ORDINANCE AMENDING THE HOLDEN BEACH CODE OF ORDINANCES, CHAPTER 72: PARKING REGULATIONS

Town Clerk Finnell stated in October 2022, the Board voted to suspend paid parking island wide for the festival. In January 2023, in response to a Board tasker, staff recommended that paid parking continue to be suspended island wide festival weekends. The proposed amendment updates the ordinance to reflect the past precedent of no paid parking during festival weekends and it also proposes removing the section pertaining to the HB Pavilion since the structure was demolished.

Motion by Commissioner Smith that we approve Ordinance 24-15; second by Commissioner Dyer; approved by unanimous vote.

Commissioner Thomas asked if the Town was supposed to renegotiate the contract with Otto Connect on the extended hours. Town Clerk Finnell advised the Board the amended contract was executed based on the Board's previous actions.

DISCUSSION AND POSSIBLE ACTIONS FOR NON-LEGISLATIVE ACTIONS TO INFORM THE PUBLIC OF HOLDEN BEACH CODE OF ORDINANCES §91.17, CONCERNING THE PLACEMENT OF OPEN FLAME DEVICES

Commissioner Paarfus said the issue is there have been reports of people having open flames under the house (charcoal grills, fire pits). The concern is he is not sure the public is aware of the ordinance that prohibits that. Chief Dixon has put a sign up, but that sign cannot be dedicated to that message. He would like to open it up for other ideas, such as refrigerator magnets and working with the rental companies to help disseminate information. Commissioner Dyer thinks working with the rental companies would help. It is an educational item. If you are providing these items, you should provide some sort of information to the people who are renting. Commissioner Smith suggested that staff could come up with recommendations to help educate renters and communicate the regulations effectively. Commissioner Dyer added the chief could make another video. Assistant Town Manager Ferguson said to remember things have costs associated. Commissioner Paarfus asked if someone could reach out to the rental agencies to see if they have ideas. Commissioner Thomas suggested that we also ask them if they would be willing to put magnets in the house if the Town bought them. Town Manager Hewett said staff can check.

The consensus of the Board is to solicit input from the rental companies.

DISCUSSION AND POSSIBLE ACTION FOR THE ADOPTION OF AN ACTION TRACKING TOOL FOR CERTAIN FISCAL YEAR 2024 – 2025 BOARD OF COMMISSIONERS' OBJECTIVES

Commissioner Paarfus stated the Board has 26 priorities. He is looking for a tracking tool to keep the Board informed of what is going on with a select number of the items. It would allow the Board to establish some expectations on progress. If there are obstacles the Board would like to know about that. Also, if the Board needs to make a shift in priorities if something comes up, they could look at something like that. Initially he proposed having something for the 1st of the month, but after speaking to Town Manager Hewett he thinks a good compromise would be to attach the items to the manager's report for each meeting. He said he is not implying Town Manager Hewett needs to discuss the items, but they should be kept current. He prepared a spreadsheet of the information he would like to see. If something isn't working, you can put nothing to report.

Motion by Commissioner Paarfus to include that information as available as identified in Attachment 3, which is that spreadsheet for the 8 items he suggested it for and have that included in the manager's report; second by Mayor Pro Tem Myers.

Town Manager Hewett asked if he is hung up on the format. Commissioner Paarfus replied no.

The motion passed by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON AN AMENDMENT TO THE STORMWATER MASTER PLAN

Mayor Pro Tem Myers said in August, the Board adopted the Stormwater Master Plan presented to the Board. He assumes now the Town is starting to proceed down the path to try to get grants and external funding to get assistance in implementing the plan. Based on the last two storms, he thinks there are other areas that need to be added, most notably is Ocean Boulevard east of Dunescape. It is a significant flooding area and he thinks the Board should get it into the plan before it is too late. The canals continue to be a problem. He is not sure the Board would like to add that or have a separate study for that.

Motion by Mayor Pro Tem Myers to talk to McGill and get a quote to add the area on Ocean Boulevard East, just east of Dunescape as another critical area in the Stormwater Master Plan; second by Commissioner Thomas.

Town Manager Hewett asked if he is envisioning that staff will bring back a proposal from McGill for the Board to consider an amendment to the plan. Commissioner Paarfus asked why he doesn't want to include the canals. Mayor Pro Tem Myers answered he is open to that.

It just seems it maybe should be a separate report. Commissioner Smith stated the Town already has a plan. It can be amended at any time. We need to move forward with it. If we have to make all these adjustments, he thinks we are backing up. Commissioner Thomas asked if it would be to revise/update the master plan. Town Manager Hewett said that was his understanding. Mayor Pro Tem Myers agreed.

After discussion, Mayor Pro Tem Myers amended his motion to include two new areas for McGill, one is the area on Ocean Boulevard East, east of Dunescape and the other is the canals. Commissioner Thomas agreed with the amendment.

Commissioner Paarfus said he is good with these two projects but he doesn't want to hold up funding requests until this is done. He stated we are in the process, positioned well to get some funding and he doesn't want to hold it up. Commissioner Thomas said holding up the funding is not part of the motion. Commissioner Dyer agreed the Town shouldn't stop the current plan. She asked if the Town could move ahead with the current plan while doing this. Town Manager Hewett said we don't know McGill's timeline for producing the work. You could miss out on a whole calendar year of budget cycles. Mayor Pro Tem Myers said his understanding was funding was potentially an earmark and was 2025/2026 timing anyways. He inquired how far down the path we are. Town Manager Hewett replied we are engaged in conversations daily with legislators not only for the appropriations in the 5113 money, but also with near term appropriations out of the Federal Congress. It is at the state level too. After further discussion, Mayor Pro Tem Myers clarified that he wants to get these things added. If they get added in time to be included in the funding, that's great. If they don't get included in time, they won't get funded. Town Manager Hewett said we will get it done as quickly as we can. If it falls in the budget cycle, that's great. Commissioner Thomas said the motion does not say anything about stopping going forward with the funding, it just says get the quotes. Town Manager Hewett said the Board will get a proposal brought back to them.

The motion passed by a 4 – 1 vote with Mayor Pro Tem Myers and Commissioners Thomas, Dyer and Paarfus voting for the motion and Commissioner Smith voting in the negative.

DISCUSSION AND POSSIBLE ACTION ON DOCUMENTING AN EMERGENCY PUMPING PLAN

Mayor Pro Tem Myers provided background and said he thinks it would be helpful to document how the Town is coming up with the decisions on how to pump and deploy resources, sequences and priorities. He said it would document the decision process the Town is already using. He went over information that could be included.

Mayor Pro Tem Myers would like to direct the town manager to work with the Public Works director to document these issues so all can have the same understanding of what we are doing when everything is flooding and we are starting to put pumps out. Town Manager Hewett said the appropriate action would be to task the Town to develop a flood water management discharge plan that meets the requirements of the DEQ. Commissioner

Paarfus asked if it would include something that basically lets people know what we are doing and why; he is concerned about people's expectations. Town Manager Hewett said pumping is not a substitute for adequate infrastructure. He is a proponent for adequate infrastructure. Public Works Director Clemmons explained they have always done the pumping on an as needed basis. The pumping that has been done is based on the number of people affected and what the outcome would be. If sewer isn't running on the island, people cannot be here. He provided information on pumping completed in the past. He will focus on getting more equipment, but keep in mind there are six employees when they are fully staffed. Commissioner Smith said what Public Works Director Clemmons is saying is if the water gets over the valve puts and the sewer system becomes waterlogged, everyone needs to go. He needs to concentrate on those areas and he uses his best judgement. He said to put together a plan, the Town will need to get some kind of state approval. Public Works Director Clemmons explained that sewer issues are not always related to infiltration. He provided information on the system. Mayor Pro Tem Myers clarified he doesn't anticipate any change in the way it is being done now. This is just to document the logic so it can be communicated. Commissioner Dyer said the problem with documenting a plan is that each storm is different. You can't document something that Mother Nature will change. Public Works Director Clemmons is making excellent decisions. Mayor Holden stated he has been the emergency director for 15 years. He talked about all the ancillary services that need to be dealt with in an emergency situation. He said you can write down everything, but you need to react to circumstances that we are dealt with at the time. Mayor Holden said you need to look at the big picture for the whole Town. Mayor Pro Tem Myers stated the Town was recognized for storm readiness earlier in the meeting. The Town's Emergency Plan is very focused on hurricanes. This was to consider an addendum to the plan for pumping and major rain events. He will not push it if nobody wants it.

DISCUSSION AND POSSIBLE ACTION ON MULTI-JURISDICTIONAL DISASTER DEBRIS AGREEMENTS

Public Works Director Clemmons explained this is a multi-jurisdictional disaster debris agreement that the Town has been a part of since around 2009. There are two parts, debris management and monitoring. We utilized it a few years ago and it went smoothly. There is a primary and secondary contractor for both pieces.

Motion by Commissioner Smith that we continue with the agreements that we have now a, b, c, d to make sure we are covered about removing debris in a disaster; second by Commissioner Thomas; approved by unanimous vote.

TOWN ATTORNEY RESPONSE TO TASKER FROM THE BOARD OF COMMISSIONERS TO INVESTIGATE THE TOWN OF HOLDEN BEACH'S LEGAL REQUIREMENTS FOR THE PIER GRANTS

Attorney Moore went over her report. She said basically what it all comes down to is to develop the property for recreational use and continue to develop it. The specifics and exact



Town of Holden Beach
AGENDA TOPIC COVER SHEET

TO: Holden Beach BOC

MEETING DATE: 11/19/24

FROM: Daniel McRainey, Finance Officer

DATE SUBMITTED: 11/8/24

ISSUE/ACTION REQUESTED: Presentation of Fiscal Year 2023 – 2024 Audit Results

BACKGROUND/PURPOSE OF REQUEST: Martin Starnes has completed and submitted the 2023-2024 audit. The Local Government Commission has approved the submittal. Elsa Swenson is here to present the highlights of the report.

FISCAL IMPACT: (select one)

BUDGET AMENDMENT REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
CAPITAL IMPROVEMENT PLAN ITEM:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
PRE-AUDIT CERTIFICATION REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
REVIEWED BY FINANCE DIRECTOR:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

CONTRACTS/AGREEMENTS: (select one)

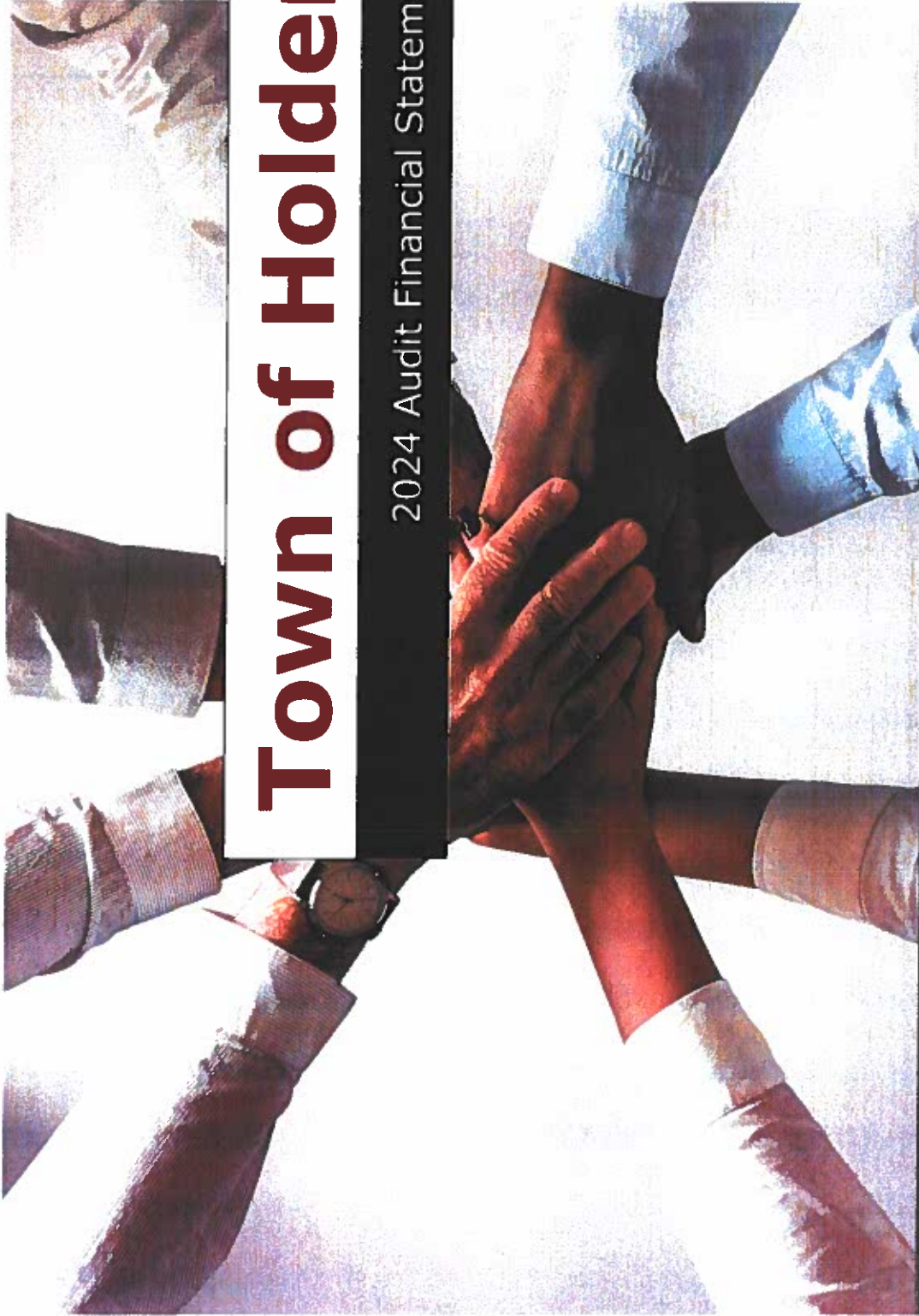
REVIEWED BY TOWN ATTORNEY:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
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ADVISORY BOARD RECOMMENDATION: The committee's report was received at the last meeting.

FINANCE RECOMMENDATION: Receive report

TOWN MANAGER'S RECOMMENDATION: Receive report

ATTACHMENT: Audit Results



Town of Holden Beach

2024 Audit Financial Statements



MARTIN ♦ STARNES
& ASSOCIATES, CPAs, P.A.

Audit Highlights

- ☐ UNMODIFIED OPINION "CLEAN OPINION"
- ☐ COOPERATIVE STAFF
- ☐ REPORT SUBMITTED TIMELY
- ☐ NO INTERNAL CONTROL OR COMPLIANCE FINDINGS

MARTIN ♦ STARNES
& ASSOCIATES, CPAs, P.A.

FUND BALANCE

Available fund balance as defined by the Local Government Commission (LGC) is calculated as follows:

Total Fund Balance

Less: Non spendable (not in cash form, not available)

Less: Stabilization by State Statute (by state law, not available)

Available Fund Balance

This is the calculation utilized as the basis for comparing the Town to other units and calculating the fund balance percentages.

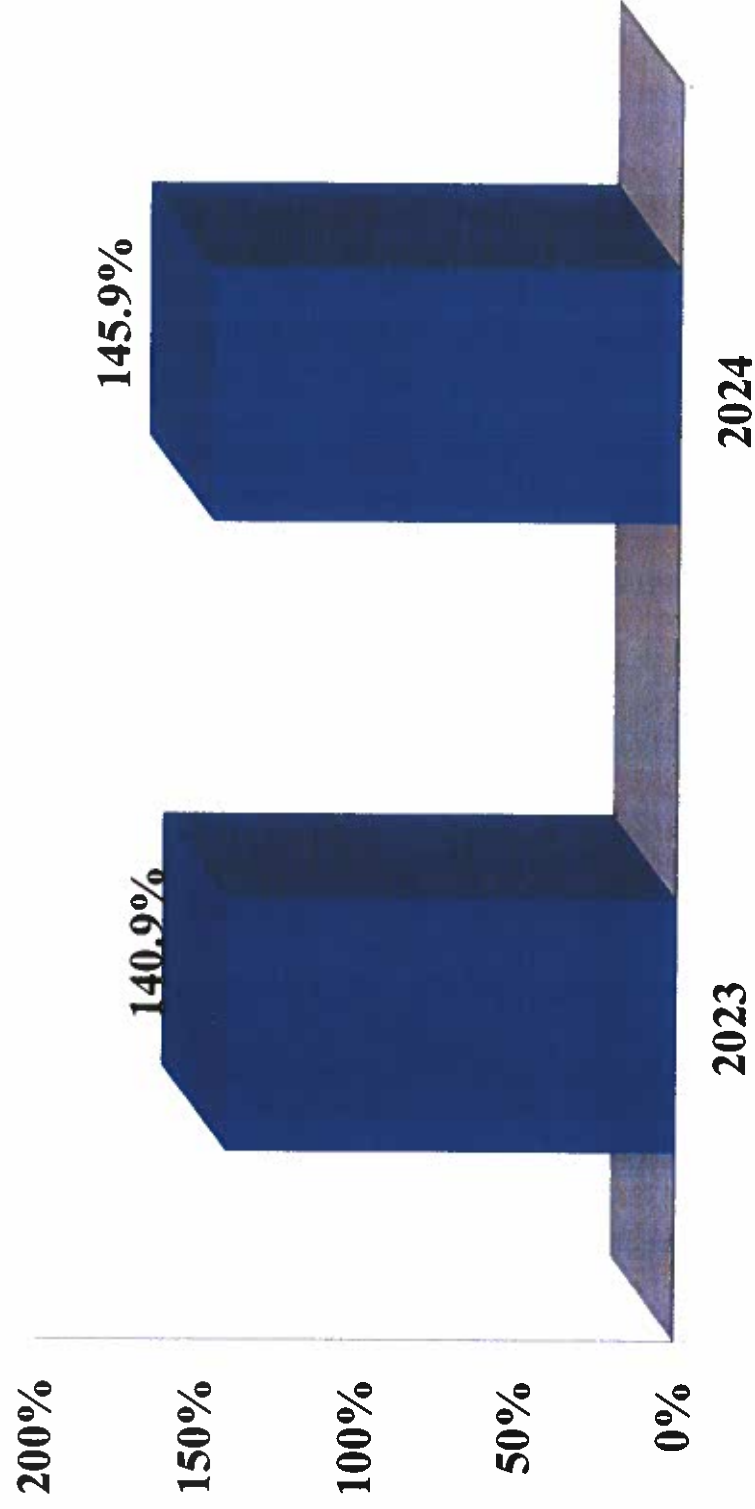


FUND BALANCE POSITION – GENERAL FUND

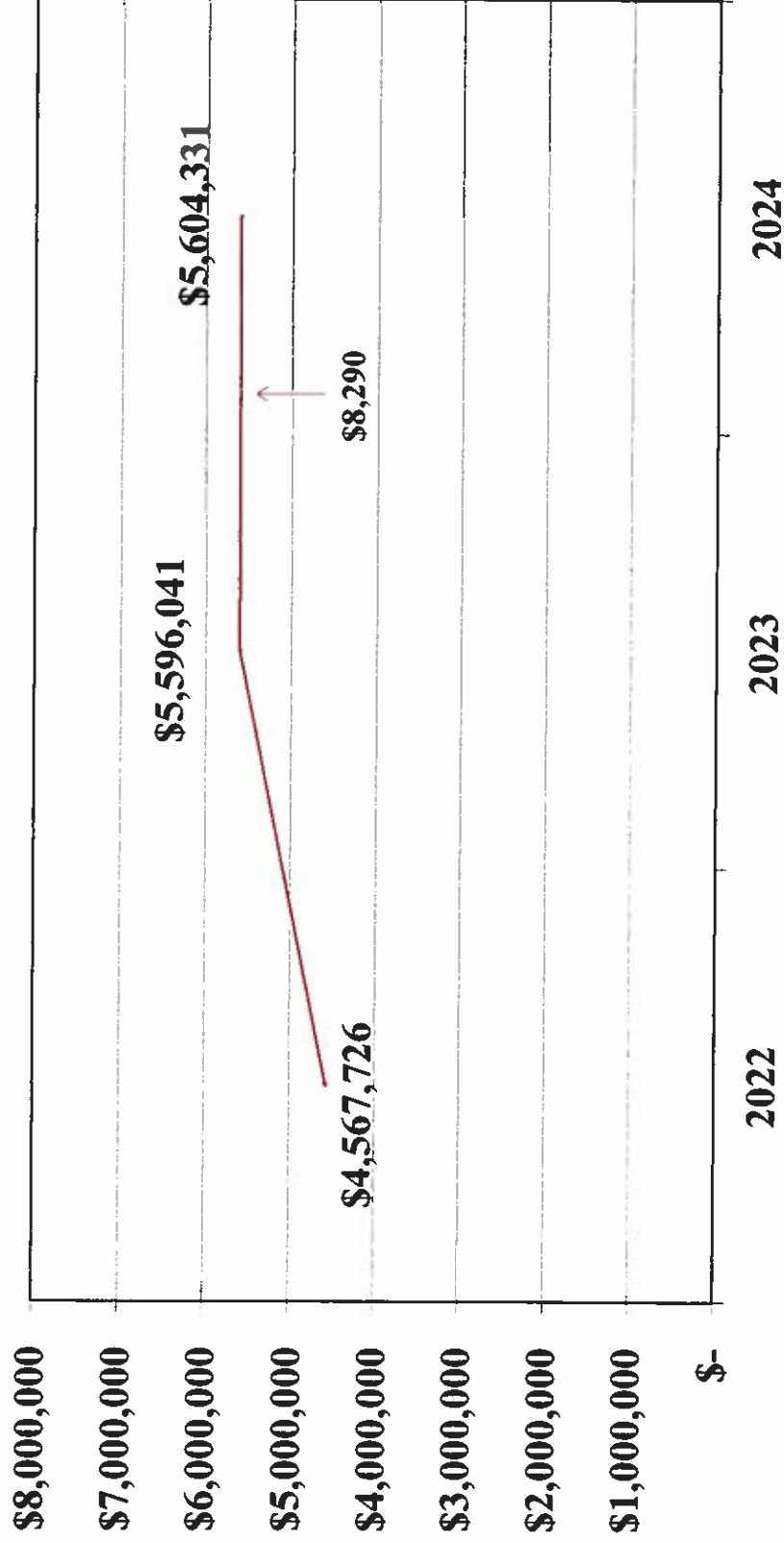
Total Fund Balance - 2024	\$ 5,604,331
Stabilization by State Statute	<u>(257,307)</u>
Available Fund Balance	<u>\$ 5,347,024</u>
Available Fund Balance - 2023	\$ 5,158,971
Increase in available FB	\$ 188,053



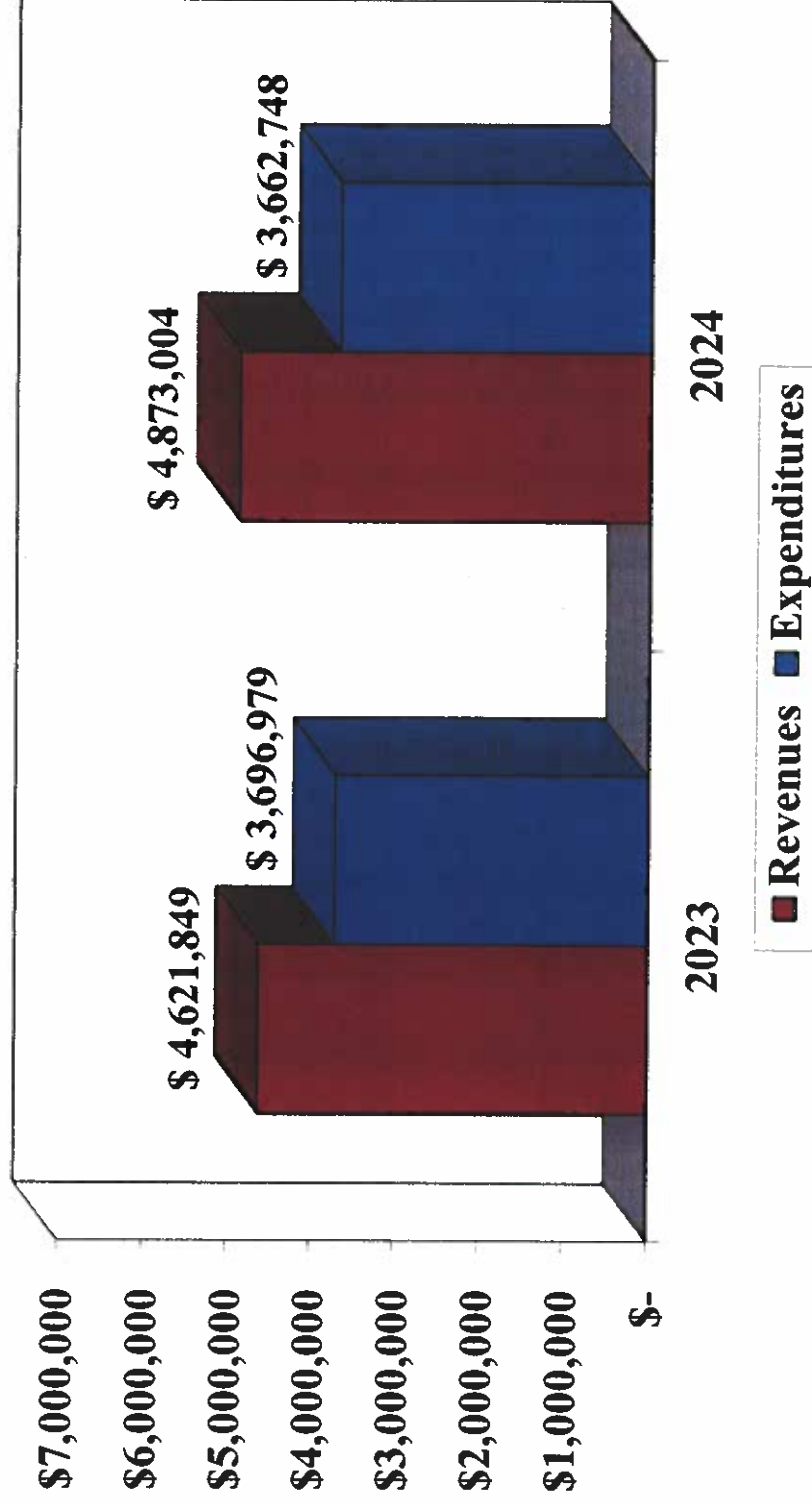
AVAILABLE FUND BALANCE AS A % OF EXPENDITURES – GENERAL FUND



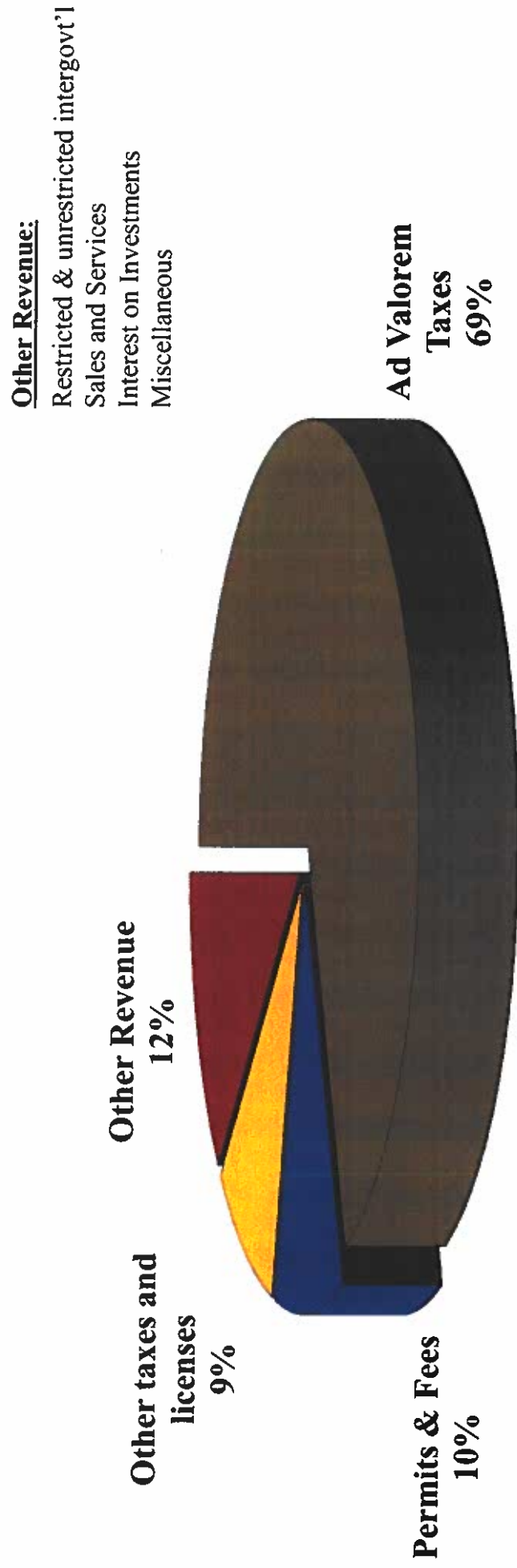
TOTAL FUND BALANCE: GENERAL FUND



GENERAL FUND SUMMARY

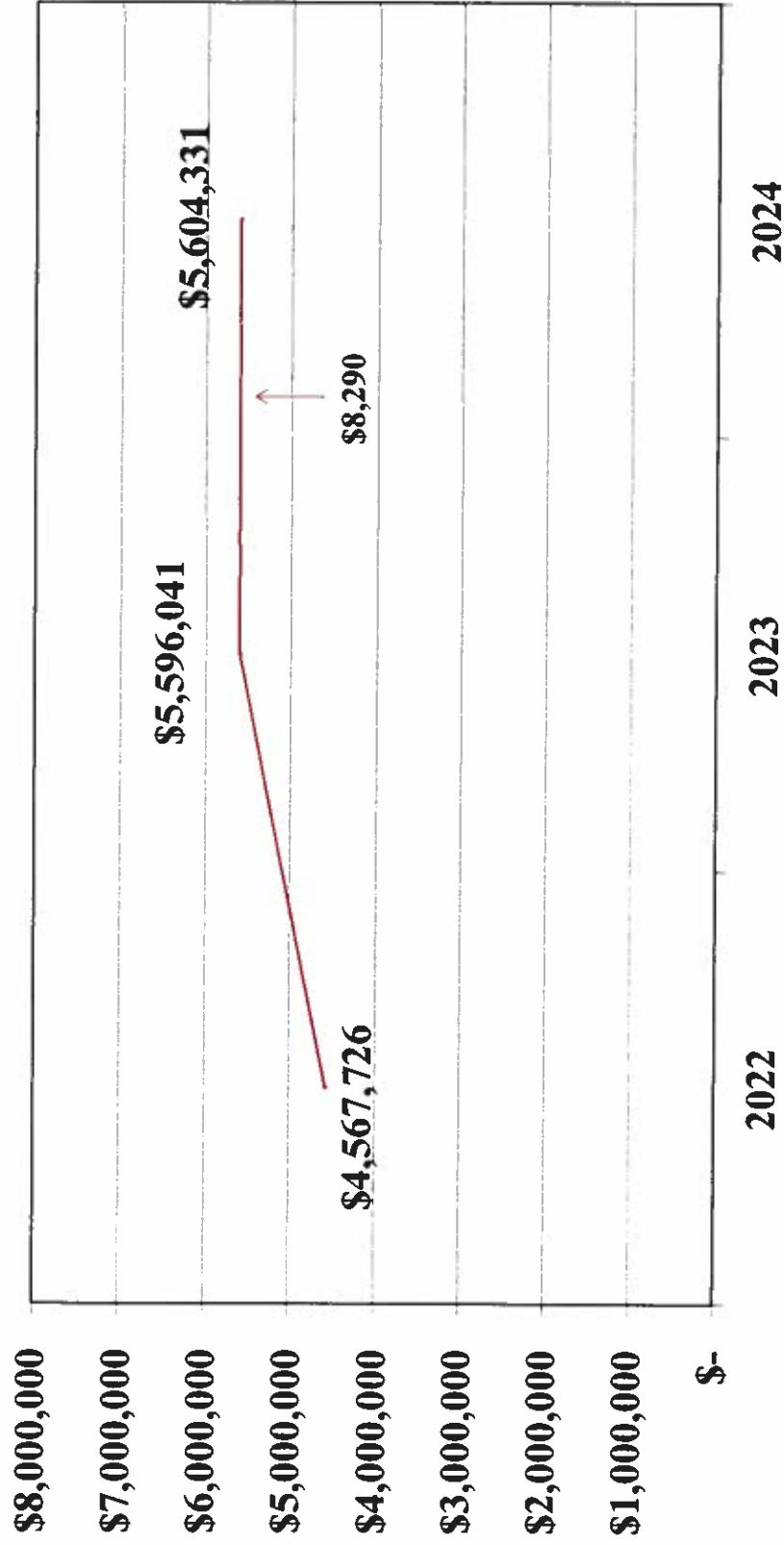


TOP 3 REVENUES: GENERAL FUND

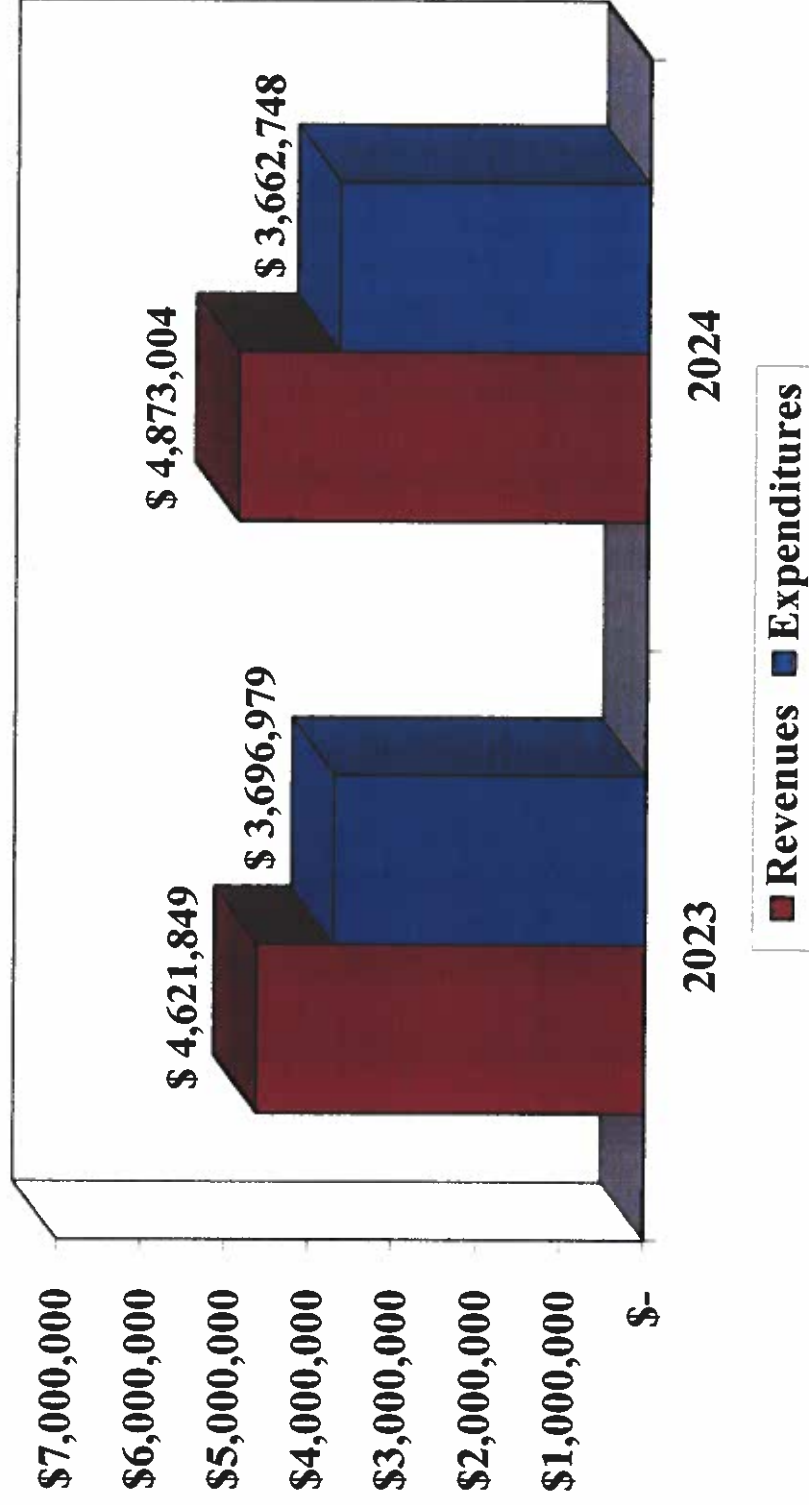


Top 3 comprise \$ 4,306,313 (88%) of revenues

TOTAL FUND BALANCE: GENERAL FUND



GENERAL FUND SUMMARY



TOP 3 REVENUES: GENERAL FUND

Other Revenue:

Restricted & unrestricted intergov't
Sales and Services
Interest on Investments
Miscellaneous

Other Revenue
12%

Other taxes and
licenses
9%

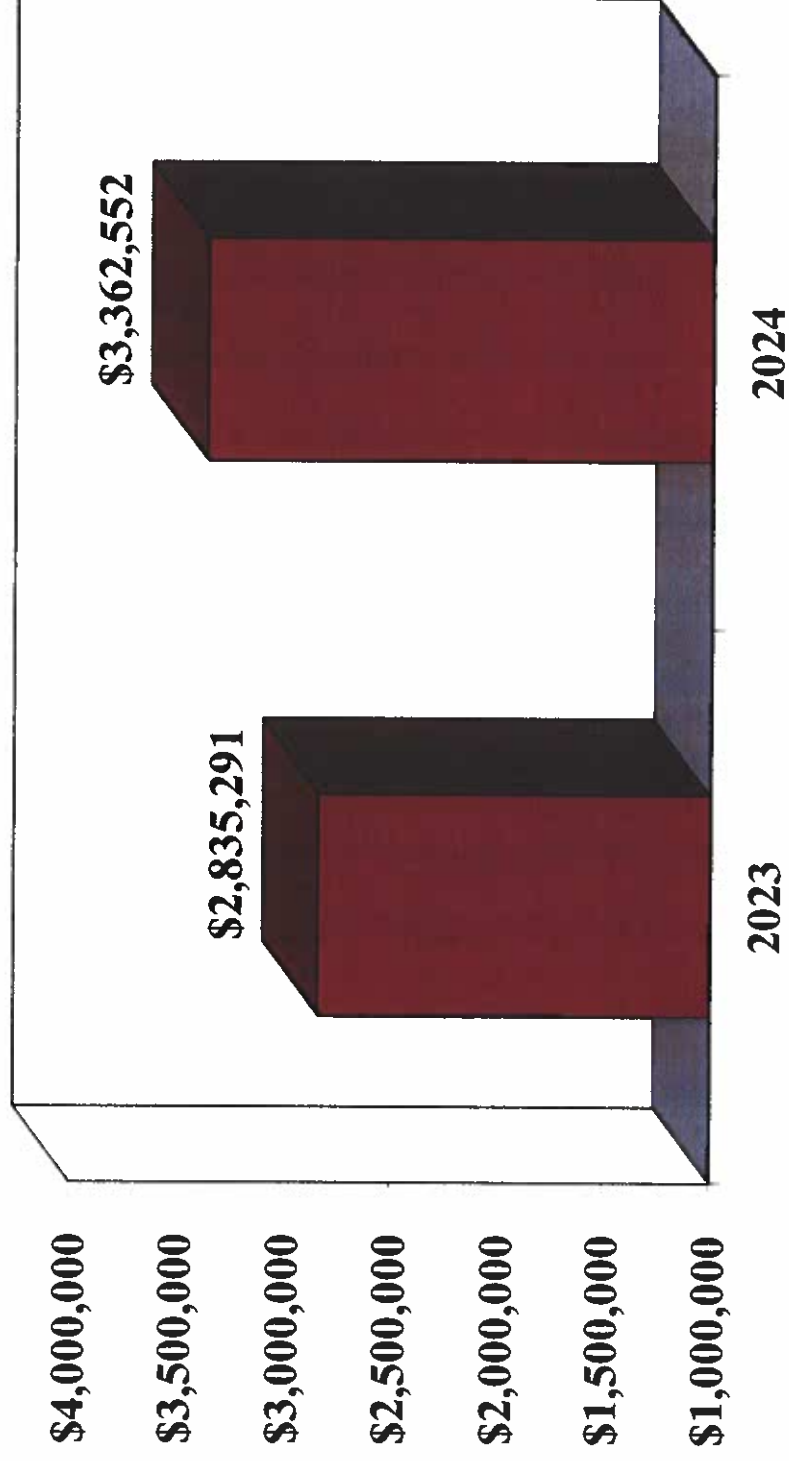
Permits & Fees
10%

Ad Valorem
Taxes
69%

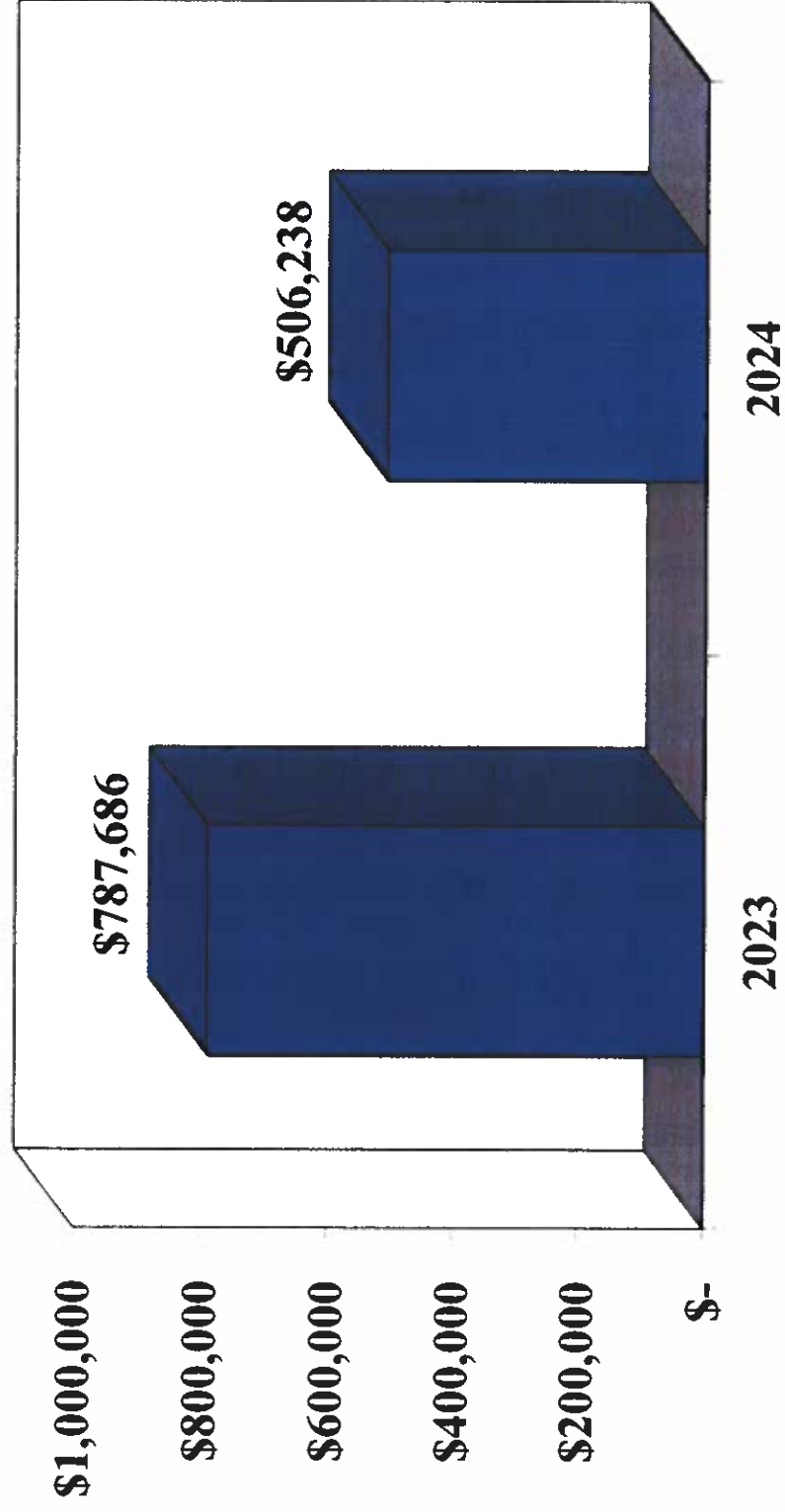


Top 3 comprise \$ 4,306,313 (88%) of revenues

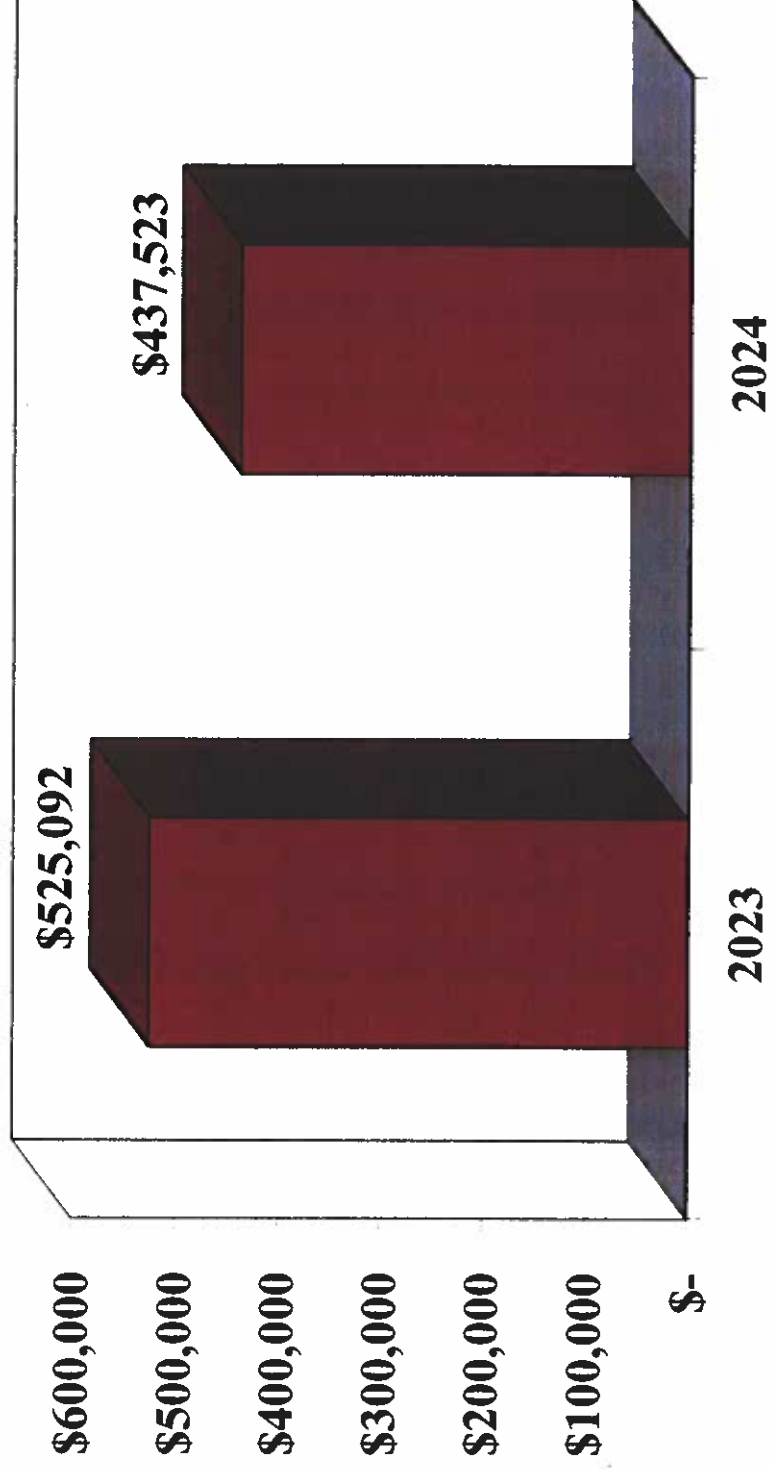
AD VALOREM TAXES



PERMITS & FEES



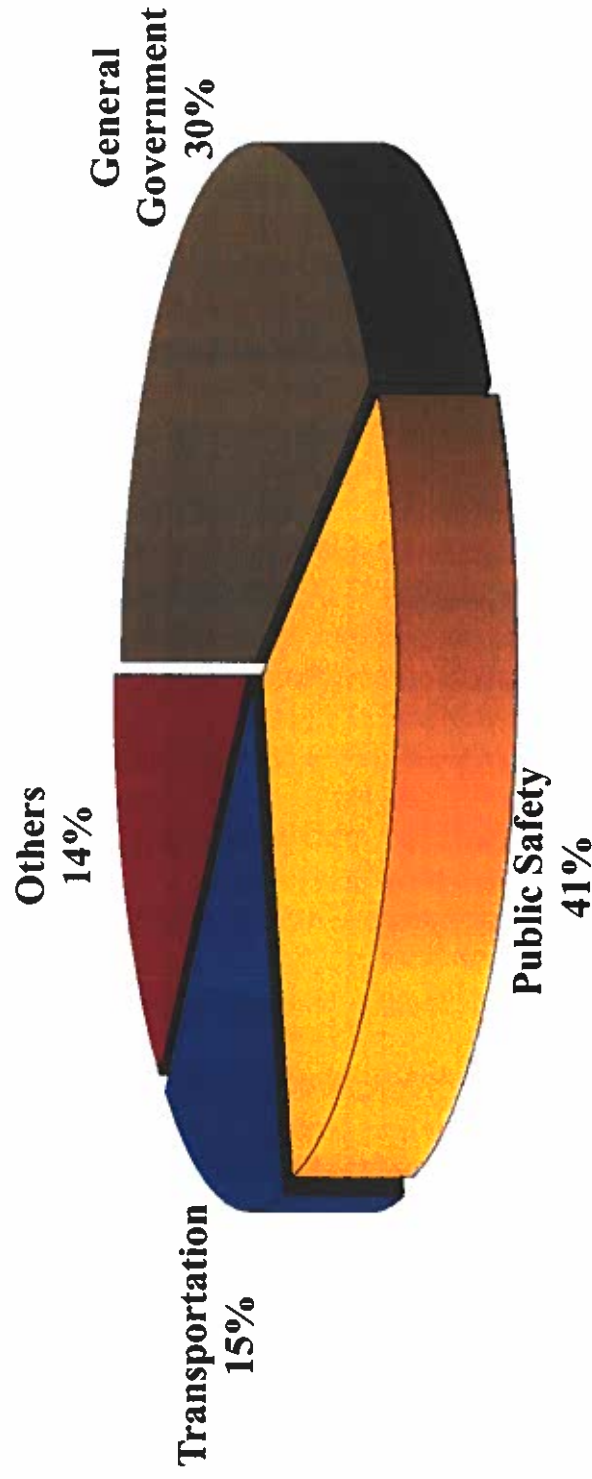
OTHER TAXES AND LICENSES



TOP 3 EXPENDITURES: GENERAL FUND

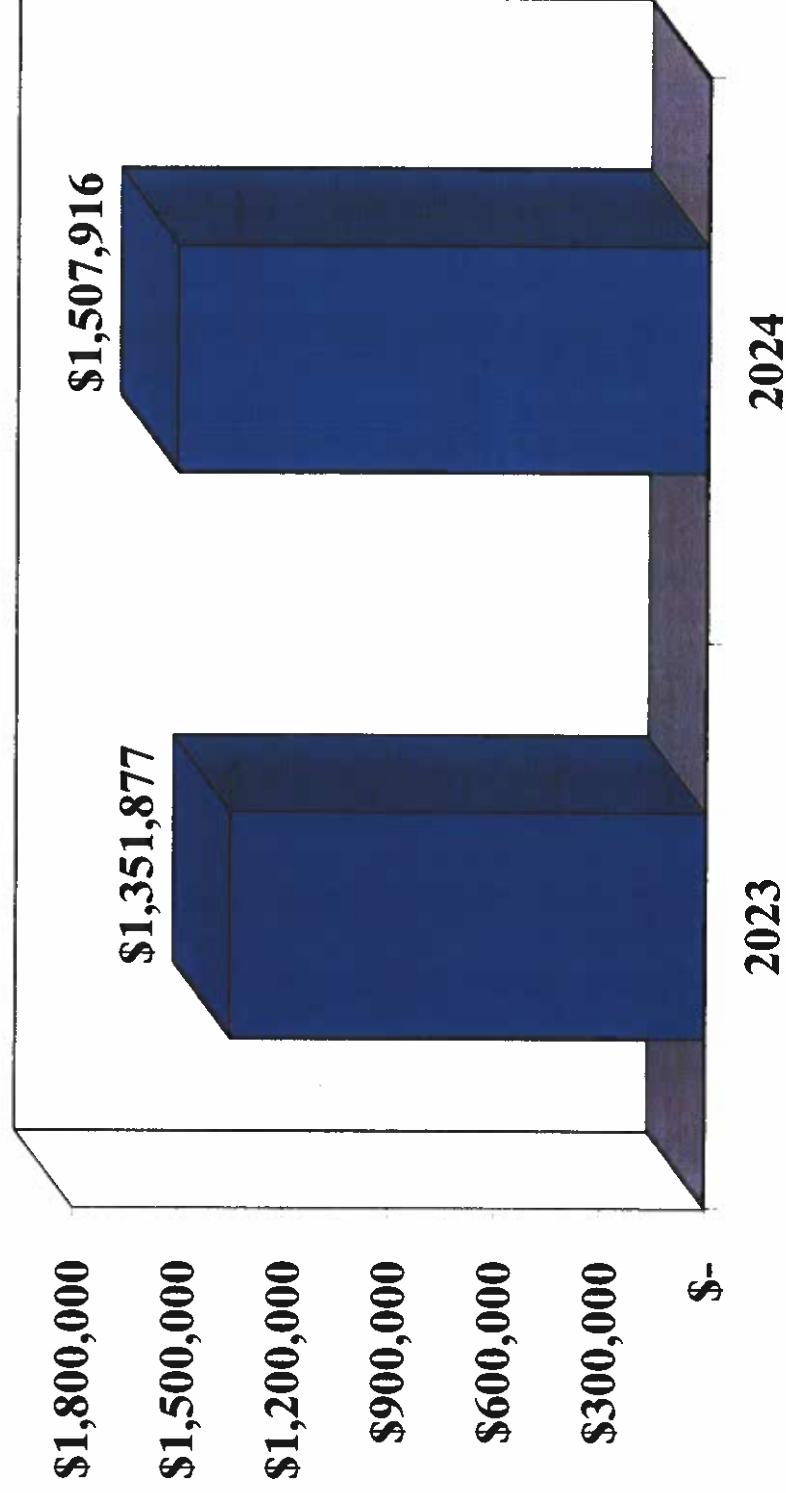
Other Expenditures:

Environmental Protection
Debt Service

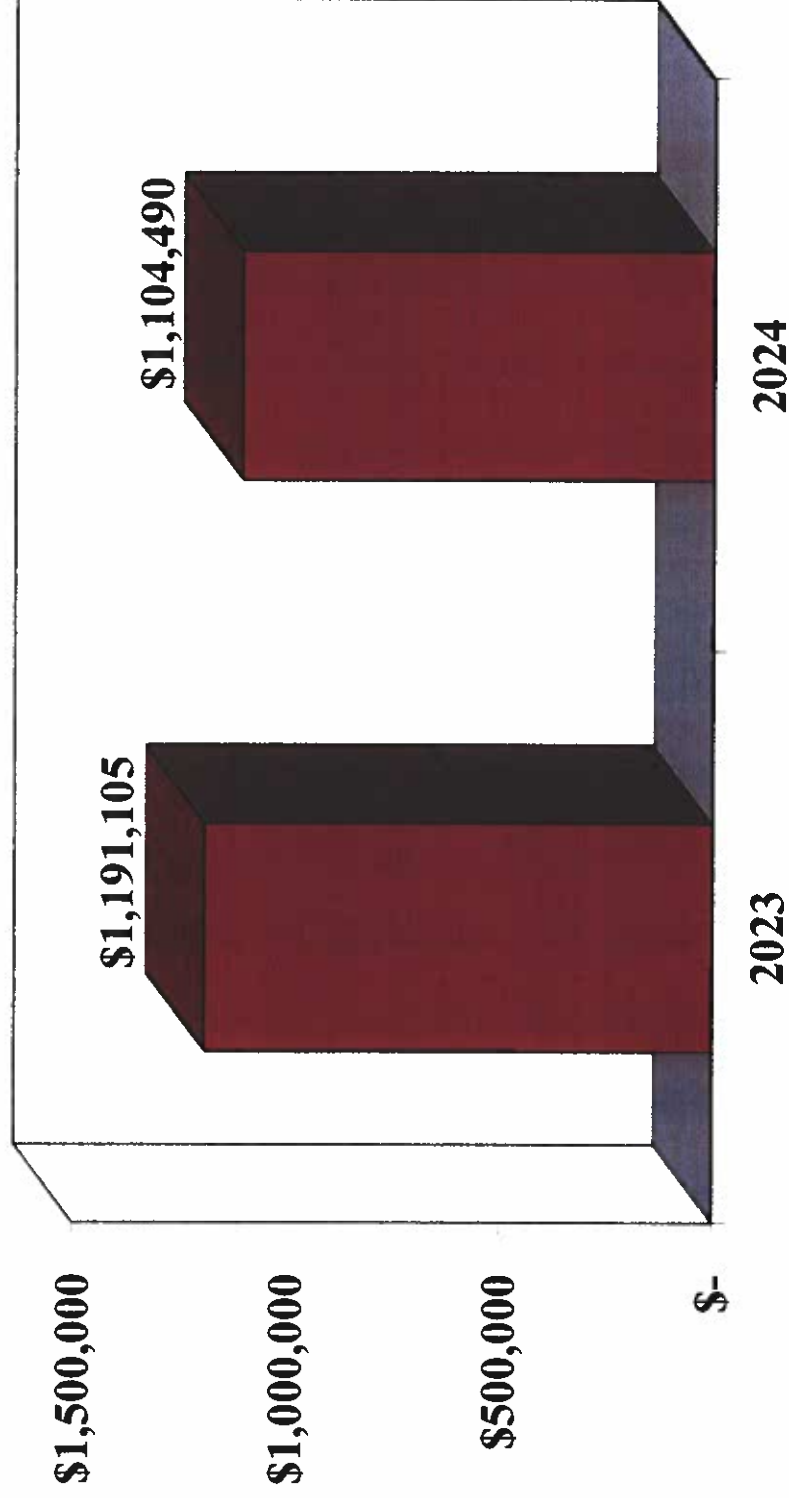


Top 3 comprise \$ 3,149,969 (86%) of expenditures

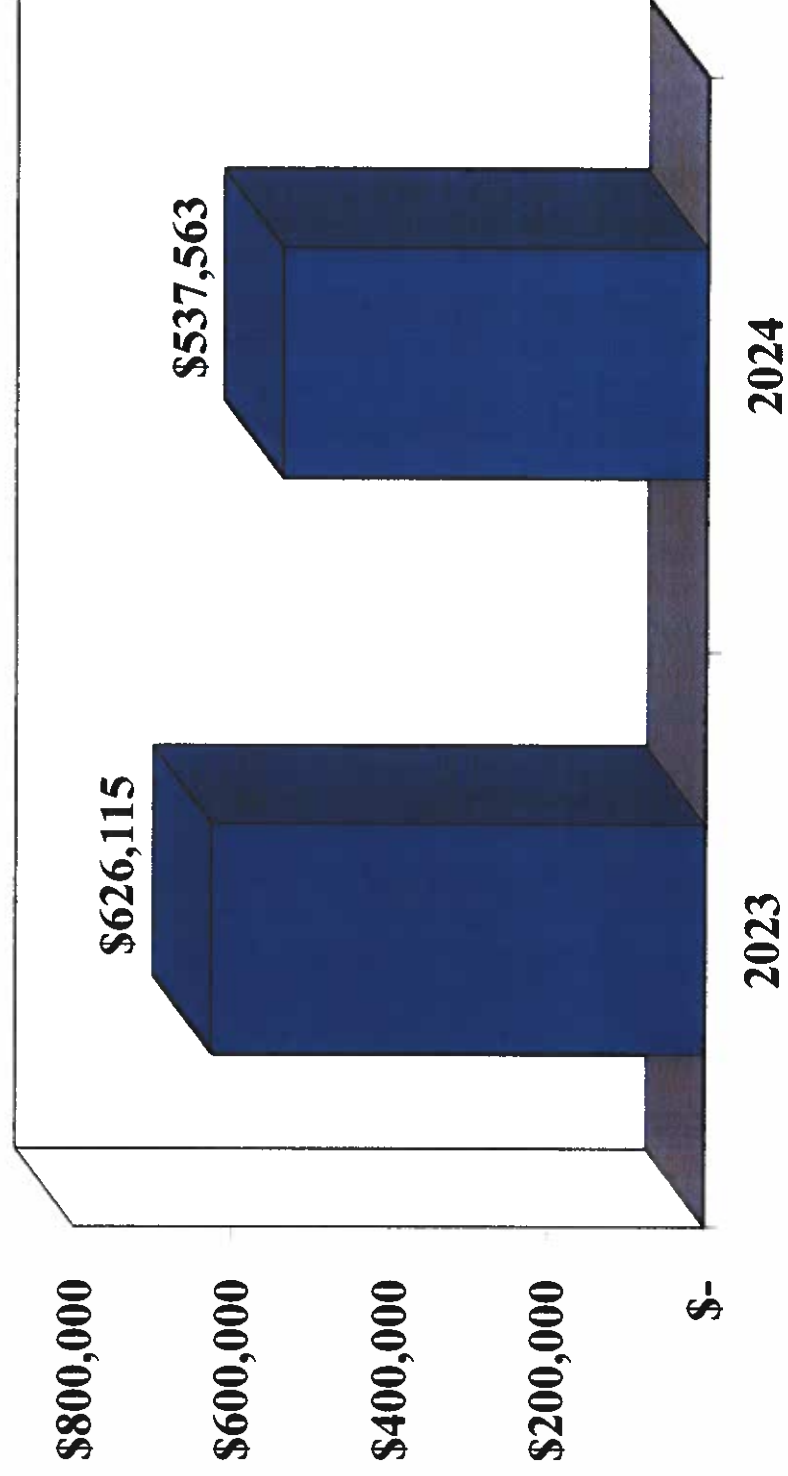
PUBLIC SAFETY EXPENDITURES



GENERAL GOVERNMENT



TRANSPORTATION

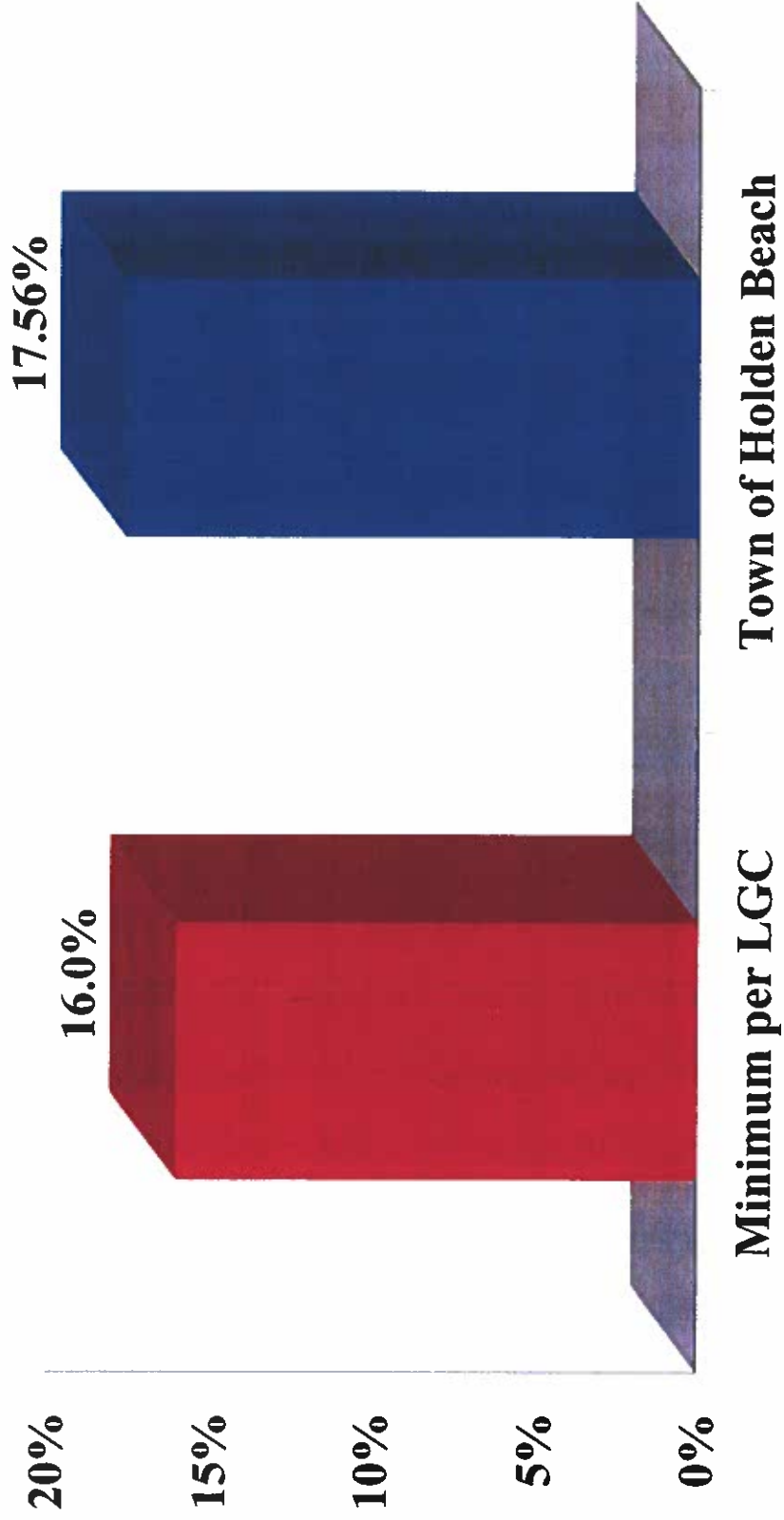


QUICK RATIO - WATER SEWER FUND

	<u>2023</u>	<u>2024</u>
Current Assets	\$ 1,252,222	\$ 1,197,035
Current Liabilities	\$ 340,827	\$ 380,892
Quick Ratio	3.67	3.14



PERFORMANCE INDICATOR



OPERATING INCOME PERFORMANCE – WATER AND SEWER

	2023	2024
Operating Income (Loss)	\$ (403,990)	\$ (272,610)
Add: Depreciation	633,325	640,691
Less: Debt Service	(513,586)	(510,171)
Operating Income Performance	\$ (284,251)	\$ (142,090)



PERFORMANCE INDICATOR

- ☐ Performance Indicator of Concern:
Water and Sewer- operating net loss (previous slide)
- ☐ Must provide letter to LGC within 60 days of audit presentation





Questions?

Elsa Swenson

828-327-2727

eswenson@msa.cpa

www.msa.cpa



MARTIN ♦ STARNES
& ASSOCIATES, CPAs, P.A.



Town of Holden Beach
AGENDA TOPIC COVER SHEET

TO: Holden Beach BOC

MEETING DATE: 11/19/24

FROM: Assistant Town Manager Ferguson

DATE SUBMITTED: 11/4/24

ISSUE/ACTION REQUESTED: Presentation by Fran Way, ATM regarding our annual beach monitoring.

BACKGROUND/PURPOSE OF REQUEST: Our coastal engineer, Fran Way, provides a yearly presentation of the status of the beach strand and dune system regarding erosional and accretional activity. The presentation explores data analysis of our annual beach surveys from the spring. The effort will conclude with an annual report that is used for a baseline in storm damage events.

FISCAL IMPACT: (select one)

BUDGET AMENDMENT REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
CAPITAL IMPROVEMENT PLAN ITEM:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
PRE-AUDIT CERTIFICATION REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/> N/A
REVIEWED BY FINANCE DIRECTOR:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/> N/A

CONTRACTS/AGREEMENTS: (select one)

REVIEWED BY TOWN ATTORNEY:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/> N/A
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ADVISORY BOARD RECOMMENDATION: N/A

FINANCE RECOMMENDATION: N/A

TOWN MANAGER'S RECOMMENDATION: Receive verbal report from the engineer.

DH



Date: November 4, 2024

To: Mayor Holden and Board of Commissioners

DM Town Manager-IN TURN

From: Christy Ferguson, Assistant Town Manager

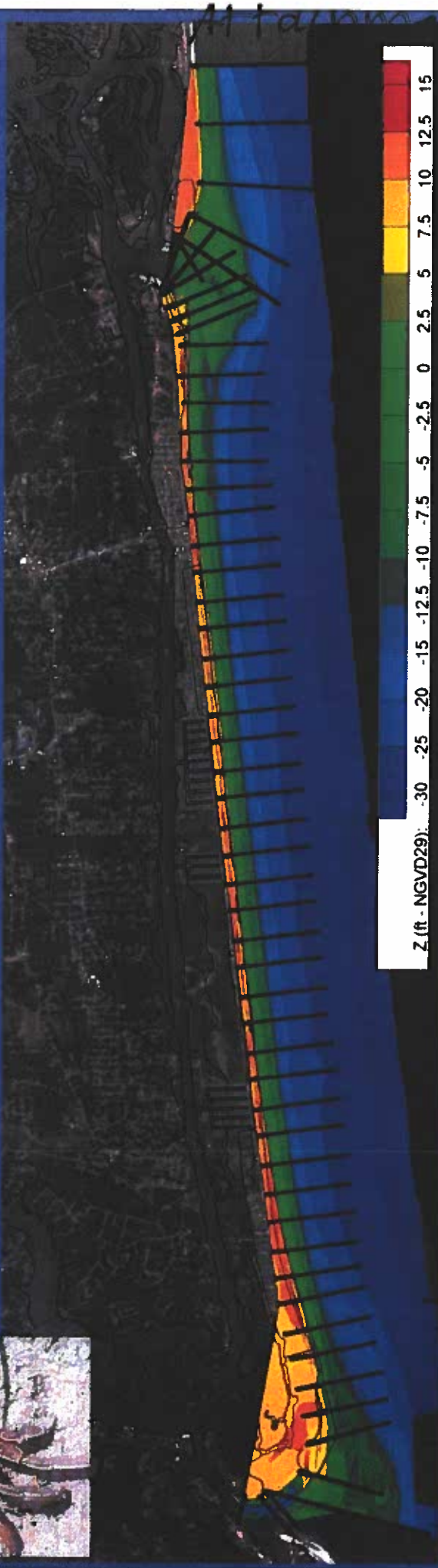
Re: Annual Beach Monitoring Report

The town participates in annual beach monitoring to maintain a healthy beach and dune system and to keep our engineered beach status. These reports are also instrumental in serving as a baseline account of sand volume as compared to post-storm surveys. Mr. Fran Way with ATM will present data from the annual report and highlight changes since last year. His presentation slides are attached to this memo.

Attachment 1: Presentation Slides

HOLDEN BEACH ANNUAL MONITORING

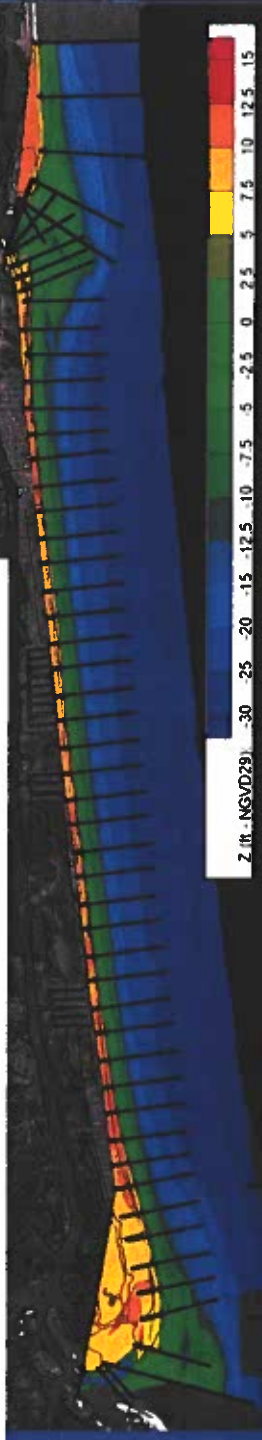
November 19, 2024



Marina, Coastal, Environmental
& Water Resources Engineers



Annual Monitoring Analysis



- Volume Change
- Shoreline Change
- Has occurred annually since 2001
- Nourishment Planning & FEMA Eligibility

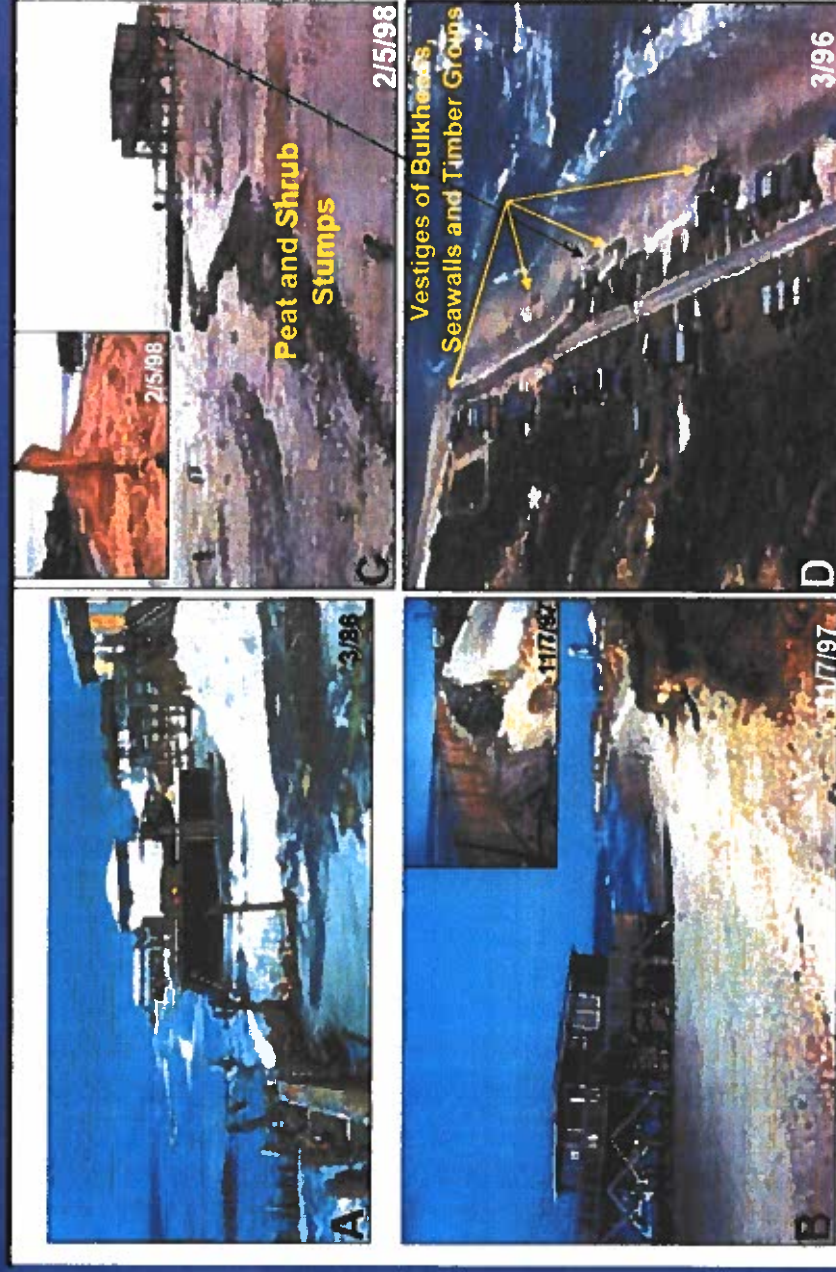
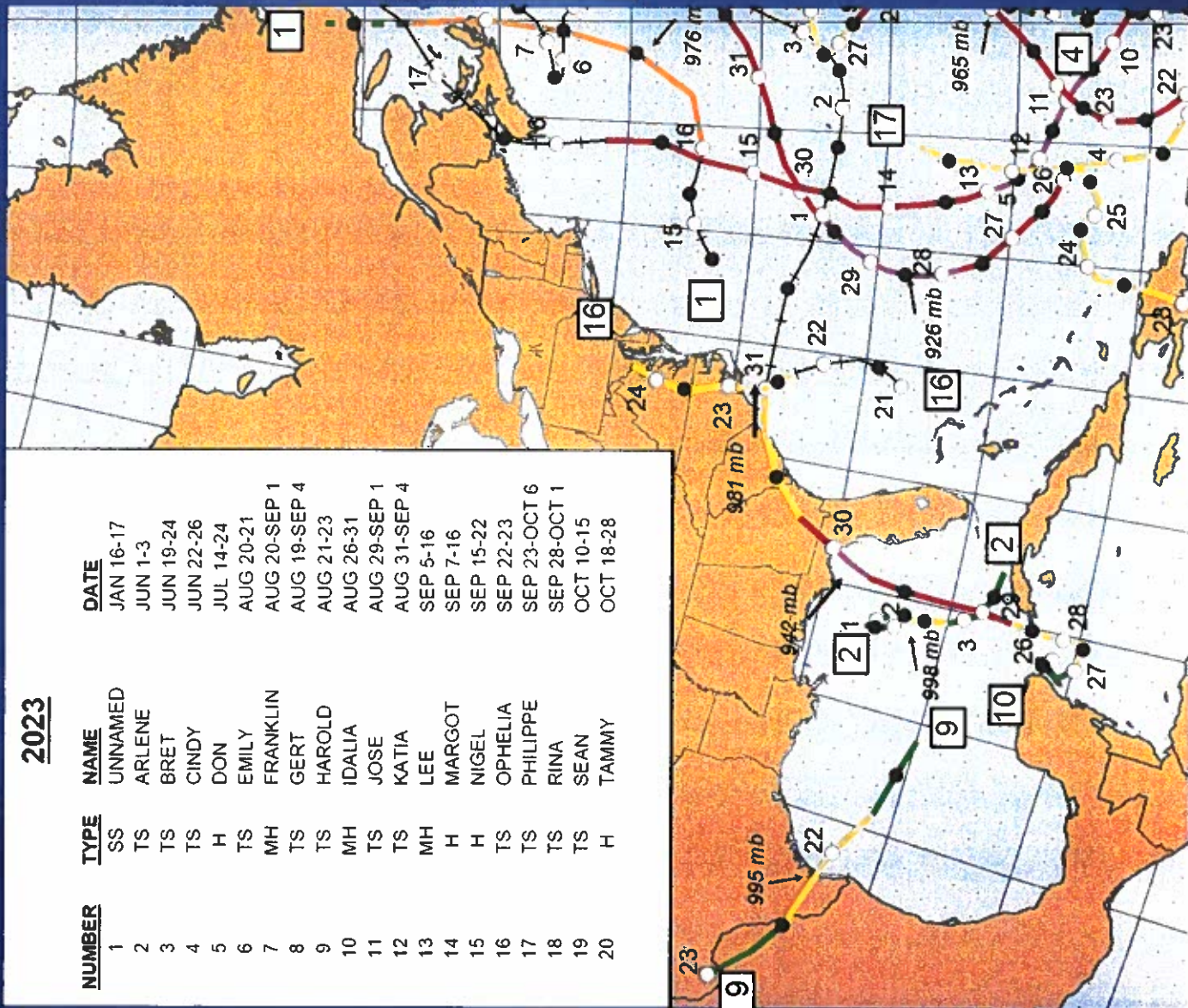


Figure 39. Photographs of the eastern portion of Holden Beach. **A** West view (3/86) of eroding shoreline and houses stranded on recreational beach. Note bulkheads, timber groups and vestiges of seawalls that litter the beach. The eastern portion of Holden Beach shoreline near the inlet has been a chronic erosion zone since the late 1970s. **B** West view (11/7/97) of same area in "A" retreat of the shoreline, removal of all but one home and a refurbished dune/dike composed of truck hauled sand. **C** Aerial photograph of house on beach and pier exposure. Insert depicts dike along road. **D** Aerial photograph depicting shoreline and chronic erosion zone. Note the homes fronted by bulkheads and remnants of those destroyed.

2023 Hurricane Season

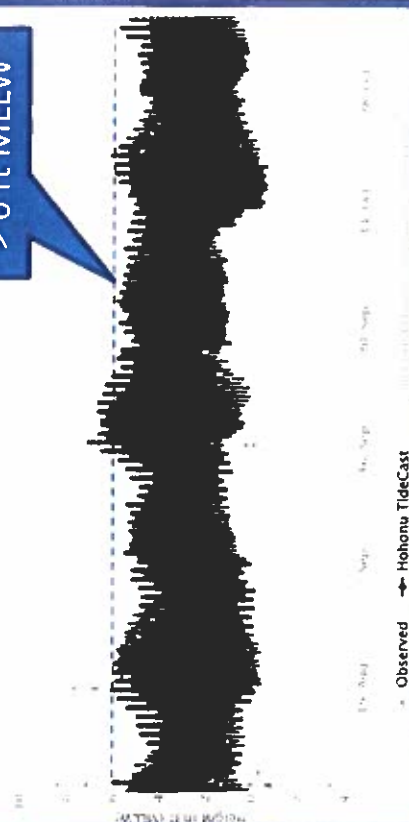
2023

NUMBER	TYPE	NAME	DATE
1	SS	UNNAMED	JAN 16-17
2	TS	ARLENE	JUN 1-3
3	TS	BRET	JUN 19-24
4	TS	CINDY	JUN 22-26
5	H	DON	JUL 14-24
6	TS	EMILY	AUG 20-21
7	MH	FRANKLIN	AUG 20-SEP 1
8	TS	GERT	AUG 19-SEP 4
9	TS	HAROLD	AUG 21-23
10	MH	IDALIA	AUG 26-31
11	TS	JOSE	AUG 29-SEP 1
12	TS	KATIA	AUG 31-SEP 4
13	MH	LEE	SEP 5-16
14	H	MARGOT	SEP 7-16
15	H	NIGEL	SEP 15-22
16	TS	OPHELIA	SEP 22-23
17	TS	PHILIPPE	SEP 23-OCT 6
18	TS	RINA	SEP 28-OCT 1
19	TS	SEAN	OCT 10-15
20	H	TAMMY	OCT 18-28



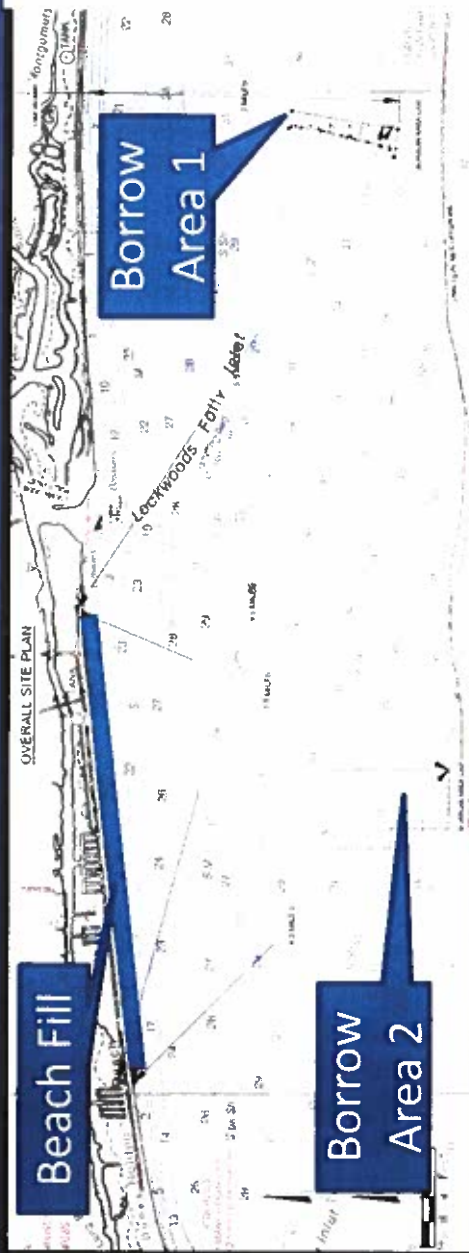
Water level

> 6 ft MLLW



- Major Hurricane
 - Hurricane
 - Tropical Storm
 - Tropical Depression
 - Subtropical Storm
 - Subtropical Depression
 - Extratropical
 - Wave/Low/Disturbance
 - Position at 0000 UTC*
 - Position/date at 1200 UTC
 - # Storm Number
 - ppp Minimum Pressure (mb)
- For readability, not all 00Z points are shown for all storms.

2022 Nourishment (Jan 7 to April 12)



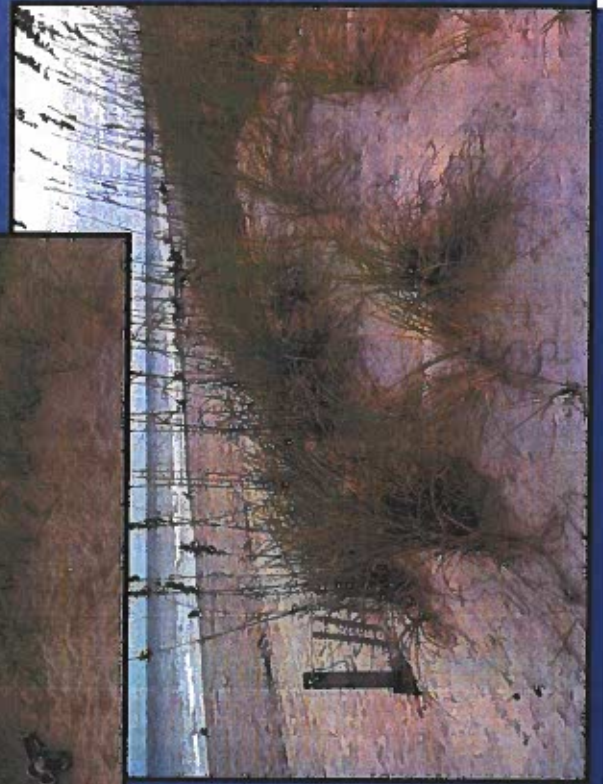
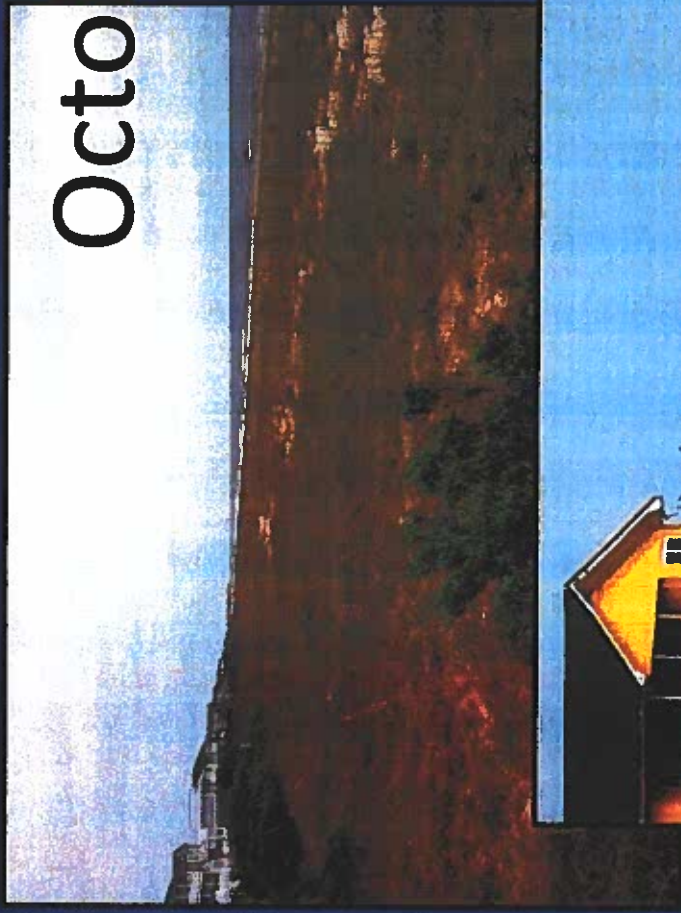
R.N. Weeks



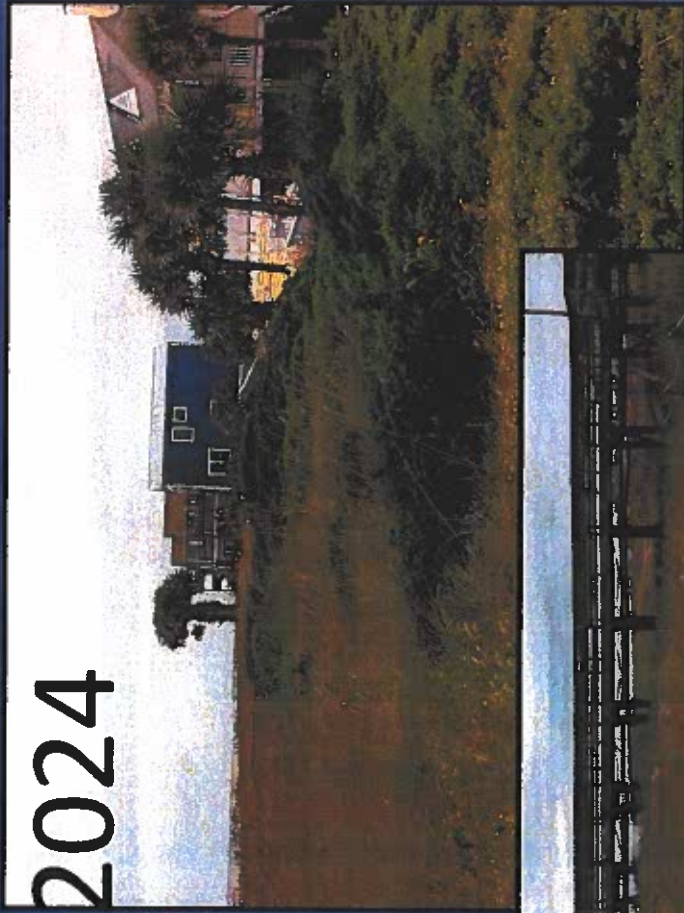
B.E. Lindholm

Now ~2.5 Yrs Post Project

October 2024

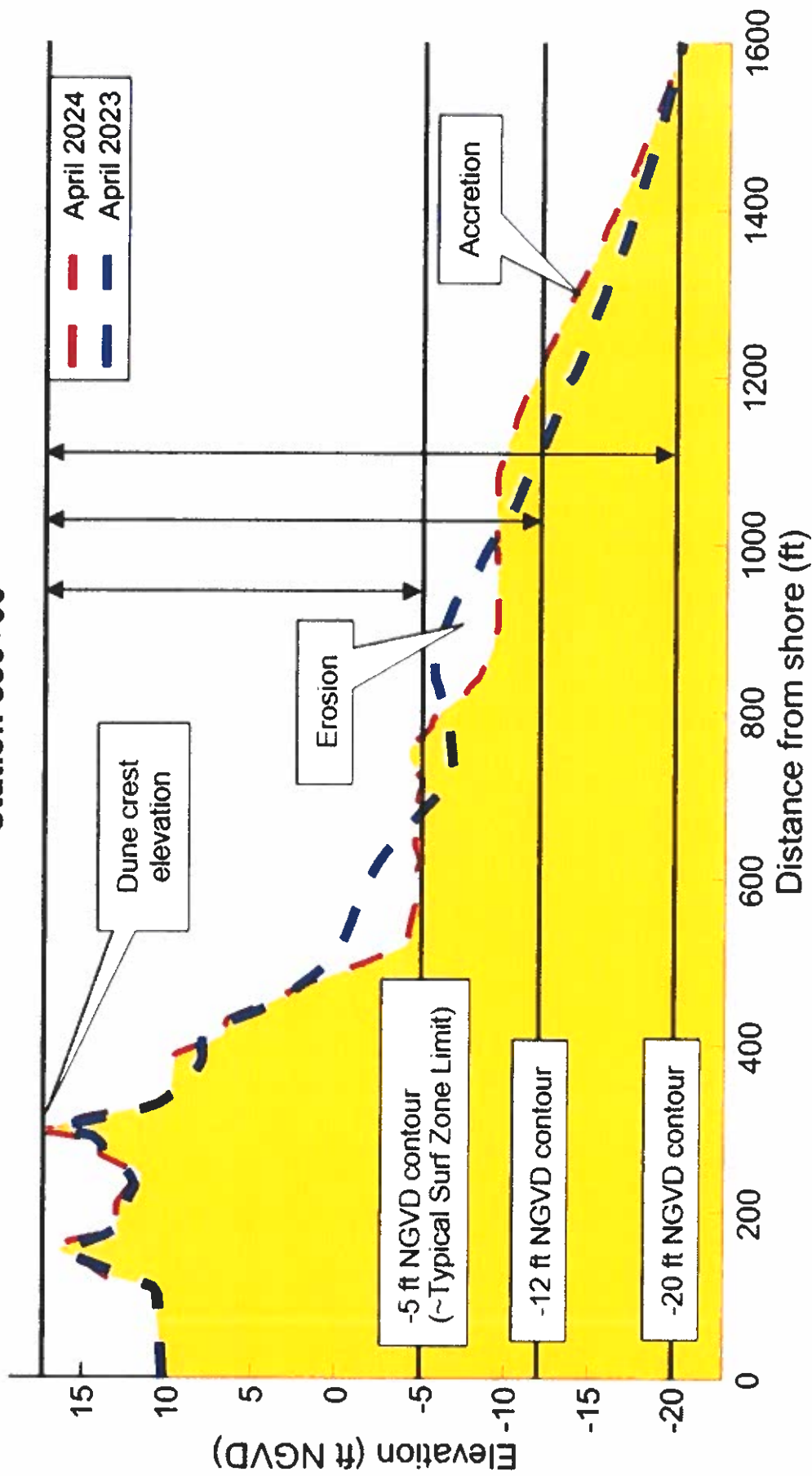


Beach and
Dune System in
Good Shape



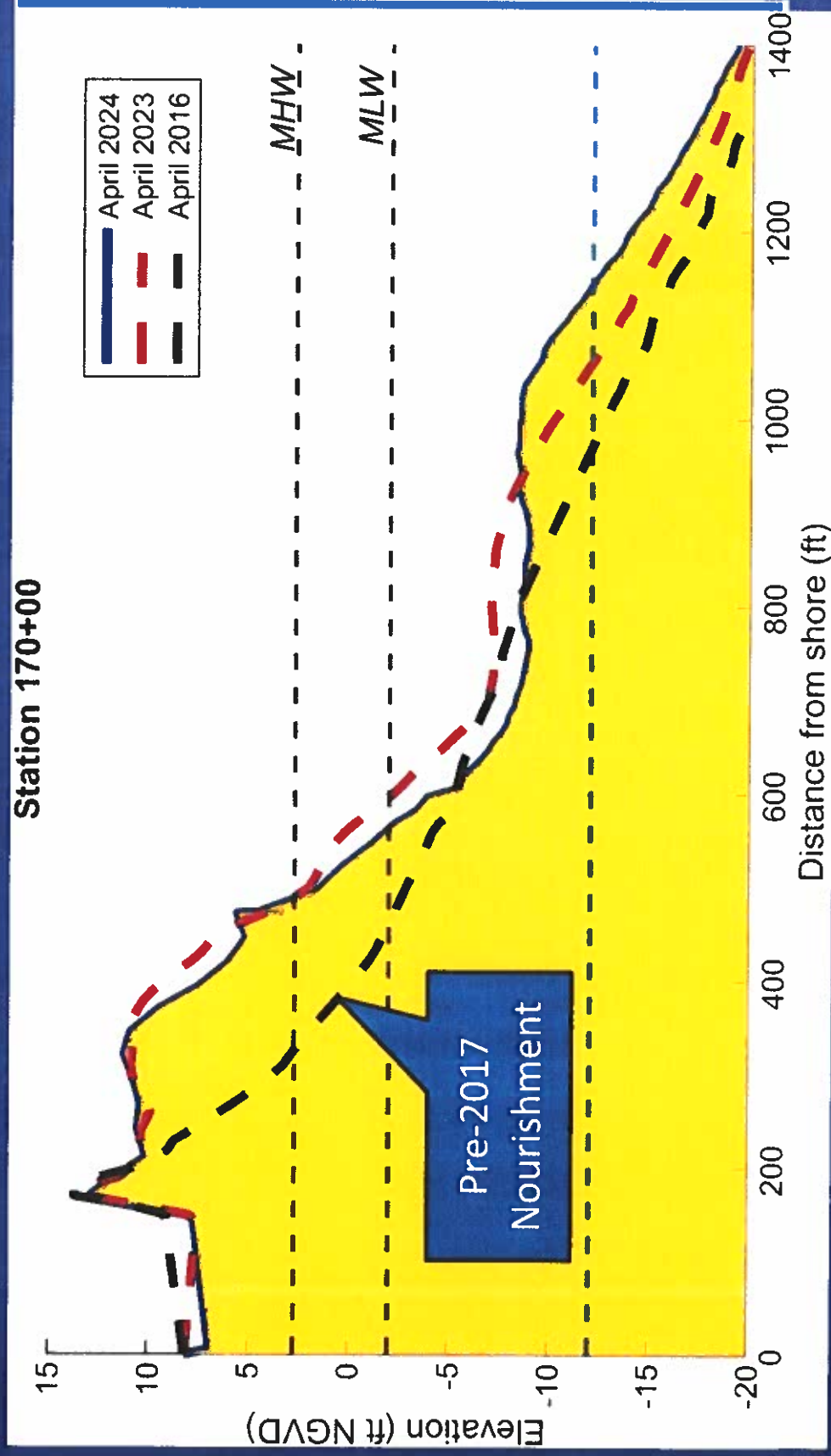
Volume Analysis

Station 330+00



-5 ft, -12 ft and -20 ft

Cumulative Effect of 2017 and 2022 Nourishments



Still ~1.8 Million CY in Central Reach compared with Pre-2017 (Hurricane Matthew Conditions)

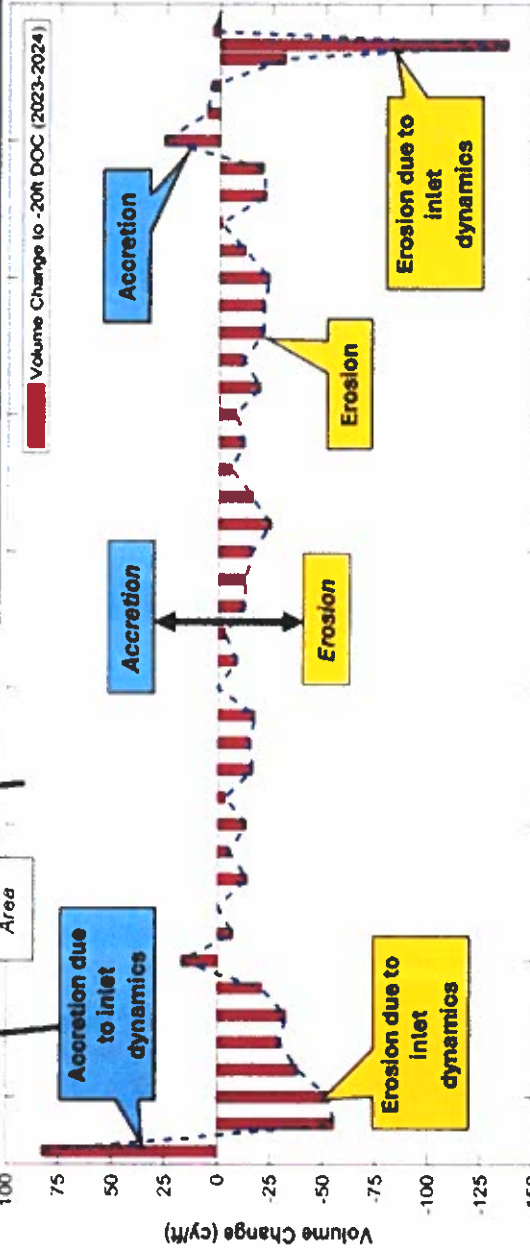
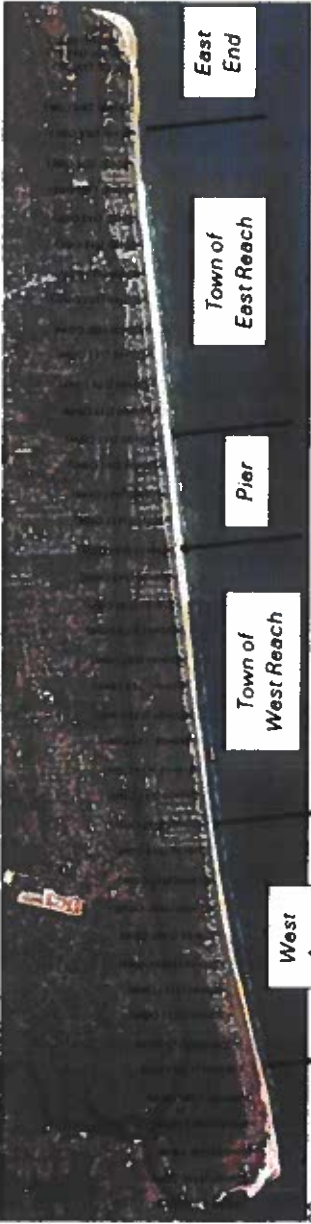


Table 3-1 Volume Change by Shoreline Reach for 2023 and 2024 Surveys

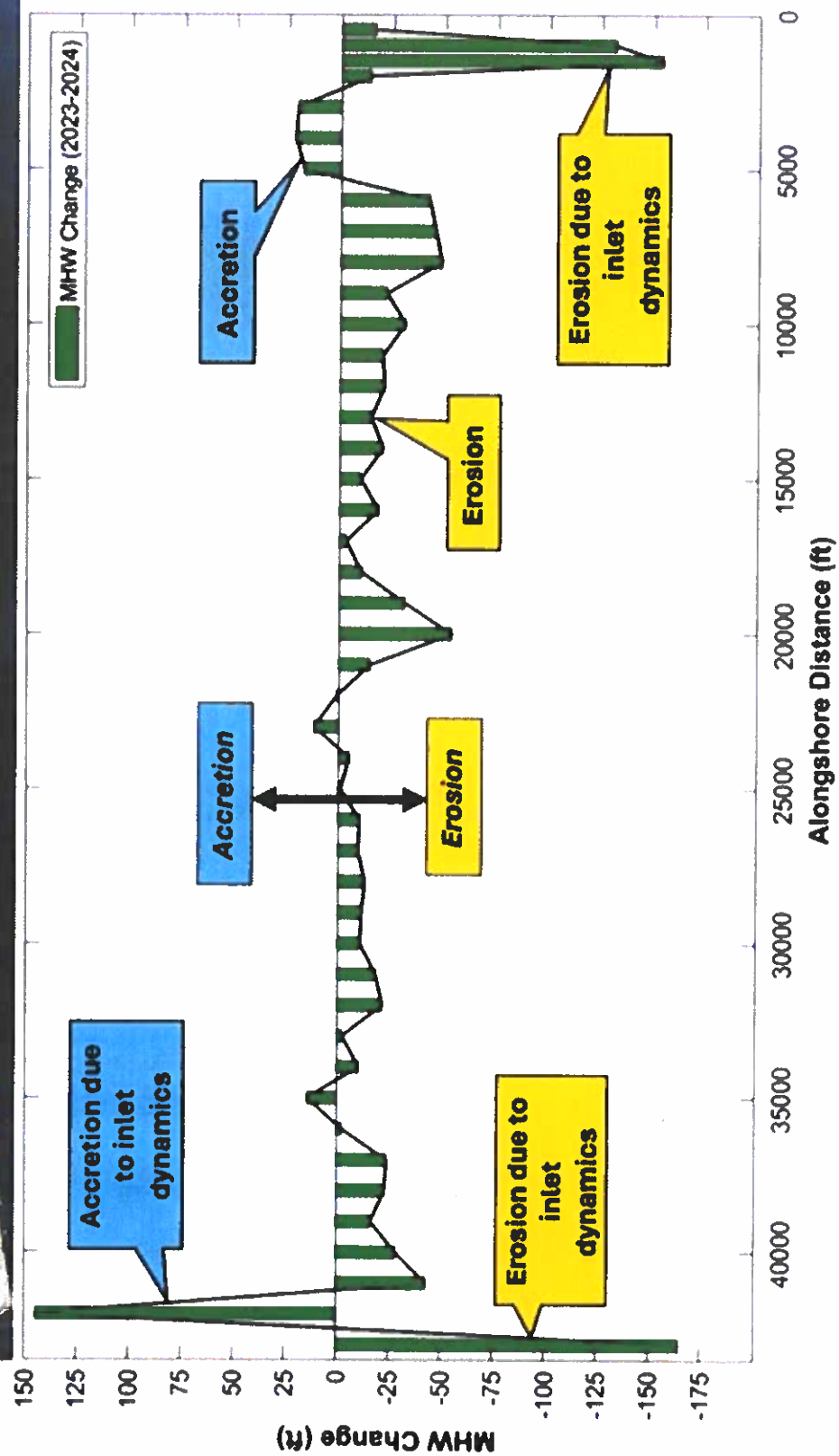
Reach Averages	Stations Included	Total Volume Change (CY) (Dune to -20 ft NGVD)	Dry Beach/Surf Zone Volume Change (CY) (Dune to -5 ft)	Surf/Depth-of-Closure Change (CY) (-5 ft to -20 ft NGVD)*	Offshore Depth-of Closure Volume Change (CY) (-12 ft to -20 ft NGVD)
LWF Inlet	5 to 15	-32,000	-38,000	6,000	-1,000
USACE East	15 to 40	-50,000	24,000	-74,000	4,000
Town East	40 to 150	-129,000	-153,000	24,000	192,000
Pier	150 to 190	-50,000	-69,000	19,000	60,000
Town West	190 to 290	-117,000	-138,000	21,000	162,000
West Area	290 to 380	-94,000	-145,000	51,000	109,000
Shallotte Inlet	380 to 420	14,000	-69,000	83,000	85,000
TOTAL		-458,000	-588,000	130,000	611,000
Central Reach	40 to 290	-296,000	-360,000	64,000	414,000

*Negative values indicate likely sediment movement from dry beach/surf zone area to surf zone depth-of-closure area

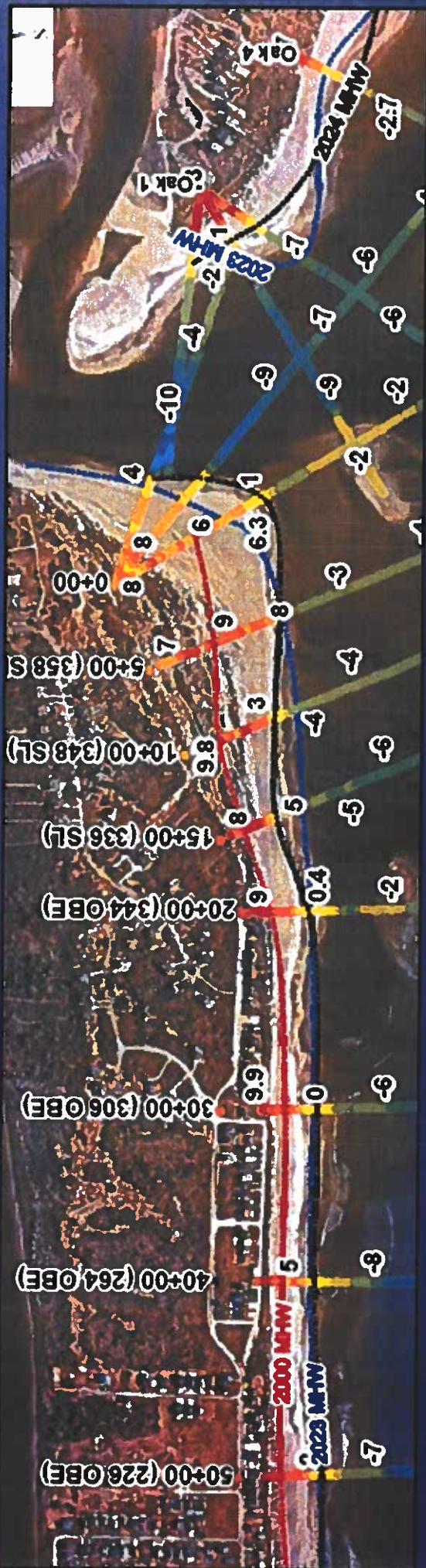
Volume Change (to -12 ft)

- ~ 2.5 Years Post Nourishment –
- Fill Moving to Nearshore (10-20 ft Depths)

Mean High Water (MHW) Shoreline Change



Inlet Shorelines



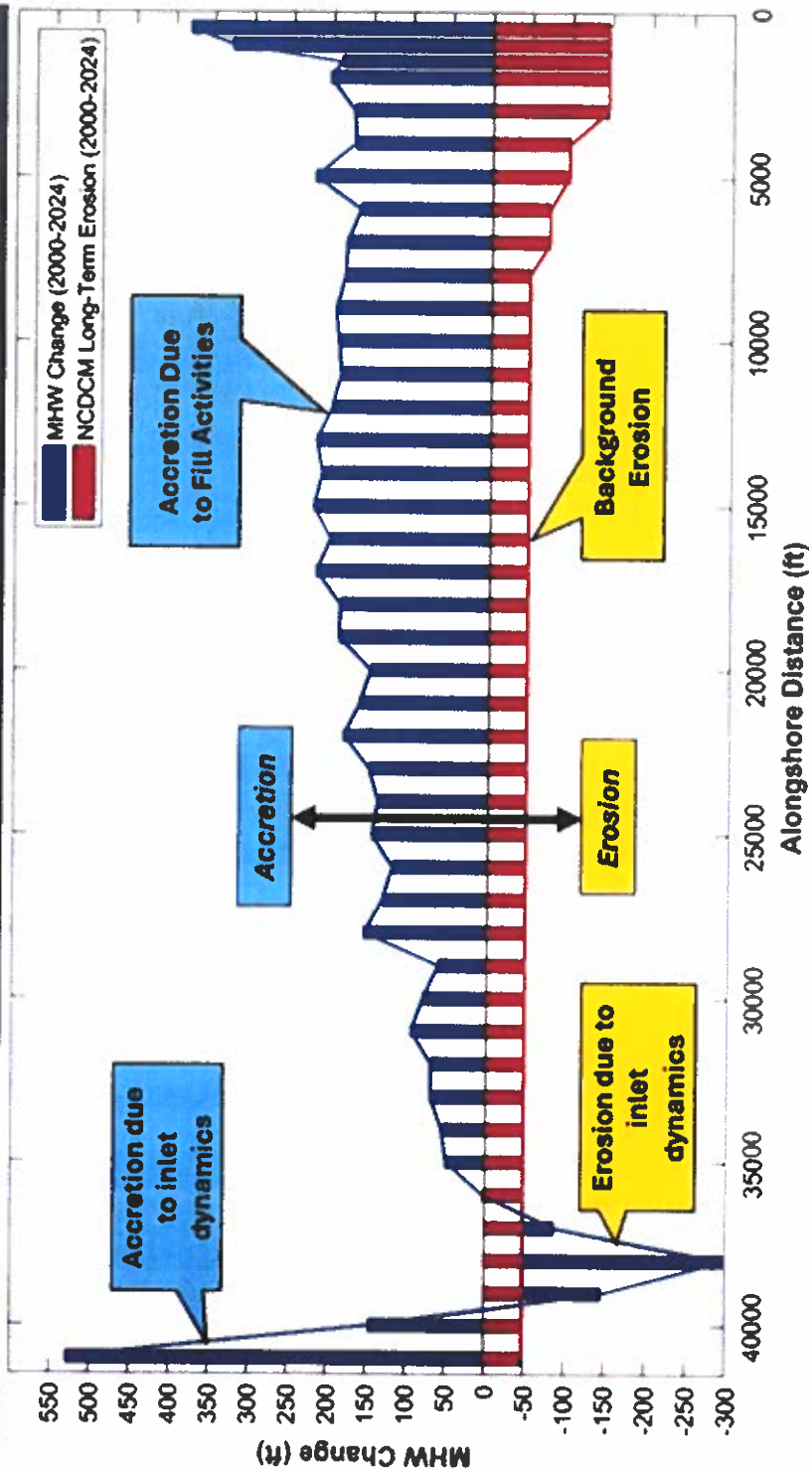
2000 to 2024

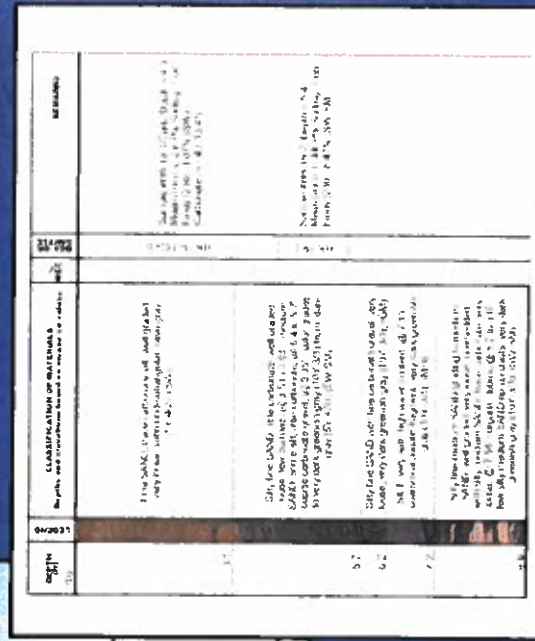
Beach much healthier now



Table 3-4. Historical MHW Shoreline Change by Reach (2000 to 2024)

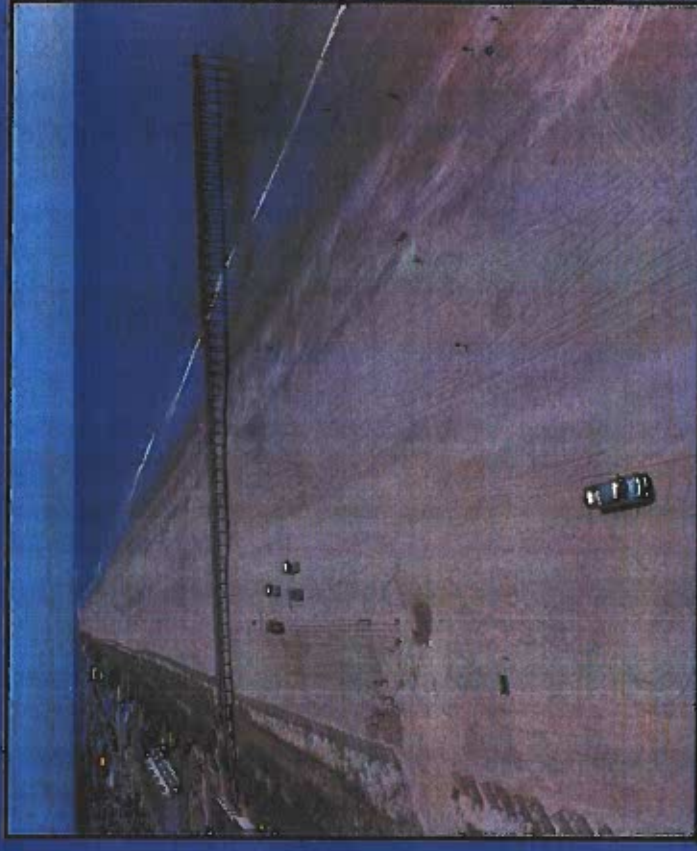
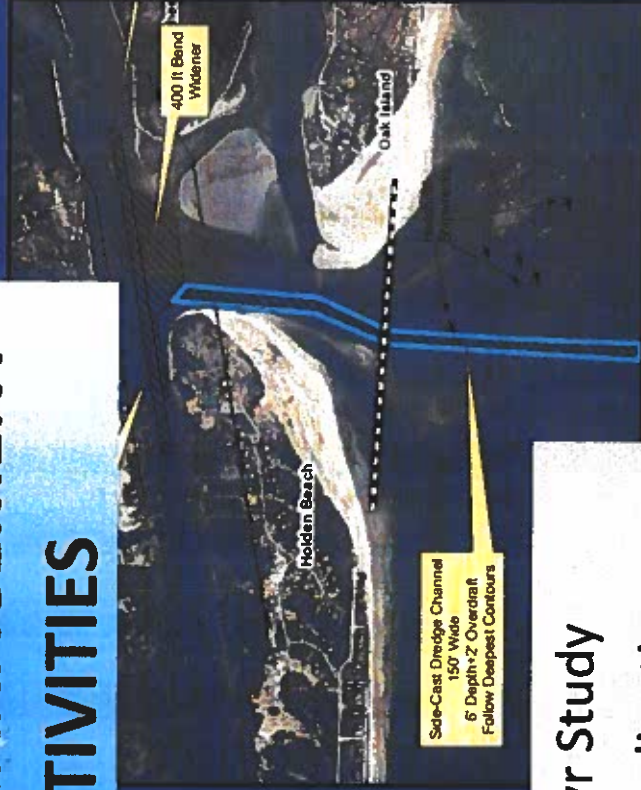
Reach Averages	Stations Included	Historical MHW Change (2000 to 2024) (ft)
LWF Inlet	5 to 15	+299.9
USACE East	15 to 40	+184.1
Town East	40 to 150	+196.6
Pier	150 to 190	+204.1
Town West	190 to 290	+144.6
West Area	290 to 380	+9.9
Shallotte Inlet	380 to 420	+57.8
Central Reach	40 to 290	+175.3



[illegible]

52

ONGOING HB BEACH MANAGEMENT ACTIVITIES



- Corps 50-yr Study
- FEMA Coordination
- LWFIX & Bend-Widener
- LWF Outer Channel Dredging/Navigation
- West End Analysis (Ocean Isle Terminal Groin)
- Permit Application For Offshore Borrow Area





Town of Holden Beach AGENDA TOPIC COVER SHEET

TO: Holden Beach BOC

MEETING DATE: November 19, 2024

FROM: Chris Clemmons, Public Works Director DATE SUBMITTED: September 6, 2024

ISSUE/ACTION REQUESTED: Discussion and Possible Action on the Results of the Town of Holden Beach 2024 Pavement Condition Survey Update

BACKGROUND/PURPOSE OF REQUEST: This is an update to the Pavement Condition Plan that was established in 2008. Since the plan was implemented, approximately \$1.5 million in improvements have been completed. It updates the priority and pricing.

FISCAL IMPACT: (select one)

BUDGET AMENDMENT REQUIRED:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
CAPITAL IMPROVEMENT PLAN ITEM:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
PRE-AUDIT CERTIFICATION REQUIRED:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
REVIEWED BY FINANCE DIRECTOR:	YES <input type="checkbox"/>	NO <input type="checkbox"/>

CONTRACTS/AGREEMENTS: (select one)

REVIEWED BY TOWN ATTORNEY:	YES <input type="checkbox"/>	NO <input type="checkbox"/>
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ADVISORY BOARD RECOMMENDATION: N/A

FINANCE RECOMMENDATION: N/A

TOWN MANAGER'S RECOMMENDATION: Review and approve.

ATTACHMENT: 2024 Pavement Condition Survey



Holden Beach Police Department

Chief Jeremy Dixon

110 Rothschild St
Holden Beach, NC 28462
www.hbtownhall.com

Phone: 910-842-8747
Fax: 910-846-6907
jeremy.dixon@hbtownhall.com

Memo – October 2024 Police Report

To: David Hewett, Town Manager
HB Board of Commissioners

Ref: BOC Meeting 11/19/24

Chief Dixon, Lieutenant Dilworth, and Sgt. Milligan are all currently at the NC Justice Academy for three days of 2025 Legal and In-Service Training Updates. As Certified Law Enforcement Instructors, this material is what we bring back each year to train our officers.


October's report shows nothing of significant concern to bring to the board's attention.

Internally, one officer has tendered his resignation to seek other opportunities. We now have 4 vacancies (3 patrol, 1 detective). We have also exhausted all efforts on background investigations and interviews for applicants and have not found a suitable candidate or extended an offer of employment. We currently have no active applications we are working on.

Would like to assure the community that even though we are short-staffed, we are as dedicated as ever to being vigilant in our duties to this community and maintaining the safety and well-being of everyone.

From our family at the Holden Beach Police Department to your family – HAPPY THANKSGIVING!

Respectfully submitted,


Jeremy Dixon, Police Chief
Holden Beach Police Department



Holden Beach Police Department

110 Rothschild St
Holden Beach, NC 28462
www.hbtownhall.com

Phone: 910-842-6707
Fax: 910-846-6907
info@hbtownhall.com



Calls For Service (October '24)

Printed on November 4, 2024

Descriptions	Totals	
Alarm (SIG45 Signal 45)	17	17
Animal Control Call	7	7
Assist Other Agency (EMS)	1	1
Attempt to Locate (ATL)	8	8
Breaking and Entering in Progress (10-62 x62)	2	2
Breathing Problems [Delta]	2	2
Call By Phone (10-21Law x21L)	22	22
Call By Phone (10-21Law x21L); Take Written Report (10-92 x92)	1	1
Call By Phone (10-21Law x21L); Traffic Accident (Property Damage Only 10-50PD x50PD)	1	1
Careless & Reckless (C&R)	1	1
Chest Pain or Discomfort [Delta]	2	2
Coastal Flare Sighting [Delta]	1	1
Crime in Progress (10-64 x64)	1	1
Debris in Roadway	1	1
Diabetic Problems [Charlie]	1	1
Disabled Motorist (10-87 x87)	7	7
Disturbance or Disorderly Subject	5	5
Disturbance or Disorderly Subject, Careless & Reckless (C&R)	1	1
Domestic Disturbance (10-82 x82)	1	1
Falls [Bravo]	1	1

Descriptions	Totals	
Fire Alarm [Bravo]	1	1
Good Intent Call (Lift Assist)	3	3
Heart or AICD Problems [Delta]	1	1
Hemorrhage [Delta]	1	1
Improperly Parked Vehicle (10-70 x70)	23	23
Information or Message Delivery (10-14 x14)	1	1
Investigate Narcotics Activity (Signal 49 SIG49 10-98 x98)	1	1
Investigation (Law)	1	1
Keys In Vehicle or Lockout	1	1
Lost or Found Property	3	3
Marine or Boat Fire in Coastal Water [Delta]	1	1
Medical Alarm [Bravo]	1	1
Medical Alarm [Bravo]; Alarm (SIG45 Signal 45)	1	1
Meet with Complainant (10-83 x83)	43	43
Meet with Subject or Officer (10-25 x25)	38	38
Noise Complaint	3	3
Obvious Death [Bravo]	1	1
Open Door	4	4
Outside Fire [Bravo]	1	1
Pregnancy [Bravo]	1	1
Prowler (10-76 x76); Call By Phone (10-21Law x21L)	1	1
Service Call [Alpha]	1	1
Single Residential Fire Alarm [Bravo]; EMD In Progress; Medical Alarm [Bravo]	1	1

Descriptions	Totals	
Special Check - Business - Residence (10-79 x79)	336	336
Special Operations Assignment (Signal 55 SIG55)	4	4
Stopping Vehicle (10-61 x61)	4	4
Stroke or TIA [Charlie]	1	1
Subject Locked in Vehicle [Bravo]	1	1
Suspicious Vehicle or Subject (10-60 x60)	11	11
Take Written Report (10-92 x92)	3	3
Traffic Accident (Property Damage Only 10-50PD x50PD)	5	5
Traffic Control (10-58 x58)	1	1
Trespassers	2	2
Unconscious or Fainting [Charlie]	2	2
Unconscious or Fainting [Delta]	1	1
Vehicle Fire with Threatened Structure [Delta]	1	1
Warrant Service (Signal 62 SIG62)	1	1
Water or Sewer Problems	3	3
Welfare Check	3	3
	5	5
Totals	600	600



Holden Beach Police Department

110 Rothschild St
Holden Beach, NC 28162
www.holdenbeach.com
Phone: 910-842-6707
Fax: 910-846-6907
holden@holdentownhall.com



HBPD Monthly Report (October '24)

Printed on November 4, 2024

Reported	Case Number	Address	Offenses	Disposition
10/03/24 03:21	HBP24-00099	616 OCEAN BLVD W	FIRE - NO CRIME	Closed - Unfounded
10/09/24 16:07	HBP24-00100	105 CLIPPERSHIP DR	14-100 - OBTAIN PROPERTY FALSE PRETENSE; 14-112.2(C) - EXPLOIT DISABLE/ELDER CAPACITY	Further Investigation
10/16/24 12:04	HBP24-00101	1193 OCEAN BLVD W	14-159.12 - FIRST DEGREE TRESPASS (ENTER/REMAIN)	Closed - Leads Exhausted
10/17/24 14:21	HBP24-00102	OCEAN BLVD E /	20-150(E) - UNSAFE PASSING YELLOW LINE; 90-113.22 - POSS DRUG PARAPHERNALIA; 90-95(A)(3) - POSSESS METHAMPHETAMINE	Closed - Cleared By Arrest
10/20/24 08:42	HBP24-00103	127 HALSTEAD ST	DEATH INVESTIGATION	Closed - Unfounded
10/24/24 10:54	HBP24-00104	1151 OCEAN BLVD W	14-159.12 - FIRST DEGREE TRESPASS (ENTER/REMAIN)	Closed - Leads Exhausted
10/24/24 20:58	HBP24-00105	304 BRUNSWICK AVE	14-33(B)(2) - ASSAULT ON A FEMALE	Closed - Unfounded
10/28/24 13:02	HBP24-00106	259 BRUNSWICK AVE	14-90 - EMBEZZLEMENT	Investigator Requested
10/31/24 14:02	HBP24-00107	OCEAN BLVD E		Closed - Case Created In Error

Total Records: 9



Holden Beach Police Department

110 Rothschild St
Holden Beach, NC 28462
www.holdenbeach.com
Phone: 910-842-6707
Fax: 910-846-6907
holden@holdenbeach.com



Ordinance Violations (October '24)

Printed on November 4, 2024

Date	Defendant	Citation/Warning	Ordinance
10/01/24	JOHNSON, PAUL	Citation	Parking - No Parking Zones (All Other)
10/01/24	HERTZ, LLC	Warning-Compliant	Parking - No Parking Zones (All Other)
10/06/24	SKOGLUND, PAUL	Citation	Parking - Right-of-Way Violation (Ocean Blvd)
10/06/24	STEWART, BILLY	Citation	Parking - No Parking Zones (All Other)
10/08/24	LAWRENCE, KASSANDRA	Warning-Compliant	Parking - Roadway/Travel Lane
10/08/24	NATHAN D MCCREARY, KACEY	Citation	Parking - Right-of-Way Violation (Ocean Blvd)
10/11/24	GRIGG, ROBIN	Citation	Parking - Handicap Violation
10/13/24	CURTIS, MADELLYN	Warning-Compliant	Parking - Within 40ft of Intersection/Cul-De-Sac
10/16/24	GLENN, HERBERT JR	Warning-Compliant	Parking - Right-of-Way Violation (Ocean Blvd)
10/16/24	ROUNTREE, DONALD JR	Warning-Compliant	Parking - Right-of-Way Violation (Ocean Blvd)
10/27/24	RAWLS, ARTHUR III	Citation	Parking - Roadway/Travel Lane
10/27/24	UDALL, CURTIS	Warning-Compliant	Parking - Roadway/Travel Lane
10/27/24	MURPHY, JOHN	Warning-Compliant	Parking - Within 40ft of Intersection/Cul-De-Sac

Total Records: 13

LSV=0

Permit Report

10/08/2024 - 11/07/2024

Issued Date	Permit #	Permit Type	Project Cost	Total Fees	Total Payments
11/7/2024	240985	Electrical	2,100	\$175.00	
11/6/2024	240984	Fence	50	\$50.00	\$50.00
11/6/2024	240983	Mechanical	12,900	\$200.00	
11/6/2024	240982	Electrical	1,700	\$175.00	\$175.00
11/6/2024	240981	Electrical	1,800	\$175.00	\$175.00
11/6/2024	240980	Mechanical	8,300	\$100.00	\$100.00
11/6/2024	240979	Mechanical	13,600	\$200.00	\$200.00
11/6/2024	240978	Mechanical	15,512	\$200.00	\$200.00
11/6/2024	240977	Repair	16,500	\$173.50	\$173.50
11/6/2024	240976	Repair	70,000	\$655.00	
11/6/2024	240975	Zoning	50	\$50.00	\$50.00
11/5/2024	240974	Repair	85,000	\$790.00	
11/5/2024	240973	Swimming Pool	61,539	\$828.85	\$828.85
11/5/2024	240972	Repair	5,000	\$175.00	
11/5/2024	240971	Swimming Pool	77,000	\$968.00	\$968.00
11/5/2024	240970	Swimming Pool	73,000	\$932.00	\$932.00
11/5/2024	240969	Renovation	129,000	\$1,236.00	\$1,236.00
11/4/2024	240968	Mechanical	5,500	\$100.00	\$100.00
11/4/2024	240967	Mechanical	7,677	\$100.00	
11/4/2024	240966	Zoning	50	\$50.00	\$50.00
11/4/2024	240965	Zoning	75	\$75.00	\$75.00
11/4/2024	240964	Repair	10,000	\$305.00	\$305.00
11/4/2024	240963	Mechanical	18,865	\$200.00	\$200.00
11/4/2024	240962	Mechanical	5,790	\$100.00	\$100.00
11/4/2024	240961	Repair	4,000	\$125.00	\$125.00
10/30/2024	240960	Electrical	2,000	\$100.00	\$100.00
10/30/2024	240959	Electrical	2,000	\$100.00	\$100.00
10/30/2024	240958	Electrical	0		
10/30/2024	240957	Repair	50,000	\$625.00	
10/30/2024	240956	Repair	35,000	\$1,460.00	
10/29/2024	240955	Electrical	750	\$100.00	\$100.00
10/28/2024	240954	Repair	23,575	\$237.18	\$237.18
10/28/2024	240953	Bulkhead	30,000	\$295.00	
10/28/2024	240952	Repair	7,500	\$125.00	\$125.00
10/28/2024	240951	Mechanical	4,271	\$100.00	\$100.00
10/28/2024	240950	Mechanical	18,387	\$200.00	\$200.00
10/28/2024	240949	Mechanical	8,545	\$100.00	\$100.00
10/28/2024	240948	Plumbing	1,900	\$200.00	\$100.00
10/28/2024	240947	Electrical	1,500	\$200.00	\$200.00

10/25/2024	240946	Single Family Construction	1,040,700	\$21,323.60	\$21,323.60
10/25/2024	240945	Electrical	1,800	\$175.00	\$175.00
10/25/2024	240944	Walkway	15,800	\$217.20	
10/25/2024	240943	Electrical	1,800	\$175.00	\$175.00
10/24/2024	240942	Mechanical	8,540	\$100.00	\$100.00
10/24/2024	240941	Bulkhead	35,000	\$340.00	
10/24/2024	240940	Repair	13,000	\$142.00	\$142.00
10/24/2024	240939	Mechanical	6,887	\$100.00	\$100.00
10/24/2024	240938	Repair	1,000	\$175.00	\$175.00
10/23/2024	240937	Repair	10,000	\$125.00	\$125.00
10/23/2024	240936	Repair	22,000	\$223.00	\$223.00
10/23/2024	240935	Repair	32,000	\$313.00	\$313.00
10/22/2024	240934	Repair	44,000	\$521.00	\$521.00
10/22/2024	240933	Mechanical	9,730	\$100.00	\$100.00
10/22/2024	240932	Repair	6,000	\$125.00	\$125.00
10/22/2024	240931	Single Family Construction	850,000	\$22,163.42	\$22,163.42
10/21/2024	240930	Repair	17,500	\$182.50	\$182.50
10/18/2024	240929	Zoning	25	\$25.00	\$25.00
10/18/2024	240928	Cargo Lift	31,700	\$460.30	\$460.30
10/18/2024	240927	Repair	3,300	\$125.00	\$125.00
10/17/2024	240926	Zoning	50	\$50.00	\$50.00
10/17/2024	240925	Mechanical	10,800	\$200.00	\$200.00
10/17/2024	240924	Mechanical	18,700	\$200.00	\$200.00
10/17/2024	240923	Mechanical	10,830	\$100.00	\$100.00
10/17/2024	240922	Electrical	3,000	\$200.00	\$200.00
10/17/2024	240921	Mechanical	16,389	\$100.00	\$100.00
10/16/2024	240920	Renovation	18,300	\$239.70	\$239.70
10/16/2024	240919	Mechanical	7,780	\$100.00	\$100.00
10/16/2024	240918	Mechanical	8,890	\$100.00	\$100.00
10/15/2024	240917	Mechanical	9,945	\$100.00	\$100.00
10/15/2024	240916	Mechanical	6,855	\$100.00	\$100.00
10/15/2024	240915	Single Family Construction	313,000	\$8,633.34	\$8,633.34
10/14/2024	240914	Zoning	25	\$25.00	\$25.00
10/14/2024	240913	Mechanical	4,500	\$100.00	\$100.00
10/14/2024	240912	Boat Lift	40,000	\$385.00	\$385.00
10/11/2024	240911	Zoning	50	\$50.00	\$50.00
10/11/2024	240910	Bulkhead	25,000	\$250.00	\$250.00
10/11/2024	240909	Electrical	4,000	\$200.00	\$200.00
10/11/2024	240908	Mechanical	9,980	\$100.00	\$100.00
10/11/2024	240907	Repair	19,250	\$198.25	\$198.25
10/11/2024	240906	Mechanical	4,450	\$100.00	\$100.00
10/11/2024	240905	Mechanical	17,987	\$200.00	\$200.00
10/10/2024	240904	Zoning	75	\$75.00	\$75.00
10/10/2024	240903	Mechanical	16,550	\$200.00	\$200.00
10/10/2024	240902	Mechanical	1,639	\$100.00	\$100.00

10/9/2024	240901	Bulkhead	31,400	\$307.60	\$307.60
10/9/2024	240900	Repair	15,000	\$210.00	\$210.00
10/8/2024	240899	Repair	34,400	\$434.60	\$434.60
10/8/2024	240898	Walkway	48,900		
10/8/2024	240897	No Permit Required	25,316		
			\$3,684,279.00	\$72,150.04	\$67,017.84

PERMIT SUMMARY REPORT

COMMERCIAL

Count 2
 Total Fees \$200
 Fees Paid \$200
 Total Project Cost \$3,000

RESIDENTIAL

Count 87
 Total Fees \$71,950.04
 Fees Paid \$66,817.84
 Total Project Cost \$3,681,279

TOTAL

Count 89
 Total Fees \$72,150.04
 Fees Paid \$67,017.84
 Total Project Cost \$3,684,279

ACTIVE NEW HOME PERMITS = 31

OTHER ACTIVE PERMITS= 421

PERMITS ISSUED OVER \$30,000 = 40 (AMOUNT INCLUDED IN ACTIVE TOTAL)

PERMITS ISSUED OVER \$100,000 = 5 (AMOUNT INCLUDED IN ACTIVE TOTAL)

PERMITS - SUBSTANTIAL IMPROVEMENTS =0 (AMOUNT INCLUDED IN ACTIVE TOTAL)

PERMITS ISSUED WAITING PICK UP = 25

TOTAL PERMITS= 477

PERMITS IN REVIEW= 7

CAMA ISSUED= 4

ZONING ISSUED =16

PERMITS SERVICED FOR INSPECTIONS FROM 10/8-11/7=100

TOTAL INSPECTIONS MADE= 199

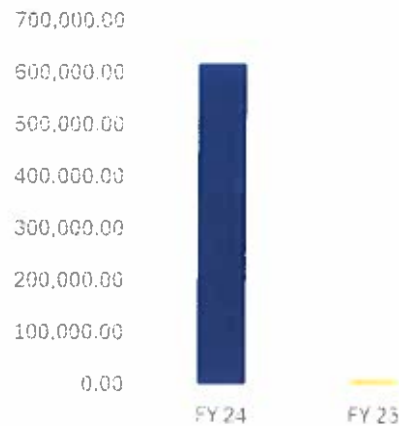
Finance Report

July 1, 2023 - September 30, 2023 vs. July 1, 2024 - September 30, 2024

Revenues to Watch

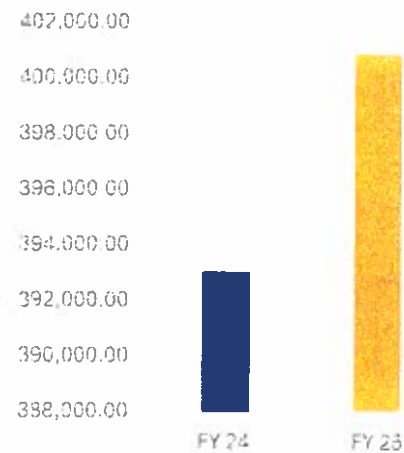
AD VALOREM TAX

FY 24	619,755.91
FY 25	11,384.15



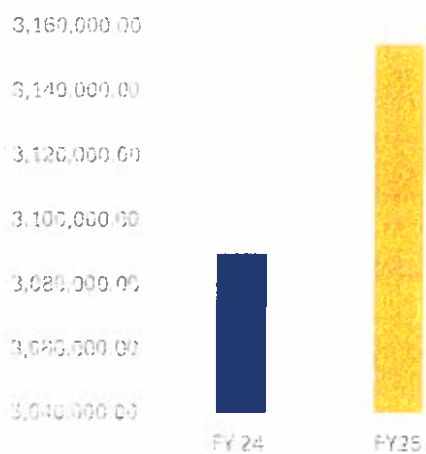
PARKING REVENUE

FY 24	393,054.57
FY 25	400,883.03



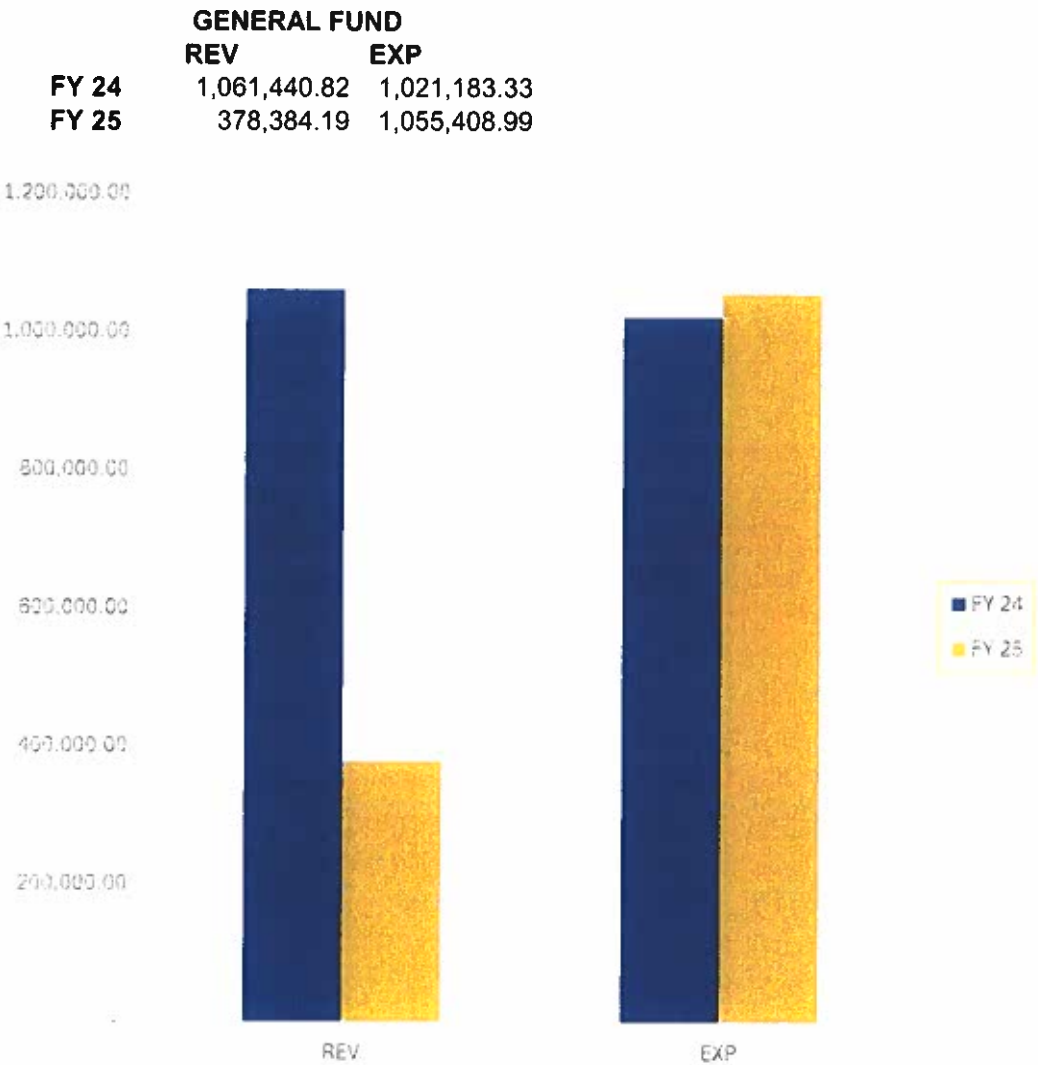
OCCUPANCY TAX

FY 24	3,089,453.02
FY25	3,154,726.15



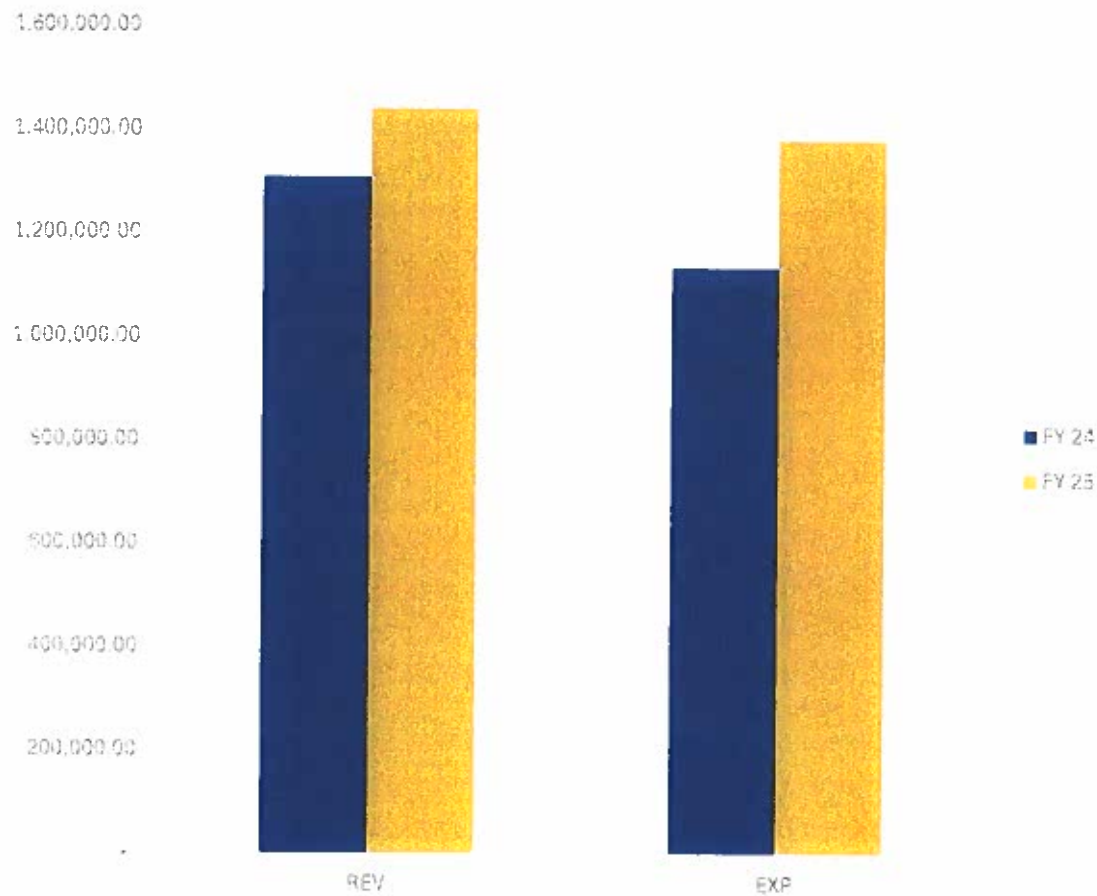
Revenues are looking good through October very comparable to last year other than Ad Valorem tax which is a result of billing later than last year. Parking and occupancy tax revenues show a slight increase over last year.

Revenue vs Expenditures by Fund



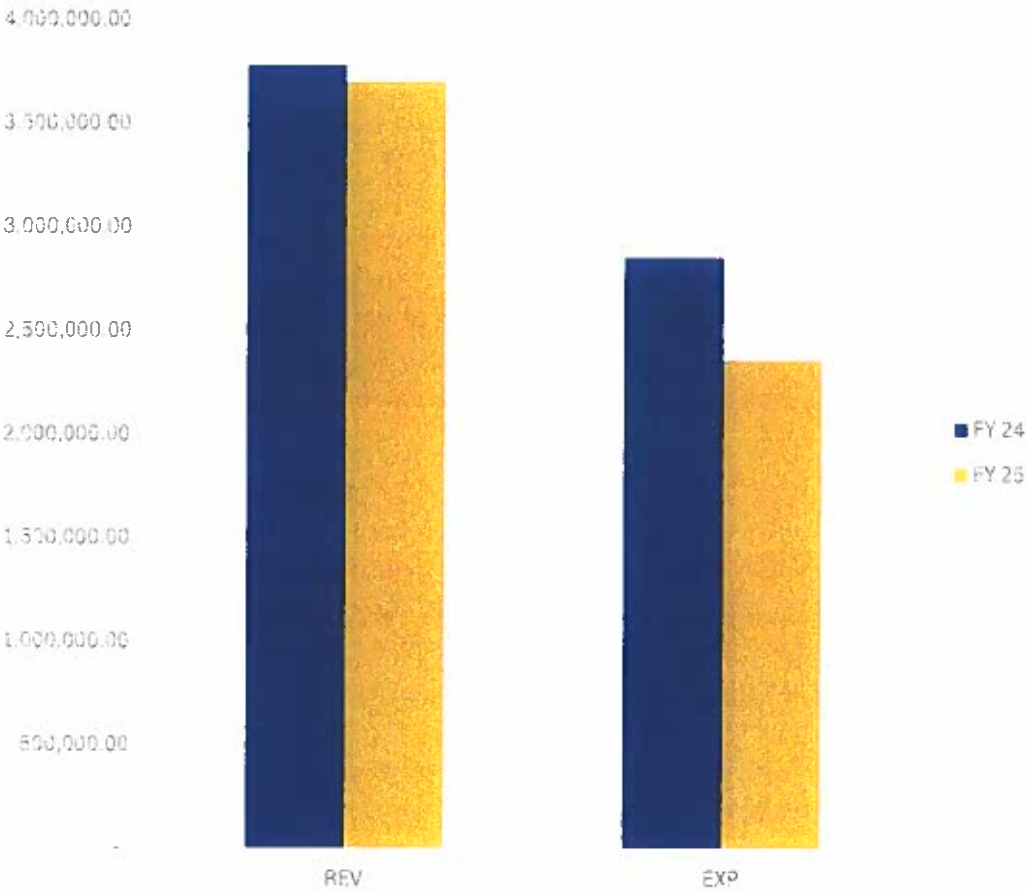
Revenue vs Expenditures by Fund

	WATER SEWER	
	REV	EXP
FY 24	1,307,546.57	1,132,501.98
FY 25	1,439,331.43	1,379,410.73



Revenue vs Expenditures by Fund

	BPART (PARKS AND REC)	
	REV	EXP
FY 24	3,782,654.61	2,854,399.90
FY 25	3,701,456.17	2,361,282.91



Manager Talker Nov 2024

Greensboro Street Sewer Lift Station

Action item to increase state funding on November agenda
 Engineer and Staff had pre-construction meeting with contractor and DWR representative on November 12th. Awaiting contractor's final insurance documents & Exhibit B before issuing NTP

Ocean Blvd Bike Lanes

DOT reviewing requirements for agreement needed for Town to conduct street sweeping.
 Quote in hand for maintenance cleaning

Final Keybridge Items - to be completed nlt March

Ave E Public/Emergency Access and Restroom Facility
 NTP issued; due date 1 Feb

801 OBW Public Access
 Walkway construction complete; Awaiting handrails: Not open.

Firewise Initiative – Grills

Staff coordinated a meeting with the rental property companies.
 Representatives from three of the major companies attended.
 Two of the companies currently provide information regarding regulations concerning open flame devices.
 The third company does not allow charcoal grills and did not want to provide information on items they prohibit.
 The companies already have been working with their homeowners and renters to educate them on the rules and to come up with ways to encourage people from moving these devices under their homes.
 They were not receptive to the idea of the Town ordering magnets to help with education.

Upcoming Parks and Recreation Activities

Turkey Trot-Thanksgiving Morning, 8 a.m. start
 Tree Lighting- Thursday, December 5th - 5:30 p.m. entertainment; 6:00 p.m. tree lighting
 Santa Saunter and Reindeer Dash- Saturday, December 14th at 8:00 a.m. (pre-registration required, email

RANK	Objective Description	Status
#2	ADA Self Assessment	Nov agenda
#6	ADA bathroom (at block Q)	Architect/staff mtg 25 Oct Anticipate bid pkg on street before Thanksgiving
#7	Fire station Upgrades	Corners Ground truthed; Insp awaiting needs id from TBFD to dvlp potential configurations
#8	Improve Audio/Video for Town Meetings	staff benchmarked peers and different options. Need quote obtained to install new equipment and broadcast the meetings on a different platform, most likely YouTube. We are in the process of working with a vendor to move forward
#14	Block Q Site Plan	Nov agenda for concert venue
#18	Update Town Website	Website was updated a few years ago after researching what other municipalities have. A suggestion made after the objectives were established was to establish a "Projects" page- which has been accomplished.
#19	Pier Repair/Replacement	RFQ Eng Svs due
#26	Investigate vacuum bypass system	PWD research/No budget 24/25



Town of Holden Beach
AGENDA TOPIC COVER SHEET

TO: Holden Beach BOC

MEETING DATE: 11/19/24

FROM: Assistant Town Manager Ferguson

DATE SUBMITTED: 11/4/24

ISSUE/ACTION REQUESTED: Review of site plan for potential concert venue location.

BACKGROUND/PURPOSE OF REQUEST: The attached site plan was developed by the architect as part of a tasker that was sent to the PRAB. The BOC asked that it come back for their review.

FISCAL IMPACT: (select one)

BUDGET AMENDMENT REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
CAPITAL IMPROVEMENT PLAN ITEM:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
PRE-AUDIT CERTIFICATION REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A
REVIEWED BY FINANCE DIRECTOR:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A

CONTRACTS/AGREEMENTS: (select one)

REVIEWED BY TOWN ATTORNEY:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	N/A
----------------------------	------------------------------	--	-----

ADVISORY BOARD RECOMMENDATION: N/A

FINANCE RECOMMENDATION: N/A

TOWN MANAGER'S RECOMMENDATION: Review site plan for potential concert venue placement



Date: November 4, 2024

To: Mayor Holden and Board of Commissioners

Town Manager- IN TURN

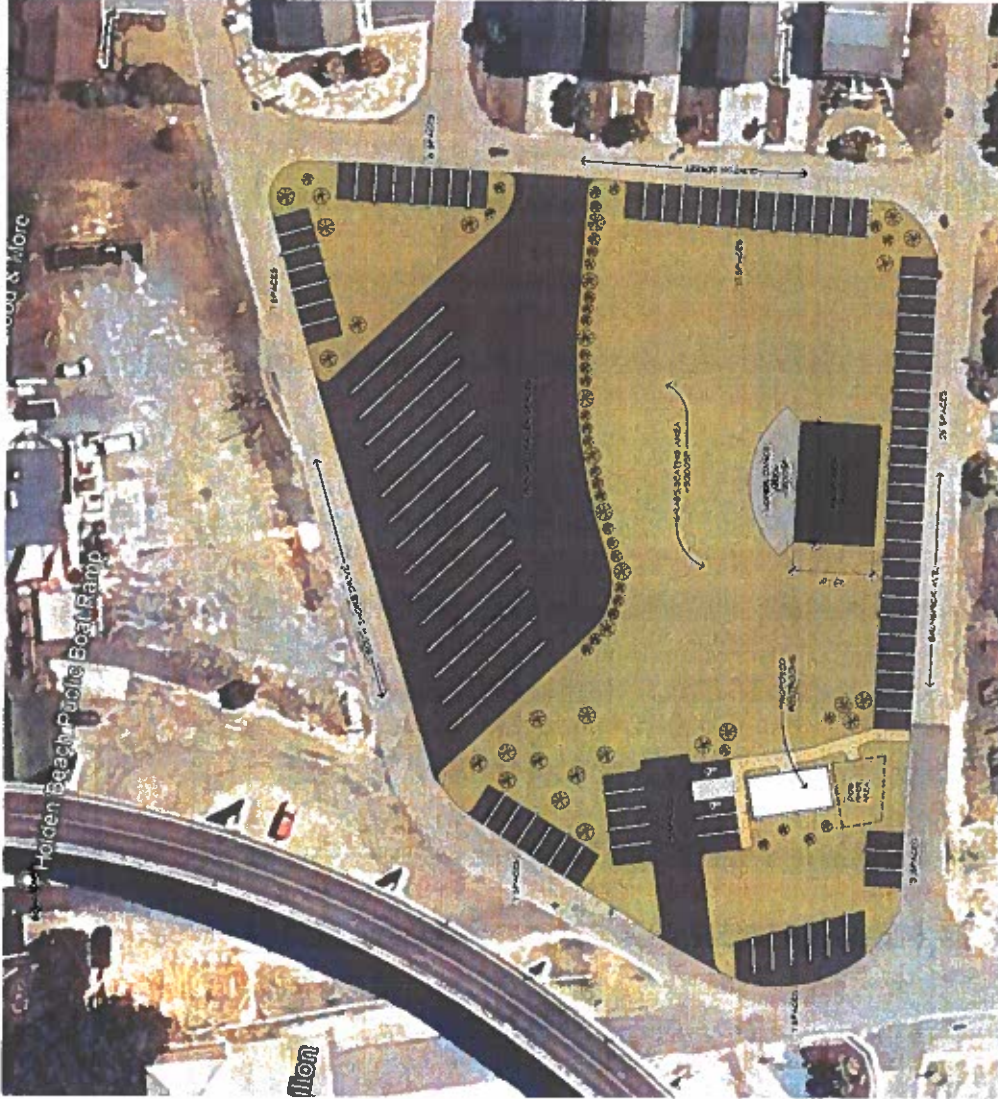
From: Christy Ferguson, Assistant Town Manager

Re: Block Q Site Plan

The attached site plan (attachment 1) was developed by the architect as part of a tasker that was sent to the PRAB. The BOC asked at the October meeting that the site plan come back so the board could review the location of the proposed pavilion on the plan.

Attachment 1: site plan

Attachment 1



TOTAL SPACES:
CARS 74
BOAT TRAILERS 15





Town of Holden Beach
AGENDA TOPIC COVER SHEET

TO: Holden Beach BOC

MEETING DATE: 11/19/24

FROM: Assistant Town Manager Ferguson

DATE SUBMITTED: 11/4/24

ISSUE/ACTION REQUESTED: Discussion and possible action on 2nd DEQ Offer to Fund Greensboro Street Lift Station Document.

BACKGROUND/PURPOSE OF REQUEST: The funding offer was first accepted by the board in May in the amount of \$1,940,000. Since that time, NCDEQ has prepared an increased offer based on their administrative requirements decreasing. The new offer in the amount of \$1,970,000 will need to be accepted by resolution.

FISCAL IMPACT: (select one)

BUDGET AMENDMENT REQUIRED:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
CAPITAL IMPROVEMENT PLAN ITEM:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
PRE-AUDIT CERTIFICATION REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/> N/A
REVIEWED BY FINANCE DIRECTOR:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/> N/A

CONTRACTS/AGREEMENTS: (select one)

REVIEWED BY TOWN ATTORNEY:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/> N/A
----------------------------	------------------------------	--

ADVISORY BOARD RECOMMENDATION: N/A

FINANCE RECOMMENDATION: N/A

TOWN MANAGER'S RECOMMENDATION: Accept funding offer and adopt resolution and capital budget accordingly. *DH*



Date: November 4, 2024

To: Mayor Holden and Board of Commissioners
 Town Manager-IN TURN

From: Christy Ferguson, Assistant Town Manager

Re: Greensboro Street Lift Station-DEQ Offer to Fund

The BOC first accepted an offer to fund the Greensboro Street Lift Station Project in May, in the amount of \$1,940,000, from the Department of Environmental Quality (DEQ). On October 23, 2024, we received new funding offer documents from DEQ. Upon inquiry, the project manager explained that SL 2024-1 reduced the Division of Water Infrastructure administrative requirement, first calculated at 3%, and our new offer to fund is \$1,970,000. The BOC will need to accept the new offer to fund and the attached resolution and capital budget and direct Town Manager Hewett to execute documents.

Attachment 1: Offer to Fund
 Attachment 2: Resolution 24-09
 Attachment 3: Capital Budget Ordinance
 Attachment 4: Capital Project Ordinance

Envelope ID: E2F4F0CC-BC73-4C13-8E65-E190F73B19BC

Attachment 1

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

SHADI ESKAF

Director

NORTH CAROLINA
Environmental Quality

September 12, 2024

David W. Hewett, Town Manager
Town of Holden Beach
110 Rothschild Street
Holden Beach, NC 28462

Subject: REVISED Letter of Intent to Fund
S.L. 2023-134 Appropriations Act Directed Project
Greensboro Street Lift Station #2 Hazard Mitigation
Upgrade
DWI Project No.: SRP-W-134-0021

Dear Mr. Hewett:

The Division of Water Infrastructure (Division) has received your *Request for Funding* for the aforementioned project for up to \$1,970,000 from the Drinking Water/Wastewater State Reserve as established in Session Law (S.L.) 2023-134 and amended in S.L. 2024-1 (hereinafter referred to simply as S.L. 2023-134). Projects funded from the State Reserve must meet applicable State laws and guidance for expenditure of these funds. The following table shows total S.L. 2023-134 appropriations for your local government excluding the Department's administrative fee as amended in S.L. 2024-1, awarded projects and their funding amounts identified to date, and any remaining unobligated appropriations at the time of this letter.

S.L. 2023-134 Appropriations Act Approved Projects

S.L. 2023-134 Approved Projects for S.L. 2023-134 Section 12.2.(e) Line # 86 Appropriation		
Appropriated Funds Available for Projects (excluding administrative costs)		\$1,970,000
Project Name	Project Number	Maximum Funding Amount
Greensboro Street Lift Station #2 Hazard Mitigation Upgrade	SRP-W-134-0021	\$1,970,000
Total Appropriations requested		\$1,970,000
Total Appropriations remaining		\$0



North Carolina Department of Environmental Quality | Division of Water Infrastructure
512 N. Salisbury Street | 1633 Mail Service Center | Raleigh, North Carolina 27699-1633
919.707.9160

David W. Hewett, Town Manager
 Town of Holden Beach
 September 12, 2024
 Page 3 of 3

Disbursement of Funds:

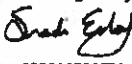
These funds will be disbursed to the local government unit after relevant costs are incurred by the local government and invoices are submitted to the Division. Up to 15% of the funds available for the project may be disbursed after costs are incurred during the pre-construction stage to cover design and planning costs. The remainder will be disbursed as invoices for incurred pre-construction and construction costs are submitted by the local government during construction, which may be submitted prior to or after paying the contractors for the incurred costs. Only costs eligible under NC G.S. 159G may be covered by these funds. Projects must be administered in accordance with all applicable federal law and guidance, as well as North Carolina statutes.

Electronic Document Submittal:

Recipients should submit all project documents via the supporting documentation submittal form located at <https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form>. The use of this form provides more seamless document tracking, processing, filing, accessibility, and security via our electronic document repository, Laserfiche. The link and a list of frequently asked questions can also be accessed from the Division's I Have Funding page, <https://www.deq.nc.gov/about/divisions/water-infrastructure/i-have-funding>.

Upon detailed review of the project during the funding process, it may be determined that portions of your project are not eligible for funding. If you have any questions concerning this matter or require general assistance, please contact the Division's project manager assigned to your project: Antonio V. Evans, P.E., either by telephone at 919.707.9168 or by e-mail at tony.evans@deq.nc.gov.

Sincerely,

DocuSigned by:

 6300A672077B4C5
 Shadi Eskaf, Director
 Division of Water Infrastructure

cc: David W. Hewett, Town Manager, Town of Holden Beach (David.hewett@hbtownhall.com)
 Christy Ferguson, Town of Holden Beach (christy.ferguson@hbtownhall.com)
 Leo Green, Green Engineering, PLLC (elg3@greeneng.com)
 Antonio V. Evans, P.E. (DWI, via DocuSign)
 Mark Hubbard, P.E. (DWI, via DocuSign)
 Administrative Unit (DWI, via DocuSign)
 LF Project File (COM – LOIF)
 DWI Agreement ID: 2000073773

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE**

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Town of Holden Beach
110 Rothschild Street
Holden Beach, NC 28462

Project Number(s): SRP-W-134-0021

Assistance Listing Number: N/A

Unique Entity ID Number: X3H3MMASH925

Funding Program

Drinking Water	<input type="checkbox"/>	Additional Amount for	Previous Total	Total Offered
Stormwater	<input type="checkbox"/>	Funding Increases		
Wastewater	<input checked="" type="checkbox"/>			
State Revolving Fund-Repayable Loan	<input type="checkbox"/>			
State Revolving Fund-Principal Forgiveness	<input type="checkbox"/>			
State Reserve Loan	<input type="checkbox"/>			
State Reserve Grant	<input type="checkbox"/>			
State Reserve Earmark (S.L. 2023-134)*	<input checked="" type="checkbox"/>			\$1,970,000
American Rescue Plan Act - Choose an item.	<input type="checkbox"/>			

Project Description:

Greensboro Street Lift Station #2 Hazard Mitigation
Upgrade

Total Financial Assistance Offer:

\$1,970,000

Total Project Cost:

\$4,884,357

Estimated Closing Fee:**

\$ 0

For Loans

Interest Rate:

-- Per Annum

Maximum Loan Term:

-- Years

* Federal conditions and requirements will also apply to S.L. 2023-134 projects co-funded with federal funds.

** Estimated closing fee calculated based on grant and loan amount.

Pursuant to North Carolina General Statute 159G:

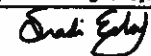
- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

**Shadi Eskaf, Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality**

DocuSigned by:



6380A872877B4C5
Signature

10/22/2024

Date

On Behalf of:

Town of Holden Beach

Name of Representative in Resolution:

Title (Type or Print):

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

Signature

Date

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE**

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Town of Holden Beach
110 Rothschild Street
Holden Beach, NC 28462

Project Number(s): SRP-W-134-0021

Assistance Listing Number: N/A

Unique Entity ID Number: X3H3MMASH925

Funding Program

Drinking Water	<input type="checkbox"/>	Additional Amount for	Previous Total	Total Offered
Stormwater	<input type="checkbox"/>	Funding Increases		
Wastewater	<input checked="" type="checkbox"/>			
State Revolving Fund-Repayable Loan	<input type="checkbox"/>			
State Revolving Fund-Principal Forgiveness	<input type="checkbox"/>			
State Reserve Loan	<input type="checkbox"/>			
State Reserve Grant	<input type="checkbox"/>			
State Reserve Earmark (S.L. 2023-134)*	<input checked="" type="checkbox"/>			\$1,970,000
American Rescue Plan Act - Choose an item.	<input type="checkbox"/>			

Project Description:

Greensboro Street Lift Station #2 Hazard Mitigation
Upgrade

Total Financial Assistance Offer:

\$1,970,000

Total Project Cost:

\$4,884,357

Estimated Closing Fee:**

\$ 0

For Loans

Interest Rate:

-- Per Annum

Maximum Loan Term:

-- Years

* Federal conditions and requirements will also apply to S.L. 2023-134 projects co-funded with federal funds.

** Estimated closing fee calculated based on grant and loan amount.

Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

**Shadi Eskaf, Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality**

DocuSigned by:



6300A872077B4C5

Signature

10/22/2024

Date

On Behalf of:

Town of Holden Beach

Name of Representative in Resolution:

Title (Type or Print):

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

Signature

Date

STANDARD CONDITIONS & ASSURANCES FOR STATE RESERVE PROJECTS**Project Subrecipient: Town of Holden Beach****Project Number(s): SRP-W-134-0021**

1. The Subrecipient intends to construct the project or cause it to be constructed to final completion in accordance with the Application or Request for Funding approved for financial assistance by the Division.
2. If the project is co-funded with federal funding sources (e.g., State Revolving Funds, CDBG-Infrastructure, American Rescue Plan Act), the conditions and assurances of the federal funding program will also apply.
3. The Subrecipient acknowledges that in the event a milestone contained in the most recent Letter of Intent to Fund is missed, the Department of Environmental Quality may rescind this Funding Offer.
4. The Subrecipient is responsible for paying for the costs ineligible for DWI funding.
5. All projects must comply with North Carolina General Statute 143-64.31, Article 3D Procurement of Architectural, Engineering, and Surveying Services. Any services provided that were not selected in compliance with state requirements will be ineligible for disbursement.
6. The construction of the project, including the letting of contracts in connection therewith, conforms to the applicable requirements of State and local laws and ordinances.
7. As of the acceptance of this Funding Award Offer, steps identified in the SRP Guidance will be complete. These Assurances, likewise, incorporate the most recent version of the SRP Guidance, and the Subrecipient hereby certifies by accepting this Funding Award Offer that it will adhere to the subsequent steps in the SRP Guidance document. The remaining steps generally govern project design, bidding, contracting, inspection, disbursements, closeout and repayment.
8. The Subrecipient will provide and maintain adequate engineering supervision and inspection.
9. The Subrecipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three years following completion of the project.
10. All SRP funds must be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan or grant will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the Subrecipient's compliance with the Standard Conditions of this Award. The Subrecipient agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.
11. The Subrecipient will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State. Please note that the State is not a party to the construction contract(s) and the Subrecipient is expected to uphold its contract obligations regarding timely payment.
12. The Subrecipient, if a local government unit or public authority, must comply with the requirements of NC GS 159-34 in having its accounts audited each fiscal year and to submit a copy of the audit report to the Secretary of the Local Government Commission by the established deadlines. Failure to comply with these requirements may result in delays in disbursement of the funds to the Subrecipient and/or the rescission of this Funding Offer.
13. The Subrecipient acknowledges that any loan funds contained in this Funding Offer requires approval from the North Carolina Local Government Commission before they can be disbursed.
14. Local government units designated as distressed must complete associated requirements of statute §159G-45(b).

FEDERAL ID & Unique Entity ID # REQUEST MEMO

TO: All Loan and Grant Recipients

SUBJECT: Federal Identification Number

Please be advised that all local government units receiving grant or loan funds from the State of North Carolina must supply their Federal Identification Number to this office upon acceptance of your loan/grant offer. Therefore, please provide the information below and return to the Division via email at DEQ.DWI.FundingOffer@deq.nc.gov.

RECIPIENT:

PROJECT NUMBER:

FEDERAL IDENTIFICATION NUMBER:

UNIQUE ENTITY ID:

(Suggested Format)

RESOLUTION BY GOVERNING BODY OF RECIPIENT

WHEREAS, the (unit of Government) has received a Directed Projects grant from the 2023 Appropriations Act, Session Law 2023-134, administered through the Drinking Water Reserve and Wastewater Reserve to assist eligible units of government with meeting their water/wastewater infrastructure needs, and

WHEREAS, the North Carolina Department of Environmental Quality has offered 2023 Appropriations Act funding in the amount of \$_____ to perform work detailed in the submitted application, and

WHEREAS, the (unit of government) intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED BY THE (GOVERNING BODY) OF THE (UNIT OF GOVERNMENT):

That (unit of government) does hereby accept the 2023 Appropriations Act Directed Projects Grant offer of \$_____.

That the (unit of government) does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That (name and title of authorized representative), and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the (date adopted) at (place), North Carolina.

(Signature of Chief Executive Officer)

Date

SALES-TAX REIMBURSEMENT CERTIFICATION FORM
(FOR FUNDING PROGRAMS IN THE DIVISION OF WATER INFRASTRUCTURE)

Applicant: _____

Project Number: _____

☐ Check If Applicant is not a unit of government under North Carolina law

If Applicant noted above is a Unit of Government in North Carolina, check the applicable box below.

Sales Tax **IS** deducted in this scenario. Please show this on the disbursement requests.

☐ The construction contract was bid with sales taxes and the unit of government will request reimbursement from the DOR.

Sales Tax **IS NOT** deducted in either of these scenarios.

☐ The construction contract was bid with sales taxes and the unit of government will not request reimbursement from the DOR.

☐ The construction contract was bid without sales taxes

(Printed Name and Title of Authorized Representative)

(Signature of Authorized Representative)

(Date)

DISBURSEMENT REQUEST FORM

NC Division of Water Infrastructure

Funding Recipient: _____
 DWI Project No. _____
 Payment No. _____
 Period Covered From: _____ To: _____
 Page No. _____

CONSTRUCTION (Name as appropriate)	Cumulative Cost to Date	Minus Ineligibles	Minus Overruns Not App'd By Change Order	Minus Retainage on Payable Cost	Minus Cumulative Sales Tax	Other Adjustments (Other Funds e.g.)	Minus Previously Paid to Date	
Contract 1	\$1,200,000	(\$100,000)	(\$100,000)	\$1,000,000	(\$50,000)	(\$500,000)	(\$300,000)	\$100,000
Contract 2	\$505,000		(\$5,000)	\$500,000	(\$10,000)		(\$400,000)	\$65,000
Contract 3								
Contract 4								
Contract 5								
ENGINEERING (Name as appropriate)	Cumulative Cost to Date						Minus Previously Paid to Date	
Item 1	\$250,000						(\$250,000)	\$0
Item 2								
Item 3								
Item 4								
OTHER COSTS (Name as appropriate)	Cumulative Cost to Date						Minus Previously Paid to Date	
Item 1								
Item 2								
Item 3								
PAY REQUEST TOTALS	Cumulative Cost to Date	Minus Ineligibles	Minus Overruns Not App'd By Change Order	Minus Retainage on Payable Cost	Minus Cumulative Sales Tax	Other Adjustments (Other Funds e.g.)	Minus Previously Paid to Date	
	\$1,955,000	(\$100,000)	(\$105,000)	\$75,000	(\$60,000)	(\$500,000)	(\$950,000)	\$165,000

Cardification
 - I certify that to the best of my knowledge and belief the incurred costs being requested for disbursement are in accordance with terms of the project and that this request represents the monies due which have not been previously received and that an inspection has been performed and all work is in accordance with the terms and conditions of the award.
 - For applicable SRF projects, the project remains in compliance with Davis-Bacon and American Iron and Steel conditions or is the process of remediating noncompliance.

You must check ONE of the boxes below or your payment will not be processed:
 The funds requested above have already been paid to the respective vendors, consultants & contractors by the funding recipient ☐
 OR
 The funds requested above have not been paid to the respective vendors, consultants & contractors. ☐
 Funds received from the State will be disbursed to these entities within three (3) banking days.

Type or Print Name and Title _____
 Signature of Authorized Representative _____
 Date _____

Instructions and notes on how to use this form
 - Complete guidance for preparing disbursement requests can be found in section G.2. of the North Carolina SRF Program Overview and Guidance that was included with your Funding offer (applicable to State grants and loans too).
 - The form, as downloaded, is filled out with sample numbers. It is suggested that the sample be used as a reference (saved or printed).
 - Please submit ONE COPY of this form and backup documents when requesting funds.
 - Only the Authorized Representative can sign this form, unless declared otherwise in a resolution.
 - Construction contract line item overruns and engineering contract overruns must have approved change orders or engineering amendments before those costs will be paid.



Water Infrastructure
ENVIRONMENTAL QUALITY

**CERTIFICATION REGARDING UNIFORM RELOCATION
ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES
(URLAP) ACT OF 1970**

Applicant: _____
Project No.: _____
Project Name: _____

Please check appropriate boxes:

- ☐ I certify that all real property (including easements) has been acquired or condemnation proceedings have been entered into for property thereby providing legal access for this project.

AND

- ☐ I certify to the best of my knowledge and belief that the acquisition of property specifically for the above referenced project is in compliance with the URLAP Act of 1970 (the Uniform Act). The acquisition either:
- ☐ Acquisition of real property did not result in the displacement of any person, business or farm operation.
 - ☐ or relocation was involved in the land acquisition, the Federal Highway Administration (FHA) was contacted for technical assistance.

OR

- ☐ Compliance with the Uniform Act does not apply because the land and/or easements associated with the above referenced project were acquired prior to the inception of the project. Date land acquired: _____

I understand that a false statement on this certification may be grounds for rejection or termination of this loan.

Signature of Applicant's Authorized Representative or Attorney

Date

Typed Name and Title

Capital Project Ordinance

Be it ORDAINED by the Governing Board of the (Town of Anywhere), North Carolina, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital Project Ordinance is hereby adopted.

Section 1: The Project authorized is the (construction/rehabilitation of a wastewater treatment/collection System) to be financed by (the sale of general obligation bonds/ARRA loan /federal loan/state loan / state grants and reserves).

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the board resolution, loan documents and the budget contained herein.

Section 3: The following amounts are appropriated for the project:

Engineering	\$ 120,000
Land	90,000
Construction	<u>1,440,000</u>
	<u>\$ 1,650,000</u>

Section 4: The following revenues are anticipated to be available to complete this project:

Federal/ARRA Loan	\$ 1,100,000
Proceeds from general Obligation Bonds	\$ 500,000
Transfer from Wastewater treatment capital Reserve	<u>\$ 20,000</u>
	<u>\$ 1,650,000</u>

Section 5: The finance officer is hereby directed to maintain within the capital project fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations. The terms of the bond resolution also shall be met.

Section 5: Funds may be advanced from the General Fund for the purpose of making payments as due. Disbursement requests should be made to the grantor agency in an orderly and timely manner. Section

7: The finance officer is directed to report, on a quarterly basis, on the financial status of each project element in section 3 and on the total grant/loan revenues received or claimed.

Section 8: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this board.

Section 9: Copies of this capital project ordinance shall be furnished to the clerk to the Governing Board, and to the Budget Officer and the Finance officer for direction in carrying out this project.

Duly adopted this __ day of _____ 201__.

Signature, (Authorized Rep)

(Seal)

Attest: _____
Signature (Town Clerk)

North Carolina Wastewater Funding Programs Overview

Division of Water Infrastructure Website: <https://www.deq.nc.gov/about/divisions/water-infrastructure>

A) Application Filing

1. Application deadlines are twice a year. The deadlines are typically March and September.
2. If SRF and State Reserve funding are both available, an applicant will simply apply for funding and DWI will slot successful applications into the funding program that best suits the situation (most grant or principal forgiveness, most total dollars etc.)
3. Letter of Intend to Fund (LOIF) letters are mailed after DWI evaluation and State Water Infrastructure Authority approval. Recipients of LOIF letters are placed on a schedule for completing the rest of the steps to start construction.
4. Consult the website for the current application forms.

B) Engineering Report Submission and Approval (See website for guidance and details)

1. From the Date of the LOIF, an Engineering Report (ER) must be submitted within 4 months.
2. From the Date of the LOIF, the ER must be approved within 9 months.
3. Consult the website for submittal checklists and instructions.

C) Application Approval by the Local Government Commission

1. For projects with a loan component, the Local Government Commission must approve the ability to take on the requested debt. This is done after the Engineering Report is approved. DWI staff will transmit the required information to the LGC on behalf of the project applicant. **Note that LGC 108A & 108C forms are now not requested by DWI until the ER is approved. The ER approval letter asks the applicant to obtain the forms from the website and return them to DWI. Please do this as soon as possible.**
2. Terms:
 - a) Projects with interest bearing loans will receive the lower of two interest rates. The two rates are the current rate when applications are due and the rate when the LGC approves the loan. The Loan Offer (discussed in D, below) will reflect the lower rate. The rates are ½ the 20-year municipal bond buyers index. Certain, qualifying applications receive 0% interest loans.
 - b) The LGC sets the loan term with a maximum term of 20 years. Applicants may want to contact the LGC earlier than this to ensure they are able to meet LGC approval requirements. Currently the LGC is not allowed to review applications for \$1,000,000 or more unless a letter to the Joint Legislative Committee on Local Government and the Fiscal Research Division has been provided.
 - c) Loan Offers can be written for as much as 110% of the LGC approved amount. The applicant must justify this, and request it in writing from the DWI.
 - d) In some rare cases a 30 year term may be available. Please consult DWI management to discuss if this is potentially available for your situation.

D) Loan Offer

1. After approval of the Engineering Report and debt capacity by the LGC (for loans), a formal Award Offer is prepared which includes the Award's details and applicable assurances and conditions.

- a) Two copies of the Award Offer are sent to recipients. Return the following to DWI:
 - b) One signed copy (keep the other copy) of the Loan Offer.
 - c) Resolution accepting the Award Offer.
 - d) Federal ID and DUNS # form.
 - e) Sales Tax Certification.
 - f) A Fiscal Sustainability Plan (FSP) Certification for certain new SRF projects. This must be returned before a project's final reimbursement will be made.
2. In the event of bids that exceed the project budget, a loan increase for up to 10% can be authorized without additional approval of the LGC. Amounts above 10% require a modified application to be approved by the LGC.
 3. Closing Fees are invoiced with the Authority to Award letter. (paragraph F below). The Award Offer contained an estimated closing fee but actual closing costs are based on the total costs after bids are received. Loan Fees are 2% and Grant Fees 1.5%.

E) Plans and Specifications Approval (see website for guidance and details)

1. Plans & Specifications must be submitted within **15 months** of the LOIF.
2. Plans and Specifications must be approved within **19 months** of the LOIF letter. This includes issuance of all permits.
3. The project's plans and specifications must be approved by the Division prior to advertising for bids. Changes by addendum must be submitted to the Division for approval. Changes by change order must also be submitted for approval.

F) Bidding and Issuance of Authority to Award (ATA) the Construction Contract

1. Issuance of the ATA letter must be within **23 months** of the LOIF letter. Awarding contracts before issuance of the ATA letter is at the risk of the owner.
2. The contracts may be advertised as soon as plans & specifications are approved and permits are issued. NC General Statutes require the project to be advertised for 7 days, however DWI prefers projects to be advertised for 30 days. For the initial advertisement period, three bids must be received in order for an award to be made. The Plans & Specifications approval letter has the Project Bid Information form attached. It, and the other information described in it, must be submitted to and approved by this office **before contracts can be awarded**. This information is:
 - a. Project Bid Information Form, signed by authorized representative
 - b. Bid tabulation, sealed by the consulting engineer
 - c. Proposals of the successful bidders
 - d. Tentative award resolution from loan recipient subject to DWI approval
 - e. Engineer's recommendation
 - f. Proof of Advertisement
 - g. American Iron and Steel Certification (SRF only)
 - h. MBE/WBE requirements. (Detailed guidance on the website).
3. In an environment where program funding is limited, costs not demonstrated to be needed by the applicant, will immediately be made available in future funding rounds (deobligated).

- vii) For Loans, promissory note executed and returned to the Local Government Commission (this is requested from the LGC upon receipt of the executed construction contract and is for the amount noted in the ATA letter)

b) Disbursements - General Information

- i) Forms can be found online. A sample was included with the Loan Offer
- ii) Disbursement requests should be sent to Jackie Moore; 1633 Mail Service Center; Raleigh NC 27699-1633.
- iii) All items must be approved in advance before being reimbursed.
- iv) One copy of the following information is required for reimbursements:
 - o Reimbursement request form with original signature.
 - o Contractor monthly estimates
 - o Engineering invoices
 - o Invoices for any other approved costs
 - o Eligible land costs will be reimbursed when the land has either been acquired or is under condemnation. In both cases and a copy of an offer to purchase the land must be submitted with the appraisal.
- v) Indicate cumulative totals on the reimbursement form
- vi) Check the appropriate box regarding whether or not contractors have already been paid. Note, that if the DWI funds are needed to pay the contracts, the funds must be disbursed within 3 banking days of receipt.
- vii) As noted in the Award Offer Assurances, sales taxes will be deducted from disbursements if an applicant indicates they intend to seek reimbursement for them from the Department of Revenue. A certification form is provided on our website to indicate what the owner intends to do regarding sales tax.
- viii) Note that Davis-Bacon certified payrolls and materials invoices that support the contract summary invoice do not need to be submitted with reimbursement requests.

c) Project Closeout and Final Disbursement

- i) Funds are held at 95% until the final payment is authorized.
- ii) Required items for final payment include:
 - o The inspector must issue final inspection report signifying that project is complete and all concerns have been satisfied and all change orders must have been submitted and approved.
 - o Final invoices must show zero retainage.
 - o Submit to Pam Whitley:
 - ✓ Engineer's certifications.
 - ✓ Owner's Certification of Completion
 - ✓ Signed Closeout Checklist.
 - ✓ Fiscal Sustainability Plan (CWSRF Only).

H) REPAYMENT (Loans Only)

1. Repayments will be reflected in the final promissory note and will be for the actual funds borrowed.
2. Repayments by the recipient begin on the May 1st or the November 1st that is between 6 months and 12 months after original project completion in the notice to proceed.
3. The May 1st payment includes principal and interest and the November 1st payment is only interest.
4. **Interest begins to accrue from the date of completion on the Notice to Proceed.** For multi-prime contracts the General contract will be used to set this date.
5. Construction Manager at Risk and Design Build Contracts, should set a date of completion in that contract.

I) Eligibility**1. Regulatory Authority-CWSRF**

- a) The types of projects that can be funded are loosely defined under Sections 212, 319 and 320 of the Clean Water Act. These can be described as publically owned wastewater treatment and transport systems and stormwater pollution treatment and control projects.

2. Construction - Items Not Eligible

- a) Project elements not related to the scope of the approved project.
- b) The SRF will pay to restore project related items such as road patching, sidewalks Fences, seeding, etc. Complete paving of streets unless warranted by disturbance of construction activities, even if required by NCDOT
- c) Note that items or rework that should be covered by bonds, insurance or liquidated damages will not be covered by the SRF funds.
- d) Any installation of service lines or service laterals outside the right-of-way.
- e) Operation and maintenance type work (e.g. sludge removal not necessary for construction of the project), or items such as spare parts.
- f) Extended warranties or maintenance contracts.
- g) Drinking water facilities are not eligible for CWSRF projects unless changes are necessary to complete the sewer project (e.g. moving a water line, providing potable water to wastewater facility).

3. Engineering and Technical Services - Eligibility Considerations

- a) Planning and Design Contracts
 - i. Must include task descriptions and these tasks must be associated with the project being built
- b) Construction Administration and Inspection
 - i) Task Description must be included and tasks must be associated with eligible construction work
 - ii) Typical tasks include but are not limited to: attending meetings, provide plan copies, review testing, review shop drawings, review payment applications, prepare change orders, coordinate with DWI, as-builts
 - iii) Price should be cost plus fixed fee or per diem with a ceiling. This fee schedule should be in the contract.
 - iv) Invoices must include hours, rate and task
 - v) Contract must be amended to pay beyond the ceiling. Must be accompanied by justification such as a corresponding change order.
- c) Other eligible engineering activities include bidding, O&M manuals, soils reports, hydro-geologic reports, TVing and cleaning of lines etc.

4. Other Eligibility Notes

- a) Legal - Legal fees for contract review and for advertisements etc.
- b) Real Property and easements associated with the approved project scope are eligible expenses. All cost items associated with acquiring the property may be paid for if properly documented.
- c) Preparation of permits required by Federal, or State regulations or procedures.
- d) Permits imposed by the applicant such as building permits are not eligible.

Attachment 2



Resolution #24-09

DEQ Project No. SRP-W-134-0021

Whereas, the Town of Holden Beach has received a Directed Projects grant from the 2023 Appropriations Act, Session Law 2023-134, administered through the Drinking Water Reserve and Wastewater Reserve to assist eligible units of government with meeting water/wastewater infrastructure needs, and

Whereas, the North Carolina Department of Environmental Quality has offered 2023 Appropriations Act funding in amount of \$1,970,000 to perform work detailed in the submitted application, and

Whereas, the Town of Holden Beach intends to perform said project in accordance with the agreed scope of work.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSNERS OF THE TOWN OF HOLDEN BEACH:

That the Town of Holden Beach does hereby accept the 2023 Appropriations Act Directed Projects offer of \$1,970,000.

That the Town of Holden Beach does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.

That David W. Hewett, Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.

Adopted this the 19th Day of November at Holden Beach, North Carolina.

Signature of Chief Executive Officer

Date

attachment 3

TOWN OF HOLDEN BEACH

ORDINANCE NO. 24-16

AN ORDINANCE AMENDING ORDINANCE 24-11, THE REVENUES AND APPROPRIATIONS ORDINANCE FOR FISCAL YEAR 2024-2025 (AMENDMENT NO. 2)

Be it ordained by the Mayor and Board of Commissioners of the Town of Holden Beach, North Carolina, that Ordinance No. 24-12 appropriating funds for fiscal year 2024-2025 be amended as follows:

REVENUES
DESCRIPTION
EPA STAG

ACCOUNT #
35.0323.0100
TOTAL

AMOUNT	ACTION
<u>30,000</u>	INCREASE
<u>30,000</u>	

EXPENDITURES
DESCRIPTION
ADMINISTRATION

ACCOUNT #
35.0410.0000
TOTAL

AMOUNT	ACTION
<u>30,000</u>	INCREASE
<u>30,000</u>	

The Finance Officer as may be appropriate is hereby authorized to effect such administrative actions as necessary to ensure compliance with the Local Government Fiscal Control Act and Governmental Accounting Standards Board.

This amendment is effective the 19th day of November 2024.

ATTEST:

J. Alan Holden, Mayor

Heather Finnell, Town Clerk

•
•

Attachment 4

Capital Project Ordinance 24-17

BE IT ORDAINED by the commissioners of Holden Beach, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

Section 1: This ordinance is to establish a budget for capital projects to be funded by EPA STAG and DEQ grants. The project authorized is the upfit of the sewer lift station.

Section 2: The officers of this unit are hereby directed to proceed with the capital project within the terms of the board resolution and the budget contained herein.

Section 3: The following amounts are appropriated for the project and authorized for expenditure:

Description	Appropriation of Funds
Administration	\$45,000
Construction	\$4,300,950
Engineering	\$235,386
TOTAL	\$4,581,336

Section 4: The following revenues are anticipated to be available to complete the project:

EPA STAG & DEQ GRANT	\$4,581,336
---------------------------------	--------------------

Section 5: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting and other compliance records to satisfy the requirements of the grantor agency, the grant agreements and state law.

Section 6: Funds may be advanced from the water/sewer fund for the purpose of making payments as due. Disbursement request to the grantor agency should be made in a timely manor.

Section 7: The Finance Officer is hereby directed to report the financial status of the project(s) to the governing board on a quarterly basis.

Section 8: The budget officer is directed to include a detailed analysis of past and future cost and revenues on this capital project in every budget submission made to this board.

Section 9: Copies of this capital project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Clerk to Town Council.

Duly adopted this 19th day of November 2024

(seal)

REQUIRED SIGNATURES HERE.



Town of Holden Beach
AGENDA TOPIC COVER SHEET

TO: Holden Beach BOC

MEETING DATE: 11/19/2024

FROM: Daniel McRainey

DATE SUBMITTED: 11/8/2024

ISSUE/ACTION REQUESTED: Approval of budget amendment to be able to use proceeds from the sale of 796 to pay off associated debt.

BACKGROUND/PURPOSE OF REQUEST: The town sold the property at 796 OBW through an upset bid process and the proceeds were booked to miscellaneous revenue in the Water/Sewer Fund. The debt will be paid down at the next payment date in April.

FISCAL IMPACT: (select one)

BUDGET AMENDMENT REQUIRED:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
CAPITAL IMPROVEMENT PLAN ITEM:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
PRE-AUDIT CERTIFICATION REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
REVIEWED BY FINANCE DIRECTOR:	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>

CONTRACTS/AGREEMENTS: (select one)

REVIEWED BY TOWN ATTORNEY:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
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ADVISORY BOARD RECOMMENDATION:

FINANCE RECOMMENDATION: recommend approval.

TOWN MANAGER'S RECOMMENDATION:

ATTACHMENT: Budget amendment

TOWN OF HOLDEN BEACH

ORDINANCE NO. 24-18

AN ORDINANCE AMENDING ORDINANCE 24-11, THE REVENUES AND APPROPRIATIONS ORDINANCE FOR FISCAL YEAR 2024-2025 (AMENDMENT NO. 3)

Be it ordained by the Mayor and Board of Commissioners of the Town of Holden Beach, North Carolina, that Ordinance No. 24-11 appropriating funds for fiscal year 2024-2025 be amended as follows:

REVENUES**DESCRIPTION****ACCOUNT #****AMOUNT****ACTION**

MISC REV SEWER FUND

30.0335.0100

278,710

INCREASE

TOTAL278,710**EXPENDITURES****DESCRIPTION****ACCOUNT #****AMOUNT****ACTION**

Debt Service Sewer

30.0810.9301

278,710

INCREASE

TOTAL278,710

The Finance Officer as may be appropriate is hereby authorized to effect such administrative actions as necessary to ensure compliance with the Local Government Fiscal Control Act and Governmental Accounting Standards Board.

This amendment is effective the 19th day of November 2024.

ATTEST:

J. Alan Holden, Mayor

Heather Finnell, Town Clerk



Town of Holden Beach
AGENDA TOPIC COVER SHEET

TO: Holden Beach BOC

MEETING DATE: 11/19/2024

FROM: Timothy Evans
SUBMITTED: 11/12/2024

DATE

ISSUE/ACTION REQUESTED: **Discussion and Possible Alternative Action.**

BACKGROUND/PURPOSE OF REQUEST: **Action Required from Commissioners Goals and Objectives. Staff Recommends an assessment be performed by the Planning Department, and if needed then funds already budgeted can be used for any outside additional consulting deemed necessary.**

FISCAL IMPACT: (select one)

BUDGET AMENDMENT REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
CAPITAL IMPROVEMENT PLAN ITEM:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
PRE-AUDIT CERTIFICATION REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
REVIEWED BY FINANCE DIRECTOR:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

CONTRACTS/AGREEMENTS: (select one)

REVIEWED BY TOWN ATTORNEY: YES ☐ NO ☒

ADVISORY BOARD RECOMMENDATION:

FINANCE RECOMMENDATION:



Town of Holden Beach
AGENDA TOPIC COVER SHEET

TO: Holden Beach BOC

FROM: Commissioners Rick Smith & Page Dyer

DATE SUBMITTED: 11/8/24

MEETING DATE: 11/19/24

ISSUE/ACTION REQUESTED: Review conceptual proposal for a public private partnership for the pier building with possible action to issue a request for proposals.

BACKGROUND/PURPOSE OF REQUEST: There are organizations or entities who would submit a formal proposal to demolish and rebuild the pier building via a public private partnership, but an unsolicited proposal is not allowed. Therefore, reviewing a conceptual proposal to consider issuing a request for proposals is an option to move the project forward.

FISCAL IMPACT: (select one)

BUDGET AMENDMENT REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
CAPITAL IMPROVEMENT PLAN ITEM:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
PRE-AUDIT CERTIFICATION REQUIRED:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
REVIEWED BY FINANCE DIRECTOR:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

CONTRACTS/AGREEMENTS: (select one)

REVIEWED BY TOWN ATTORNEY:	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
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ADVISORY BOARD RECOMMENDATION: N/A

FINANCE RECOMMENDATION: N/A

TOWN MANAGER'S RECOMMENDATION: N/A

ATTACHMENT: Conceptual Proposal

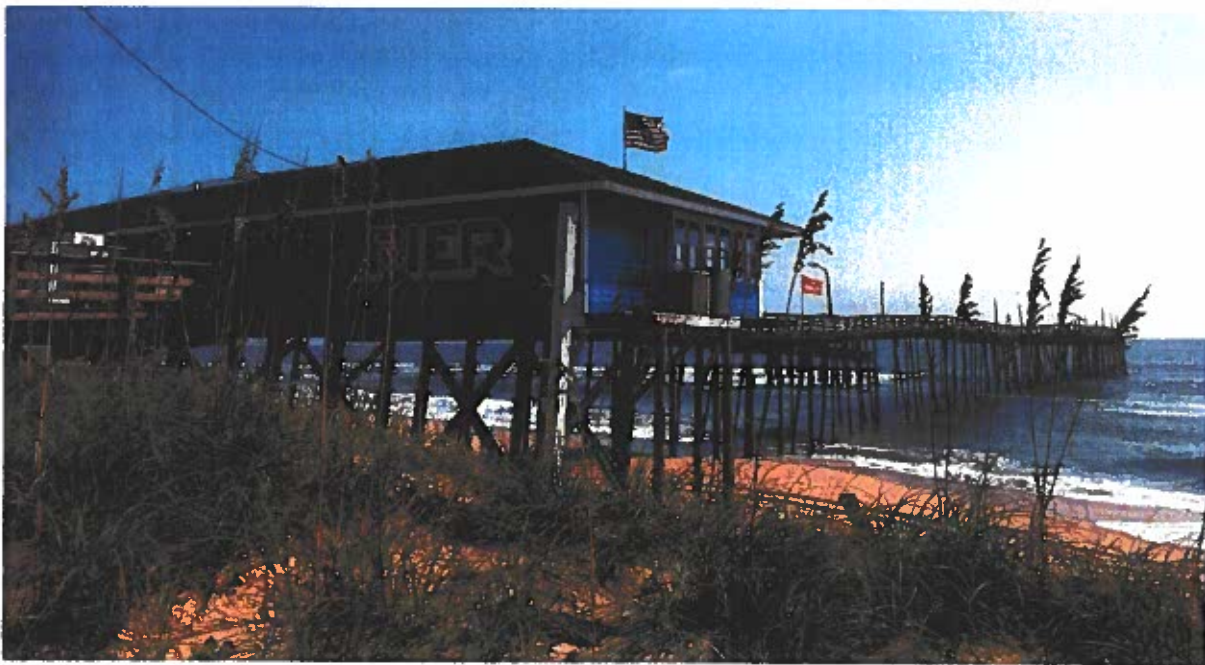
United States Department of the Interior
National Park Service
Cape Hatteras National Seashore



**Leasing Opportunity at
CAPE HATTERAS NATIONAL SEASHORE**

**Request for Proposals to Lease
AVON FISHING PIER IN AVON, NC**

ISSUED June 8, 2020



NPS Photo

Leasing Opportunity at Cape Hatteras National Seashore

Request for Proposals – Avon Fishing Pier in Avon, NC

Request for Proposals Issued:	June 8, 2020
Site Visit:	June 29, 2020 at 12:00 P.M. (EST) July 6, 2020
Question Submission Deadline:	2020
Proposal Submission Deadline:	September 21, 2020 (updated)
Anticipated Date for Selection:	October - November 2020 (updated)
Anticipated Lease Commencement:	Late 2020 (updated)

Proposals must be received by the National Park Service no later than 4:00 pm (EST) on the due date listed above. Proposals may be submitted electronically to caha_commercial_services@nps.gov or by mail to:

Superintendent
Cape Hatteras National Seashore
1401 National Park Dr.
Manteo, NC 27954
Attention: Avon Fishing Pier Lease Proposals (MAILROOM DO NOT OPEN)

Interested parties are asked to RSVP for the site visit no later than 12:00 pm (EST) on the day before the site visit. To RSVP for the site visit, email caha_commercial_services@nps.gov or call 252-475-9033 and provide the names of attendees.

Questions not addressed in this Request for Proposals (RFP) will be collected and responded to through issuance of Question & Answers (Q&A) to all registered, interested parties. Questions must be submitted in writing by 4:00 pm (ET) on the due date listed above. Questions may be submitted via email to caha_commercial_services@nps.gov or by mail to:

Management Analyst
Cape Hatteras National Seashore
1401 National Park Dr.
Manteo, NC 27954
Attention: Avon Fishing Pier

Questions and their answers will be viewable by the public and posted as Questions and Answers (Q&A) on the Cape Hatteras National Seashore website at <https://nps.gov/caha/getinvolved/leasing.htm>.

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1. BACKGROUND

A. National Park Service

The United States' National Park Service (Service or NPS) was created by Congress to "conserve the scenery, natural and historic objects and the wild life in the System units and to provide for the enjoyment of the scenery, natural and historic objects, and wild life in such manner and by such means as will leave them unimpaired for the enjoyment of future generations." 54 U.S.C. § 100101(a). Additionally, the Congress has declared that the Service should be "preserved and managed for the benefit and inspiration of all the people of the United States." 54 U.S.C. § 100101(b)(1)(c). Therefore, the Service has as its overall mission the preservation and public enjoyment of significant aspects of the nation's natural and cultural heritage.

To learn more about the Service, visit our website at www.nps.gov. This site includes information about who we are, our mission, Service policies and individual parks.

B. Cape Hatteras National Seashore

Cape Hatteras National Seashore (Seashore or Park Area) is located within Dare and Hyde Counties on the Outer Banks of North Carolina. In 1937, Cape Hatteras became the first national seashore and was designated to preserve the dynamic barrier islands and their unique vegetation, wildlife and coastal processes; and to provide recreation and enjoyment to the public. Stretching over 70 miles from north to south, the Seashore crosses three islands: Bodie, Hatteras, and Ocracoke. The Seashore provides remote stretches of beach, as well as numerous recreational and cultural opportunities that are easily accessible from towns north of the Seashore (including Nags Head, Manteo, Kill Devil Hills, and Kitty Hawk), as well as villages adjacent to the Seashore on North Carolina Highway 12 (Rodanthe, Waves, Salvo, Avon, Buxton, Frisco, Hatteras and Ocracoke). Between 2014 and 2018, the Seashore hosted an average of nearly 2.4 million visitors per year. Seashore visitation includes tourists, many of whom visit the Outer Banks for week-long stays in vacation rentals in the towns and villages listed above, as well as locals enjoying the Seashore's premier recreational and cultural opportunities.

For more information about the Seashore visit: www.nps.gov/caha. For more information about the local area, visit the Outer Banks Chamber of Commerce at www.outerbankschamber.com and the Outer Banks Visitors Bureau at www.outerbanks.org.

C. Avon Fishing Pier

Location and Physical Features

Avon Fishing Pier (Avon Pier or Pier) and the associated pier house are located on Seashore beach property adjacent to [41001 NC-12, Avon, NC 27915](#). The Pier consists of a pier house, which is approximately 2,213 square feet in size and the wooden fishing pier, which is approximately 666 feet long. Seashore property in this area is limited to the ocean beach. The Pier does not have or include an access road or parking area. The access road, parking area and businesses adjacent to the Premises (between the Pier/pier house and NC Highway 12) are private property. The Pier is located 13 miles north of the Cape Hatteras Lighthouse district and visitor center.

Brief History

The Avon Fishing Pier was constructed and first operated under an authorization issued by the Service in 1964. While the village of Avon has grown up around the Pier in the decades since it was constructed, the Pier's current services and amenities are similar to those envisioned and provided in 1964 – an ocean fishing pier with associated merchandising, such as fishing tackle and convenience items, on offer in the pier house.

Current Pier Operation

The Pier is currently operated under NPS Concession Contract CC-CAHA001-98 (Contract). This Contract, "requires and authorizes the Concessioner during the term of this CONTRACT to operate an ocean fishing pier with related merchandising, for the public within the Area." Accordingly, the Contract requires the operation of Avon Fishing Pier and the associated pier house. The Contract is held by Koru Village Incorporated (Concessioner), which owns the adjacent private property (including the access road and parking lot). The Contract is currently on an annual continuation, "for a period not to exceed December 31, 2020, or until the effective date of a new contract, whichever occurs first."

The annual gross receipts reported by Concessioner to the Service for Contract operations in 2016 – 2019 are as follows:

Fiscal Year	Gross Receipts*
2016	\$429,146
2017	\$455,960
2018	\$409,918
2019	\$392,835

* Note: This historical financial data is provided for informational purposes only. Applicants are responsible for conducting their own due diligence and developing their own financial estimates related to this RFP.

2. LEASING OPPORTUNITY

This Request for Proposals (RFP) provides the opportunity for interested individuals and organizations to submit proposals to the NPS to lease the Avon Fishing Pier (hereinafter the Lease Premises) at Cape Hatteras National Seashore. Some of the general terms and conditions of the leasing opportunity are described below, however, applicants should also review the Sample Lease (included as Attachment A). This Sample Lease will be the basis for any negotiation between the NPS and the selected applicant regarding the terms and conditions to be included in the final, negotiated Lease (Lease).

A. NPS Leasing Authority

NPS has the authority to lease historic property through the National Historic Preservation Act (54 U.S.C. 306121), as amended. The National Park Service General Leasing Authority is codified in 54 U.S.C. 102102 and authorizes NPS to lease buildings and associated property administered by the Secretary as part of the System. These authorities are implemented through regulations promulgated under Title 36 of the Code of Federal Regulations.

This RFP is issued under the authority of 36 CFR Part 18. This RFP and the offered Lease are subject to and incorporate all terms and conditions of Part 18 as applicable. In the event of any conflict between the terms of this RFP and Part 18, Part 18 will control.

B. NPS Goals

The National Park Service seeks a Lessee (as defined in the attached Sample Lease) for Avon Fishing Pier in order to:

- Enable continued use of the Lease Premises for pier fishing and associated services; and
- Provide regular maintenance and upkeep of the Lease Premises, including both the pier and pier house.

In addition to enabling the continued use of the Lease Premises as described above, the Sample Lease includes additional authorized uses that the NPS has determined are consistent with the requirements of 36 CFR Part 18 and are further described in Criterion 1 – Use, in section 3.C of this RFP.

C. Premises Offered for Lease

Location

Avon Pier is centrally located on Hatteras Island in the village of Avon and provides direct access for ocean fishing. It serves vacationers and locals on Hatteras Island, and is also a reasonable drive from Outer Banks areas to the north including Roanoke Island and the town of Nags Head. Additionally, the Pier is a short drive to other visitor destinations on Hatteras Island including the Cape Hatteras Lighthouse district and visitor center, which are 13 miles to the south.

Figure 1: Google Map of Premises



Figure 1: Google Map of Premises - <https://www.google.com/maps/place/Avon+Fishing+Pier/@35.5311633,-76.1952156,9.5z/data=!4m5!3m4!1s0x89a43849b99b20d7:0x364f2eb0418e3624!8m2!3d35.3473006!4d-75.5013299>

Lease Premises

The Lease Premises in the Sample Lease includes the pier and pier house, as shown in Figure 2 and described in Table 1 below. The Lease Premises does not include any assigned land or water. As provided in the Lease, the Lessee will be responsible for the use and maintenance of

all structures, assets, utilities, and other features of the Lease Premises.

Notably, the Lease Premises does not include the parking lot, access or entrance road, septic system, or any other features of the property situated adjacent to the Pier. The property situated adjacent to the Pier to the west is privately owned and outside of Seashore boundaries. The Service does not have legal or equitable ownership or control of any adjacent land or support facilities to assign to the Lessee, including the private property situated adjacent to the Pier. Therefore, in response to Criterion 5 below, applicants must provide their plans for obtaining and providing visitor access to the Lease Premises, as well as their plans to provide any support facilities they determine to be necessary for Pier and pier house operations.

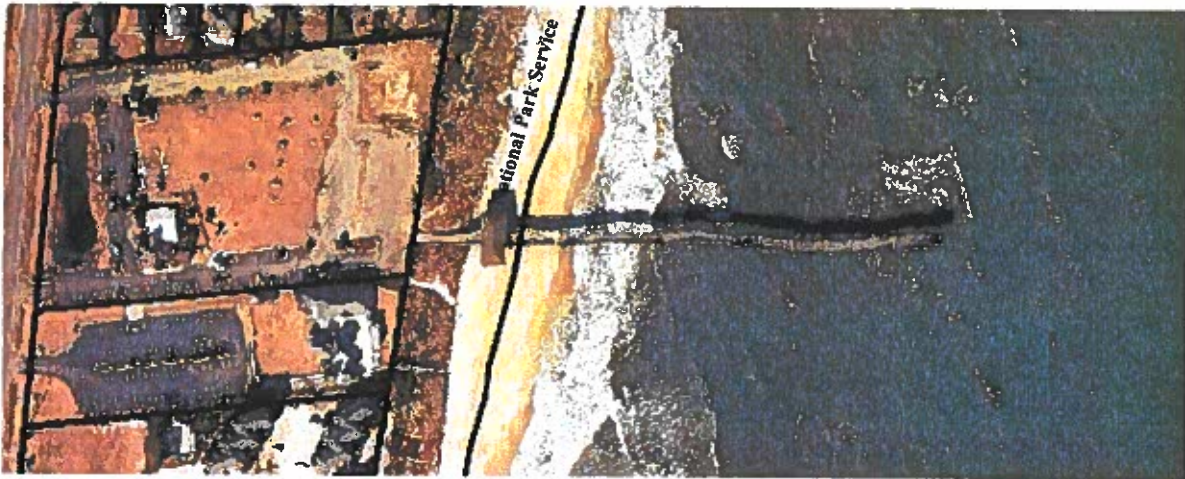


Figure 2: Image of Avon Fishing Pier with Adjacent Property Boundaries

Figure 2: Image of Avon Pier from Dare County GIS - <https://maps.darecountync.gov/>

Table 1: Assets on Premises

Asset Type	Asset Name	Asset Description	Size	NPS Asset #	Year Built	Condition
Building	Avon Pier House	Wooden structure accessible by 100-foot-long wooden ramp. Used for retail sales, food and beverage sales, office space and storage space.	Approx. 2,213 square feet	93925	1964	Good
Building - Pier	Avon Pier	Wooden pier attached to and accessible only from the pier house.	Approx. 10,656 square feet (approx. 666 feet long and average of 16 feet wide)	93921	1964	Good

The Lessee will be responsible for use and maintenance of all structures, assets, utilities, and other features of the Premises.

See Section 2, Exhibit A, and Exhibit C of the attached Sample Lease for further information regarding the Lease Premises, Inventory and Condition of the assets on the Lease Premises, and the Property Description.

D. Lease Terms and Conditions

The National Park Service will serve as Lessor under the Lease for the Lease Premises offered under this RFP. The Lease will contain standard terms and conditions addressing compliance with applicable law, regulation, and policy; repair and maintenance obligations; termination; default; indemnification; and insurance, among others, in accordance with 36 CFR Part 18.

Pursuant to the Lease, the Lessee's activities on the Lease Premises shall be subject to the general supervision and inspection of the NPS and to such rules and regulations regarding ingress, egress, safety, sanitation, and security as may be prescribed by the Superintendent.

Final Lease terms and conditions will be negotiated between NPS and the selected applicant and must be substantially similar to the terms and conditions included in the Sample Lease.

Authorized Uses

The Lessee may use the Lease Premises only for the following purposes related to operation of an ocean fishing pier and provision of associated goods and services:

1. The sale of passes for fishing and sightseeing;
2. The sale of retail and convenience items;
3. The sale of food and beverage items (non-alcoholic and alcoholic beverages);
and
4. Special events, such as fishing tournaments.

See Section 6 of the Sample Lease for more detailed information regarding use of the Lease Premises. As noted in the Sample Lease and described in Criterion 1 – Use, NPS, at its sole discretion, may also include additional uses, which are compatible with the Area's purpose, based on submissions from applicants who demonstrate in their proposals they have the experience necessary to ensure safe implementation of same.

Term of Lease

The National Park Service will only accept proposals for lease terms between five (5) and ten (10) years. The term of the Lease is negotiable (between five (5) and ten (10) years) and must be proposed by interested persons and individuals as part of their response to Criterion 2 – Financial.

In accordance with 36 CFR §18.10, the lease "may not be extended, except that, leases with an initial term of one (1) year or more may be extended once for a period not to exceed one (1)

additional year if the [National Park Service] Director determines that an extension is necessary because of circumstances beyond the Director's control."

Rent

The Lessee is required by law to pay, at a minimum, a fair market value rent to the NPS.

The NPS has determined that the fair market value rent for the Premises is as follows:

- \$18,000 fixed annual rent; and
- Fixed annual rent will be increased by 10% in Lease year 6.

The rent requirements are stated in Section 5 of Sample Lease.

The following table provides an illustration of the fixed rent escalator:

Table 2: Illustration of Fixed Rent Escalator

Lease Years	Fixed Annual Rent
1 - 5	\$18,000
6 - 10	\$19,800

Maintenance Plan

Applicants should note that the Lessee will be required to submit a maintenance plan for Service approval within sixty (60) days of Lease commencement. The maintenance plan must describe the Lessee's plans to maintain and repair the Lease Premises during the term of the Lease at a level consistent with the Service's standards. The plan, when approved by the Lessor, shall become an Exhibit to the Lease without further action and the Lessee shall comply with its terms.

Real Estate Taxes

In accordance with the terms of Section 12 of the Sample Lease, the Lessee shall be responsible for the payment to the proper authority, when and as the same become due and payable, all taxes and assessments imposed by federal, state, or local agencies applicable to the Lease Premises or the Lessee's activities on the Lease Premises. Lessees are not exempt from the payment of local ad valorem or real estate taxes, where applicable, absent any law to the contrary.

Insurance

Insurance requirements can be found in Exhibit B to the Sample Lease, which is included as Attachment A to this RFP.

Transition Between Operators

The Lessee will be required to coordinate with the current operator to ensure a smooth transition from existing operations under the Concession Contract to operations under a Lease as advertised in this RFP.

3. PROPOSAL SUBMISSION PROCESS

A. Competitive Process

This Lease opportunity is open to all interested persons on a competitive basis. The proposal judged best under the proposal selection criteria will be given an opportunity to negotiate a final Lease agreeable to both the selected applicant and NPS.

To be selected by the NPS, the applicant must demonstrate the capability to plan and finance the proposal. Evaluation criteria and the process for Lessee selection are described in detail in this section of the RFP.

In accordance with 36 CFR 18.8, the NPS is required to consider the following criteria when evaluating lease proposals:

- 1) The compatibility of the proposal's intended use of the leased property with respect to preservation, protection, and visitor enjoyment of the park;
- 2) The financial capability of the offeror to carry out the terms of the lease;
- 3) The experience of the offeror demonstrating the managerial capability to carry out the terms of the lease;
- 4) The ability and commitment of the offeror to conduct its activities in the park area in an environmentally enhancing manner through, among other programs and actions, energy conservation, waste reduction, and recycling; and
- 5) Any other criteria the RFP may specify.

To meet the criteria above and account for the priorities of the Seashore, the NPS will judge proposals based on responses the criteria and weighting provided in Section C below.

B. Proposal Submission Date and Requirements

Proposals must be received by the National Park Service no later than 4:00 pm (EST) on September 21, 2020 (updated).

Proposals may be submitted electronically to caha_commercial_services@nps.gov or in person or by mail to:

Superintendent
Cape Hatteras National Seashore
1401 National Park Dr.
Manteo, NC 27954
Attention: Avon Fishing Pier Lease Proposals (MAILROOM DO NOT OPEN)

Proposal Package Content

All proposals must include the following:

- Responses to selection Criteria 1 through 5 (see section 3.C. of this RFP)
- Completed Attachment B - Identification and Credit Information Forms
- Completed Attachment C - Financial Information for Revenue Producing Uses

All proposals must be formatted to an 8-1/2" by 11" inch paper size. Applicants who have prepared financial documents in Excel may include electronic copies of the Excel files as part of the proposal package.

Proposals submitted to the address listed above (in person or via mail - U.S. Postal Mail or any express delivery), must be provided in a sealed envelope including all required proposal package content in electronic format (via flash drive or similar). Applicants may also include paper copies, but must provide all content electronically.

NPS will not accept proposals submitted by telephone, fax, or methods other than the accepted methods described above (electronic, in-person, or via mail) – such proposals will be deemed non-responsive and will receive no further consideration for selection. Proposals will not be returned. Proposals must be received electronically or at the designated address by the specified deadline.

Within three (3) business days of receipt of proposals, NPS will acknowledge receipt to the email address provided in the application.

C. Proposal Selection Criteria and Required Responses

The NPS requires clear and concise answers. Applicants should respond fully and accurately to all questions/requests and label your responses accordingly. To support your narrative response, applicants are encouraged to present timelines, cost estimates, financial information, and other similar data in tables, graphs or other applicable formats. If the required information is not provided, the proposal may be determined non-responsive and will not be evaluated further.

Overview

The NPS will review all proposals submitted in response to this RFP through an evaluation panel. Proposals will be reviewed to ensure that they adhere to the requirements outlined in this RFP and were submitted on time. Proposals that meet both of these threshold requirements will be considered responsive and will receive further consideration for selection. Proposals that do not meet both of these threshold requirements will be considered non-responsive and eliminated from consideration.

Responsive proposals will be scored using the following selection criteria and weighted according to the noted percentages. For example, the applicant's response to Criterion 1 – Use will account for 15% of the overall score given to their responsive proposal.

NPS will select the best (highest scoring) responsive proposal received under this RFP based on the following selection criteria:

Criterion 1 – Use (15%)

The compatibility of the proposal's intended use of the Lease Premises with respect to preservation, protection, and visitor enjoyment of the park.

NPS Objective:

NPS is interested in preserving the traditional use of the Pier for fishing and associated services. Therefore, proposals must be compatible with these uses of the Lease Premises. NPS is also interested in uses of the Pier property that will enhance visitor enjoyment of the Lease Premises and nearby areas of Cape Hatteras National Seashore. As part of your response to this criterion, applicants are invited to propose activities and services compatible with the authorized uses described in Section 6.1 of the Sample Lease, as well as additional uses that are compatible with the purposes of the Seashore.

Required Response:

Describe in detail (using no more than 10 pages) your proposed operational concept for the Lease Premises including, but not limited to: services and amenities consistent with the authorized uses of the Lease Premises; any additional proposed uses (services or amenities) compatible with the Seashore's purpose; and any proposed alterations or enhancements to existing facilities on the Lease Premises in order to support your operational concept.

For any proposed alterations or enhancements to the facilities, the applicant should provide a project plan including, but not limited to: timeline and any applicable project phases; materials to be used; estimated cost of the project (including cost break-downs for material, labor, and phases, as applicable); drawings or renderings of the proposed alteration/enhancement; and a description of Pier services and operations that might be affected during construction (including an estimated timeline for any facility closures or suspension of operations).

Criterion 2 – Financial (25%)

The financial capability of the offeror to carry out the terms of the Lease.

NPS Objective:

The selected applicant must be capable of operating and maintaining the Lease Premises, as well as any proposed alterations or enhancements described by the applicant in response to Criterion 1 - Use. The applicant must propose a Lease Term (duration of Lease) that they believe is necessary to meet the terms and financial obligations of the Lease. The Service will accept proposals for lease terms between five (5) and ten (10) years.

Required Response:

Applicants must complete and submit the following documentation:

- Attachment B - Identification and Credit Information Forms*
- Attachment C – Financial Information for Revenue Producing Uses*
- Credit report in the name of the offeror that includes scores and is dated within thirty (30) days prior to the date of submission to NPS. The report must be from a major credit reporting company such as Equifax, Experian, TRW, or Dun & Bradstreet. If the offeror is not yet formed, include a credit report for each of the individuals or entities that will have ownership interests or control of the potential Lessee.
- Documentation of the source and availability of funds for, at minimum: start-up costs (for example: furniture, fixtures & equipment; professional services; salaries, marketing & promotion) and the estimated costs of any proposed alterations or enhancements (response to Criterion 1 – Use). Acceptable forms of documentation include bank statements, bank financing commitment letters, or similar documents that demonstrate availability of or access to liquid assets. The Service will only consider documentation of illiquid assets (for example, real estate holdings) as relevant to this Criterion if the applicant also provides evidence of a current line of credit for those assets.

Applicants must state the proposed Lease Term (duration of Lease) in response to this Criterion.

* Applicants may provide additional information and exhibits to support responses provided in Attachment B - Identification and Credit Information Forms and Attachment C – Financial Information for Revenue Producing Uses.

Criterion 3 – Experience (30%)

The experience of the offeror demonstrating the managerial capability to carry out the terms of the Lease.

NPS Objective:

The selected applicant must be capable of meeting all of the terms of the Lease, including managing the Lease Premises in accordance with the authorized uses.

Required Response:

Describe in detail (using no more than 10 pages) your experience and managerial capability relevant to managing the Lease Premises in accordance with the terms of the Sample Lease and consistent with your responses to other Criteria in this RFP.

Criterion 4 – Sustainability (5%)

The ability and commitment of the offeror to conduct its activities in the park area [Cape Hatteras National Seashore] in an environmentally enhancing manner through, among other programs and actions, energy conservation, waste reduction, and recycling.

NPS Objective:

The NPS is interested in the selected applicant conserving energy, reducing waste, and recycling, as feasible. The NPS is also interested in understanding the applicants' plans for storm preparedness as they relate to providing sustainable Lease operations.

Required Response:

Using no more than 5 pages:

- 1) Describe your proposal for managing and using the Lease Premises in an environmentally enhancing manner through programs and actions you may propose, energy conservation, waste reduction, and recycling.
- 2) Describe your storm preparedness plan.

Criterion 5 – Access and Support Facilities (25%)

NPS Objective:

The selected applicant must be able to access the Lease Premises and provide such access to visitors and customers. Additionally, the applicant must be able to provide any support facilities that they determine to be necessary in order to successfully meet the terms of the Lease. The NPS is interested in proposals with specific information about the applicant's plans to access and provide any necessary support facilities for the Lease Premises throughout the term of the Lease.

Required Response:

Using no more than 5 pages, provide specific information about how you will access the Lease Premises, provide access for visitors and customers and provide any support facilities necessary for Lease operations, including descriptions of those support facilities.

D. Evaluation and Selection Process

NPS will review all proposals responsive to this RFP. An evaluation panel, assisted by technical consultants as appropriate, will make the final recommendation of which proposal presented the best responses to the selection criteria to the National Park Service selecting official.

The responsive proposal determined by the NPS to best meet the evaluation criteria on an

overall basis will be selected by the NPS selecting official for negotiation of the Lease.

The NPS may determine that a proposal is non-responsive and not consider it further. A non-responsive proposal is a proposal that was not timely submitted or fails to meet the material terms and conditions of this RFP or any other responsiveness requirement in this RFP as determined at the sole discretion of the NPS.

The NPS, in its sole discretion, will determine whether the applicant's experience and financial capability match the scale and scope of the proposal.

The NPS reserves the right to reject one or all proposals, or to terminate lease negotiations with the selected applicant at any time prior to executing a final Lease without penalty or liability.

E. Additional Information and Modification of Proposals

NPS may request additional information or written clarification of a proposal in accordance with the regulations in Part 18.

F. Confidentiality – Proposals Considered Public Documents

All proposals submitted in response to this Request for Proposals may be disclosed by the NPS to any person, upon request, to the extent required or authorized by the Freedom of Information Act (5 U.S.C. § 552). If you believe that your proposal contains trade secrets or confidential commercial or financial information exempt from disclosure under the Freedom of Information Act, mark the cover page of each copy of the proposal with the following legend:

“The information specifically identified on pages of this proposal constitutes trade Secrets or confidential commercial or financial information that the applicant believes to be exempt from disclosure under the Freedom of Information Act. The applicant requests that this information not be disclosed to the public, except as may be required by law.”

Applicants must specifically identify what you consider to be trade secret information or confidential commercial or financial information on the page of the proposal on which it appears, and you must mark each such page with the following legend:

“This page contains trade secrets or confidential commercial and financial information that the applicant believes to be exempt from disclosure under the Freedom of Information Act, and which is subject to the legend contained on the cover page of this proposal.”

Information so identified will not be made public by the NPS except in accordance with law. The NPS does not warrant and assumes no liability for the accuracy of the information provided in this RFP.

G. Notification of Selection

NPS will notify the applicant determined to have submitted the best (highest scoring) responsive proposal under the selection criteria. Lease negotiations will commence once the selected applicant is notified.

4. SITE TOURS AND ADDITIONAL INFORMATION

The NPS will hold a site visit on June 29, 2020, from 12:00 pm to 1:00 pm to allow all interested parties to tour the Premises.

Interested parties are asked to RSVP no later than 12:00 pm (EST) on the day before the site visit. To RSVP, email caha_commercial_services@nps.gov or call 252-475-9033 and provide the names of attendees.

Questions not addressed in this RFP will be collected and responded to through issuance of Question & Answers (Q&A) to all registered, interested parties. Questions must be submitted in writing by 4:00 pm (ET) on July 6, 2020, and may be submitted via email to caha_commercial_services@nps.gov or by mail to:

Management Analyst
Cape Hatteras National Seashore
1401 National Park Dr.
Manteo, NC 27954
Attention: Avon Fishing Pier Q&A

Questions and their answers will be viewable by the public and posted as Questions and Answers (Q&A) on the Cape Hatteras National Seashore website at <https://nps.gov/caha/getinvolved/leasing.htm>.

5. ATTACHMENTS

- A. Sample Lease**
- B. Identification and Credit information Forms**
- C. Financial Information for Revenue Producing Uses**
- D. Questions and Answers (Q&A)**

NPS reserves the right to reject one or all proposals, reject or accept any part of any proposal, discontinue the solicitation, or terminate Lease negotiations, at any time prior to executing a final Lease without penalty or liability.

NPS does not warrant and assumes no liability for the accuracy of the information provided in this RFP.



Town of Holden Beach
AGENDA TOPIC COVER SHEET

TO: Holden Beach BOC

FROM: Rick Paarfus & Tom Myers

MEETING DATE: 11/19/2024

DATE SUBMITTED: 11/8/2024

ISSUE/ACTION REQUESTED: Closed Session pursuant to North Carolina General Statute 143-318.11(a)(6), Personnel

BACKGROUND/PURPOSE OF REQUEST:

FISCAL IMPACT: (circle one)

BUDGET AMENDMENT REQUIRED: NO

CAPITAL PROJECT ORDINANCE REQUIRED: NO

PRE-AUDIT CERTIFICATION REQUIRED: NO

REVIEWED BY FINANCE DIRECTOR: NO

CONTRACTS/AGREEMENTS: (circle One)

REVIEWED BY TOWN ATTORNEY: NO

ADVISORY BOARD RECOMMENDATION: N/A

TOWN MANAGER'S RECOMMENDATION: N/A

FINANCE RECOMMENDATION: N/A
