



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
SPECIAL MEETING
FRIDAY, JANUARY 5, 2024 – 6:30 P.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Special Meeting on Friday, January 5, 2024 at 6:30 p.m. in the Town Hall Public Assembly. Present were Mayor J. Alan Holden, Mayor Pro Tem Tom Myers; Commissioners Tracey Thomas, Page Dyer and Rick Paarfus; Town Manager David W. Hewett; Town Clerk Heather Finnell; Police Chief Jeremy Dixon, Inspections Director Tim Evans; and Assistant Town Manager Christy Ferguson. Commissioner Rick Smith participated via a conference call so he was not counted towards the quorum or able to vote.

PUBLIC COMMENT

Lisa Ragland requested that all matters be pushed until a later meeting date to give the new members time to complete their training and to give the public more time to review the proposed changes. Ms. Ragland said she reviewed the charter and pursuant to the charter, the mayor has the right to vote. She requested the Board consolidate meetings on the proposed schedule.

Rick McInturf said his concerns with the rules of procedure include the extensive duties of the proposed executive secretary, the revision of the duties of the mayor and the reduction in the responsibilities of the town clerk. He suggested the Board wait to adopt the rules or require a second reading. He also requested that a new document be prepared that includes the old document and the proposed changes.

Sylvia Pate thinks the proposed changes to the rules of procedure need to be annotated in the document before action is taken. She questioned removing the mayor's right to vote in a tie. She doesn't think an executive secretary is needed. She also thinks if a commissioner wants to add an item to the agenda and they have the appropriate documentation the item should be added. Ms. Pate provided feedback on the reasons for closed session.

John Pearce said we need more time before the rules of procedure are adopted. He said there is a lot of burden on commissioners to participate in the process. He questioned the closed session process. Mr. Pearce said the Board needs to step back and think about limiting the mayoral position.

Mike Kelly asked the Board to postpone voting on the documents. He said there isn't enough time to go through the documents.

Ketih Smith explained they formed the HB Community Alliance. The purpose is to promote and preserve the history and heritage of the community. They would like to work with the Board to incorporate a place to showcase the Town's history. One of the places proposed to do that was Block Q.

Gina Martin requested the Board wait to adopt the rules of procedure until after they attend training. She asked the Board to explain how they differ from the current rules if the Board doesn't wait to adopt them. She is concerned with the executive secretary position. She also asked the Board to reconsider the proposed meeting calendar.

Ryan Williams said Block Q was bought with the intention to use it for boat trailer parking. He talked about the need to use this property for boat parking.

DISCUSSION AND POSSIBLE ACTION ON NEW BOARD OF COMMISSIONERS' RULES OF PROCEDURE

Motion by Commissioner Thomas to accept the rules of procedure as is; second by Commissioner Paarfus.

Commissioner Thomas said they went through the rules of procedure and feel strongly about putting the executive secretary back in. She said it puts control on the agenda. Commissioner Thomas stated it is the way they feel is the best way to move forward to run the meetings. Commissioner Smith said we are seeing the team trying to change the way we run our meetings. If you heard from people who live in the town, they would like them to slow down. Commissioner Smith said the new members need to go through the training before making changes. He would like to table the decision until it can be vetted through the attorney and the rest of the town. Commissioner Dyer is concerned that there wasn't a document that showed the language that was changed in order for them to provide meaningful input. It was approximately 48 hours and for the public to go through that much documentation without indication of what had changed, it would be difficult to digest. She said she doesn't know the rush to fix something that is not broken. She added this is business that should be taken care of at a regular meeting. She questioned if changing the mayor's role is legal. Commissioner Dyer said she thinks the Board needs input from the attorney before this is changed. She doesn't understand the need for an executive secretary. She doesn't understand why the Board needs a biased person to control the agenda when we have someone that is unbiased.

Mayor Holden said in 1969 this town went through a lot of turmoil to become a town. The Town has come a long way and has become organized and a cohesive group. The Town has made major accomplishments that have been recognized by the nation. He questioned taking away duties from the town clerk and giving them to someone with no training. He said the mayoral position is being stripped. Mayor Holden said he served on the Board for 25 years and the new members have decided that they don't want to hear the knowledge he has learned from serving on numerous boards in the state and county. He said the Town does have a charter and questioned if you could change the charter. He asked why we can't listen to the people.

Commissioner Paarfus said the Board is required to get a set of rules of procedure in place. They would like to get them in place quickly. He said almost every change, if not every change has been in previous rules. He said the executive secretary position is not a slight to Town Clerk Finnell. They went over the changes with the town clerk and town manager. Commissioner Paarfus said the reason they want an

executive secretary is because a lot of times there are agenda items that are vague. He would like to fix the lack of information in the packets. He said the executive secretary does not have the authority to prevent the mayor, town manager or commissioner from putting an item on the agenda. The executive secretary's primary function is to make sure all the information is there and it is clear so the public can review it. Mayor Pro Tem Myers said the rules of procedure are based on multiple previous versions. They were all based on the School of Government template. We have a weak mayor form of government. They spent a lot of time reviewing, correcting and adding changes. In his opinion the most significant change is the executive secretary. Mayor Pro Tem Myers believes it was very effective when it was added in 2015. He said prior to that, meeting packets were not distributed to the public before the meeting. They are talking about that role as it existed and a lot of the good practices so that when something comes before the Board, there is sufficient documentation available and provided to the public so they can participate. He said this was supposed to be passed at the December meeting. He said they wanted to call a special meeting to have it in place in January. Mayor Pro Tem Myers said the Board has a lot on their plate. It can be revised at any time. Commissioner Smith said the team talked transparency, but the agenda wasn't put out until Wednesday.

The motion passed by a 3 – 1 vote with Mayor Pro Tem Myers and Commissioners Thomas and Paarfus voting for the motion and Commissioner Dyer voting in the negative.

DISCUSSION AND POSSIBLE ACTION ON ELECTION OF EXECUTIVE SECRETARY

Motion by Commissioner Paarfus to elect Tracey Thomas as the executive secretary; second by Mayor Pro Tem Myers.

Commissioner Dyer said she has been a commissioner for two years and never had a problem with getting an agenda. She never had one of her constituents say they had an issue with getting an agenda. She thinks that it is biased to have someone with a biased opinion run the agenda. She said we have someone who is unbiased and does an excellent job and the Board should let Town Clerk Finnell handle it. Mayor Pro Tem Myers said he already stated why they think the position is important. He said if the Board doesn't like it, they can remove it at any time. He thinks Commissioner Thomas will do an outstanding job. She serves at the pleasure of the Board so if it doesn't work, it doesn't work. Mayor Pro Tem Myers is very confident it will work and will deliver the benefits that it did last time it was in place. Commissioner Smith said he doesn't understand how Commissioner Thomas can have any more knowledge than Town Clerk Finnell. He said we are at the mercy of a group of three people that will change the course of the Town. He said we had an executive secretary prior to 2020 and it didn't work. Commissioner Thomas said she sees the position as a cooperative position, working with Town Clerk Finnell, not against her or the other commissioners. The executive secretary doesn't have the right to not put something on the agenda. It just ensures everything is complete. She said that is what they have been seeing hasn't been happening from the other side of it. She stated they are making a change because that is what they were elected to do. Commissioner Dyer said the charter says the current staff is directed by the town manager. She asked if it is a violation to have a commissioner direct a staff's position. She said the attorney is not here. Commissioner Thomas said she isn't directing the town clerk; she is working with her. Mayor Holden said we do not have a legal opinion on that. Commissioner Smith suggested waiting until there is a legal opinion.

The motion passed by a 3 – 1 vote with Mayor Pro Tem Myers and Commissioners Thomas and Paarfus voting for the motion and Commissioner Dyer voting in the negative.

DISCUSSION AND POSSIBLE ACTION ON AGENDA TOPIC COVER SHEET

Motion by Commissioner Thomas to accept the agenda topic cover sheet as is; second by Commissioner Paarfus.

Mayor Holden asked who the town administrator is, that is not the Town's form of government. Town Clerk Finnell said she would update it to read manager. Commissioner Thomas said she prepared it based on other local governments; it is a typo. Mayor Pro Tem Myers stated he thinks it helps with public participation. It is an executive one-page summary of the agenda item. It can also be used as a checklist to make sure everything that needs to be included is. Commissioner Thomas said this is something a lot of places use. She thinks it will help with getting things on the agenda and the purpose of the item. Mayor Holden asked if anyone did a cost analysis with following through to correctly answer all the items. When you take the attorney or professional people, that is money. If all the questions need to be adhered to before the document moves forward, it is a lot of expense and time. Mayor Pro Tem Myers stated he thinks it will save time because it will get everything set up front and you are not wasting time. Commissioner Smith said he doesn't have a problem with the cover sheet. He said this is another step to the process on what is already being done seamlessly. Commissioner Dyer said she never had any issues with getting items on the agenda or with lack of information. She thinks this is part of micromanaging the staff on a job that they already do well.

The motion passed by a 3 – 1 vote with Mayor Pro Tem Myers and Commissioners Thomas and Paarfus voting for the motion and Commissioner Dyer voting in the negative.

DISCUSSION AND POSSIBLE ACTION ON BOARD OF COMMISSIONERS' MEETINGS

Motion by Commissioner Paarfus to accept the proposed meeting schedule as written; second by Commissioner Thomas.

Commissioner Smith shared his concerns about the proposed meeting schedule. He asked that some of the items be consolidated to have fewer meetings, even if the meetings are longer. He said the team is doing their best to keep him, Mayor Holden and Commissioner Dyer from the meetings because they have obligations. He said the Board could do in a day, what is being proposed in five days. He asked how many people that own property in Holden Beach can be at a meeting at 10:00 a.m. Commissioner Paarfus said they came up with schedule in consideration of staff's needs, to do it during their working hours. He said they will be shorter meetings. This is a document that can be revisited and changed. Mayor Pro Tem Myers said he is very interested in the budget and it is a high priority for him. He would like to get ahead of the process. He explained how the proposed calendar is laid out. He said it is a lot easier to delete meetings that we don't need than to add meetings. The goal is to get them on a calendar so the Board can plan around them. He said budget meetings typically happen during the day. He also would like to look at virtual meetings so people can listen after. Commissioner Thomas stated these are supposed to be working meetings. Since three of the Board are new, they want to take the time to understand the budget. They are trying to take staff into consideration. Commissioner Dyer provided information on the past process. She said they got the budget out and fiscally the Town was

in great shape as reported. She suggested combining meetings. In her two years served, she didn't miss any monthly or budget meetings. Commissioner Dyer apologized to the people who voted for her; she cannot attend all the proposed meetings without shutting down her business. Commissioner Smith said some of the meetings could be consolidated. Mayor Holden said he has NCDOT meetings, beach meetings, mayors' meetings, fire meetings and other boards. He said nobody considered his schedule. He will miss a lot of the meetings. He may be across the state or in Washington on Town business and nobody asked how his schedule as mayor is impacted by what is being dictated here. Mayor Pro Tem Myers said they are new and have a lot to learn. They are not meetings they will vote or take action in. He said they are budget sessions so they understand the finances of the Town. Commissioner Dyer said she and the public would have no input to the budget. Mayor Pro Tem Myers said when the Board gets to the actual developing of the budget in April and May, they will make sure people could attend. Commissioner Dyer asked why the previous year's schedule isn't acceptable. Commissioner Paarfus explained some of these meetings are educational for the new commissioners and they are not set in stone. After further discussion by the Board, Commissioner Paarfus suggested coming up with a schedule that works for more participation.

Commissioner Paarfus withdrew his motion to approve the schedule. Commissioner Thomas agreed to withdraw the motion.

Motion by Commissioner Paarfus to get the schedules coordinated by the next regular BOC.

Commissioner Paarfus said he is very flexible. He understands the problem for Commissioner Dyer. He stated they are serious about the budget. They haven't been through the process, so it may take longer.

Commissioner Thomas seconded the motion.

Mayor Holden added that the schedule has not been set yet for some of the meetings he is required to go to. He appreciates what they are trying to do. Commissioner Smith said he and Commissioner Dyer have obligations and he appreciated the commissioners for taking that into consideration.

The motion passed by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON BLOCK Q CONTRACT

Motion by Commissioner Thomas to instruct the town manager and Mayor Holden to not sign a contract to enter into any agreement with Wells Brothers Construction Company, Inc. or any supplier related to Block Q Project; second by Commissioner Paarfus.

Commissioner Paarfus said he previously expressed concern with the amount of real estate that was being used in the Block Q construction drawings for stormwater filtration features. We have so much because impervious asphalt or paving of some type is called out in the drawings. He said looking at the drawings, it looks like 10 – 11% of the total site is getting used for stormwater features. He said those features roughly equate to 40 parking spaces. He said according to former Commissioner Kwiatkowski, Block Q was bought because we are involved with a Corps' Storm Damage Reduction Study which dictates how much parking we need to have. Commissioner Paarfus said he did some research and found that pervious pavement is allowed so the Town may be able to regain that real estate. He said he

also contacted NCDEQ and discussed whether it was an option. Commissioner Paarfus said he was told it could be an option; it does need to be engineered and it does cost more than standard paving. He said doing some calculations, it is 8,000 square feet of real estate. He thinks there is justification to evaluate permeable pavement to maximize the area. He doesn't think we have a proper master plan. Commissioner Thomas said she thinks it is a great piece of land and the Board needs to reevaluate what it could be used for. She thinks it could be better utilized than on the current plan. Mayor Pro Tem Myers said he has significant concerns about the project and the contract. One of his significant concerns is there basically has been no public input and there are a lot of things that are unclear. He is concerned about reducing the number of boat parking spaces. Today we can fit more than 30 boat trailers around the parcels; if we move forward, it gets cut down to 15. He also shares the concern about the amount of asphalt being laid and the amount of water retention that needs to occur because of the asphalt. He stated Block Q is a very valuable piece of property and could provide a lot of amenities for the residents. It is an opportunity to get the pavilion away from the sewer system. Mayor Pro Tem Myers thinks we should put it on pause, get public input and revisit the plan to make it what we want it to be. Commissioner Smith talked about the importance of having a place to park your boat and trailer. That is valuable to the tourism of the Town. Not everyone has a home on the canal. He said the Town needs to have a green space and a place to possibly relocate the gazebo. Block Q is an important part of the community. Commissioner Smith explained the Town needs to move forward on this now. He said think about what the people who have worked on this for years want to do. Commissioner Dyer disagreed with the statement that Block Q wasn't purchased for boat trailer parking. She said former Commissioner Murdock had said one of the reasons for purchasing Block Q was for boat trailer parking. It was mentioned several times during that planning that the Board wanted to get that open for boat parking. She stated as the plan progressed, with the ADA bathrooms and possible green spaces, they decided to do this in stages. The Board budgeted for paved parking, did the engineering studies for the parking and did the stormwater plan. Commissioner Dyer said the Board is not decreasing the amount of boat trailer parking, they are making it more manageable for larger boats. It is easier to have pull through parking with larger boats. She said you could still use parallel parking around the sides. People with boats and trailers are paying twice as much to park than cars. She asked how much it is going to cost to scrap a plan the Town has paid thousands for and start all over. Mayor Pro Tem Myers said right now if the Town does nothing, you could have more than 30 boat trailers parked around the property. These plans cut that number to only 15 boat trailers. Commissioner Smith said the size of the boats matter.

The motion passed by a 3 – 1 vote with Mayor Pro Tem Myers and Commissioners Thomas and Paarfus voting for the motion and Commissioner Dyer voting in the negative.

ADJOURNMENT

Motion to adjourn by Mayor Pro Tem Myers at 8:10 p.m.; second by Commissioner Smith; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk