



**TOWN OF HOLDEN BEACH  
BOARD OF COMMISSIONERS  
REGULAR MEETING  
TUESDAY, MAY 21, 2024 – 5:00 P.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Regular Meeting on Tuesday, May 21, 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; 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**

*Motion by Commissioner Smith that we take #12 off the agenda for this evening.*

Commissioner Smith thinks there are still some areas that need work and we need a little more time to make sure we get it right.

*Commissioner Paarfus agreed with approving the amended agenda. The motion to pass the amended agenda was approved by unanimous vote.*

**CONFLICT-OF-INTEREST CHECK**

No conflicts were disclosed.

**APPROVAL OF MINUTES**

*Motion by Commissioner Smith to approve the minutes of the April 12<sup>th</sup> (2024) Special Meeting and the minutes of the Regular Meeting on April 30<sup>th</sup> (2024); second by Commissioner Dyer; approved by unanimous vote.*

## **PUBLIC COMMENTS ON AGENDA ITEMS**

Sylvia Pate suggested resolving any concerns the Board has regarding the pier grants before moving forward with any further action on the project. She urged the Board to establish a capital project fund for the pier and to transfer the \$1 million in the current budget to that fund if the Board moves forward with having staff develop a RFP.

Will Carter talked about his past experience in trying to get a playground built in the Town. He is scared the Town won't get anything done with the pier and it will be dragged out. He said the Town needs to be unified to get things done.

Marina Showalter spoke in support of the proposed frontal dune revisions.

## **POLICE REPORT – CHIEF DIXON**

- Starting to see more people and more traffic.
- Reviewed information from the report and explained the call on malicious conduct by a prisoner.
- Investigator Requested – those are pending calls. If the detective position is filled in the future, they can look into them
- Bike lanes are for bicycles. Low speed vehicles need to drive in the roadway. Hasn't been a big issue yet, but we are keeping an eye on it. Wants to monitor the situation before any new ordinances are created.
- There will be a lot of traffic for the holiday weekend. Don't be in a hurry.
- Summer concerts are moving to Bridgeview Park. Will have a learning curve for traffic and crowd control.

## **INSPECTIONS DEPARTMENT REPORT – INSPECTIONS DIRECTOR EVANS**

- Went over numbers. Believes it is the most permits issued over a 30-day period.
- ADA Report – went over the status of Key Bridge Agreement items. Provided details for 114 OBE, Avenue E, 801 OBW Access, 700 Block and Jordan Boulevard. Also reviewed ADA items not included in the Key Bridge Agreement – 329.5 OBW, 441 OBW, Halstead and 915 OBW. Three projects will carry over into next year's budget.

## **FINANCE DEPARTMENT REPORT – FINANCE OFFICER MCRAINEY**

- General Fund revenues look like they are down but last year there was a street assessment and parking was shown in that fund. Parking is now in Fund 50.
- The expenses for the Water and Sewer Fund look way down, but it is not accurate. There is a mistake and it should be in line with last year.
- Expenditures are down in the BPART Fund. Last year there was a big expense for the 50-Year Study.

## TOWN MANAGER'S REPORT

- Lift Station 2 – we have the offer to fund for the Board's consideration.
- Harbor Acres Canal Dredging Project is complete and we have the reimbursement request in.
- Also applied for the reimbursement for the 441 OBW walkway and emergency ramp.
- LWF Navigation Maintenance - Miss Katie Project will need to be scrubbed. We started too late in the season on getting the project dovetailed with the Corps' Merritt coming down. Now that they are here, it looks like they will be here for about three weeks. We hope the Merritt is able to substantially improve navigation out there.
- 796 OBW – No responses to the initial advertisement of the Town's upset bid process. We made a readvertisement.
- Beach Rangers – started yesterday.
- Pets can't be on the strand during the day.
- Concerts – The first concert of the season will be at Bridgeview Park. Vehicle access will be blocked to the area starting Saturday evening. The splashpad will be offline and the multipurpose court will close at 3:00 p.m. each Sunday. Folks will need to bring their own chairs or blankets.

### **DISCUSSION AND POSSIBLE SCHEDULING OF A DATE TO HOLD A PUBLIC HEARING ON ORDINANCE 24-10, AN ORDINANCE AMENDING THE HOLDEN BEACH CODE OF ORDINANCES, SECTION 94-03, FRONTAL DUNE POLICIES AND REGULATIONS AND CHAPTER 157: ZONING CODE**

Inspections Director Evans said they are looking at having a dune policy that will protect the dunes and will give people the ability to have an appeal process for variances. At the same time, we are going to clean up the policy. He went over the proposed changes. He would like to add the words CAMA frontal to section 2. The proposed ordinance would move section 6 to the Zoning Code. Inspections Director Evans explained the changes shown for section 6. He provided background on why the changes are being proposed.

*Motion by Commissioner Thomas to set a public hearing on the proposed ordinance at the beginning of the next meeting; second by Commissioner Smith. The motion passed unanimously.*

### **DISCUSSION AND POSSIBLE ACTION ON DEMOLITION OF THE PAVILION AT JORDAN BOULEVARD**

Town Manager Hewett said the most responsive bid is in for \$25,000 for demolition and removal of the HB Pavilion. He verified it is just for the demolition. It is not to remove the concrete.

*Motion by Commissioner Thomas to move forward with awarding the contract for the \$25,000; second by Commissioner Paarfus.*

Town Manager Hewett said the contractor will get it done before the end of the fiscal year.

*The motion passed by unanimous vote.*

## **DISCUSSION AND POSSIBLE APPROVAL OF DEQ OFFER TO FUND GREENSBORO STREET LIFT STATION**

Town Manager Hewett explained we received the offer to fund the Greensboro Street lift station #2 upgrade from the Department of Environmental Quality (DEQ). This is the next takedown in the process required to receive the state appropriation that was made with the last budget adoption by the General Assembly in the amount of \$1,940,000. The next step would be for the Board to authorize the manager to accept the offer by adopting the attached resolution.

*Motion by Commissioner Paarfus to adopt the resolution (Resolution 24-05, DEQ Project No. SRP-W-134-0021); second by Commissioner Smith; approved by unanimous vote.*

Town Manager Hewett said we have submitted the plans and specifications. DEQ needs to give their okay on those before we can go out to bid. Commissioner Thomas asked if anyone lobbies for this to move it along. Town Manager Hewett responded staff is in direct communication with the project manager. We have been approved for EPA funds. It will be a reimbursement process. The potential need for borrowing was discussed.

## **DISCUSSION AND POSSIBLE ACTION TO DIRECT STAFF TO DEVELOP A REQUEST FOR PROPOSALS TO ACCOMPLISH TASKS IN THE ADOPTED PIER PROPERTY DEVELOPMENT PLAN**

Commissioner Paarfus said the purpose of this item is to see if we could get a Request for Proposals (RFP) together so we can move forward with getting some preliminary design and cost estimates for repairing the pier or replacing it so we can start making some budget decisions. The goal is to get RFP written for the Board to review.

*Motion by Commissioner Paarfus to move forward with developing the RFP; second by Commissioner Smith.*

Commissioner Dyer inquired if we are keeping task 2 to a new wooden pier, not concrete. Commissioner Paarfus explained a concrete pier could be very expensive. If people want to move forward and spend the money on a concrete pier, he is not opposed to it but is not sure if we would get money for that any time soon. He did limit it to wood, but if everyone wants to add in concrete, it would be a chunk of money for that design. After discussion, Commissioner Paarfus said when the RFP comes back the Board can see if it can be opened to accommodate concrete. Commissioner Smith agreed it would be a big number. If we could get funding, that might change it, but in the interim, we should investigate what Commissioner Paarfus is suggesting.

*The motion passed by unanimous vote.*

## **DISCUSSION AND POSSIBLE ACTION ON INSTRUCTING THE TOWN ATTORNEY TO INVESTIGATE THE TOWN OF HOLDEN BEACH'S LEGAL REQUIREMENTS FOR THE PIER GRANTS**

Commissioner Thomas stated there are some questions on the Town's legal responsibilities based on grants.

*Motion by Commissioner Thomas to instruct the Town attorney to investigate the Town of Holden Beach's legal requirements for the pier grants, the \$500,000 PARTF grant for tract 1 and the \$180,000 Public Beach and Coastal Waterfront Access Program grant for tract 2; second by Mayor Pro Tem Myers.*

Commissioner Smith said the Board did their due diligence in April last year. He doesn't know why we need to start this again. Commissioner Thomas said she isn't starting anything over, she is not sure that the attorney ever weighed in. She would like to know what the Town is legally required to provide based on the grants accepted. Commissioner Dyer said the Board did that in April 2022 before the grant was applied for. The director from PARTF was on the phone and the attorney at the time was present. Commissioner Thomas said the attorney can review those minutes. Commissioner Paarfus said while there were discussions on the phone, we have a written document. He read all the documents and it isn't crystal clear. He would like more details. Mayor Pro Tem Myers said it is a lot of legal documents and he would like to know where we stand. Concessions were discussed. Mayor Pro Tem Myers stated it is a legal document, we should have a legal opinion. Attorney Moore reviewed what her process to move forward would be.

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

## **DISCUSSION AND POSSIBLE COMMITMENT FROM THE TOWN'S LEADERSHIP ON WORKING TOGETHER FOR THE BETTERMENT OF THE TOWN**

Mayor Holden apologized to the Beautification Club and Women's Club; his mayoral duties overlapped with the timing of their events. He provided information on awards the Town received. He said overall the Town has been able to stay out of the news due to negative publicity. He said this year, the Town has been on the front page of the paper multiple times. The articles have reflected the lack of harmony and goodwill. Mayor Holden said island property sales are slowing, rental companies are reporting that rentals are behind last year, Town staff can't fill up positions and volunteers are threatening to resign or not serve again. He said there is so much false information being spread that it is impacting the Town. Rumors that the Town can't pay its bills are ridiculous. The Town is in a good financial position. Mayor Holden said we are all in this together. He mentioned the committees, boards and groups that contribute to the Town. He said the Town's relationship with the Chapel recently took a hit. The Town always had a good working relationship with the Chapel. He went over the agreement between the Town and the Chapel agreement. He explained he is concerned over the direction things are headed. He asked that everyone try to work together for what is best for the Town and quit the divisiveness. Mayor Pro Tem Myers suggested participating in the Commit to Civility program sponsored by the League of Municipalities.

*Motion by Mayor Pro Tem Myers that we register for this Commit to Civility program with the League, with the intent to participate, the intent to earn the certificate recognizing our dedication to civility; second by Commissioner Thomas.*

The relationship between the Town and Chapel, serving on two different boards and conflicts of interest were discussed. Details of the meeting, scheduling and moving forward were discussed.

*Mayor Pro Tem Myers, with Commissioner Thomas in agreement, withdrew his motion.*

*The Board came to a consensus to commit to doing this program at a date to be determined.*

## **PUBLIC COMMENTS ON AGENDA ITEMS**

Rick McInturf talked about separation of church and government.

Will Carter talked about separation of church and government, moving forward with the pier and working together.

## **MAYOR'S COMMENTS**

- Wished everyone a happy and safe Memorial Day weekend.

## **BOARD OF COMMISSIONERS' COMMENTS**

Mayor Pro Tem Myers

- Thanked everyone for attending physically and virtually.
- Have a happy Memorial Day weekend.

Commissioner Smith

- Thanked everyone for attending.
- Thinks the Board had a good meeting and agreed unanimously on a whole lot of issues. Came in with the attitude that he wanted to be a productive part of this group. Thinks it worked relatively well.
- Golf Carts – seem to be showing up in numbers again. Talked about the dangers associated with them. Wants officers to be mindful of violations.
- Enjoy the Memorial Day holiday. Be mindful of why we are having the holiday and thank all the people who have served in the military. We are a free country and it is because of our dedicated military.
- Hope we can take this course, work together and make the Town what he has always envisioned it as being.

Commissioner Thomas

- Thanked everyone for coming out tonight.
- Have a safe and happy holiday.

Commissioner Dyer

- Thanked staff for their continued hard work in everything they are endeavoring.
- Hopes everyone has a safe and happy Memorial Day.

Commissioner Paarfus

- Thanked everyone for coming.
- Hope you have a great holiday.

## **ADJOURNMENT**

*Motion by Commissioner Paarfus to adjourn at 6:48 p.m.; second by Commissioner Smith; approved by unanimous vote.*

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J. Alan Holden, Mayor

ATTEST:

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Heather Finnell, Town Clerk