



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
SPECIAL MEETING
WEDNESDAY, SEPTEMBER 1, 2021 – 4:00 P.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Special Meeting on Wednesday, September 1, 2021 at 4:00 p.m. in the Town Hall Public Assembly. Present were Mayor Pro Tem Gerald Brown; Commissioners Brian Murdock, Mike Sullivan and Pat Kwiatkowski; Town Manager David W. Hewett; Town Clerk Heather Finnell; Assistant Town Manager Christy Ferguson; Inspections Director Tim Evans; and Town Attorney Katie Madon. Commissioner Rick Smith participated remotely via telephone call. The meeting was livestreamed on the Town’s Facebook page. Mayor J. Alan Holden was unable to attend the meeting.

Mayor Pro Tem Brown called the meeting to order and took roll call.

PUBLIC COMMENT

Beverly Compton questioned the proposed increased. She doesn’t think the public has enough information.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 21-28, AN ORDINANCE AMENDING ORDINANCE 21-13, THE REVENUES AND APPROPRIATIONS ORDINANCE FOR FISCAL YEAR 2021 – 2022 (AMENDMENT NO. 4)

Commissioner Sullivan said at the last meeting the Board allocated \$25,000 to conduct an inspection under the due diligence aspects of the contract that we are negotiating to purchase the pier property. On Friday, the Board received notification from the town manager that the inspection of the pier would cost \$46,000, a lot more than was allocated at the last meeting. In order to fund the \$46,000, we need to have this meeting to allocate more money for the inspection. He thinks it is an obligation of the Board to conduct the inspection under the due diligence aspect of the contract. Commissioner Kwiatkowski stated she has a reservation about only increasing it \$31,000. That is only to cover the cost of the underwater and above water inspection of the pier, that is if no additional time is necessary. She added the Board was originally going to have the pier and the building inspected and there is no money allocated for the building inspection. She said she thinks the Board should increase it by approximately \$45,000 so we would have money for the estimate, an extra three days if needed and for a commercial inspection of the building.

Commissioner Murdock agreed with appropriating the money, but has some reservations about the conditions. If the contractor dives on three pilings at the end of the pier, three in the middle and three up close to the bank and they are not in good condition, he would assume the inspection could be cut

short. If it is going satisfactorily, he thinks the money needs to be appropriated for the whole thing. Commissioner Murdock asked if we could change the terms of the inspection if they are finding the whole thing is rotten or faulty. We want the pier to be safe for the public. Town Manager Hewett explained they perform a level 1 inspection on the whole pier, an underwater visual inspection. Then based on that they will do scrapings and testing of 10% of them, the level 2 inspection. Based on that they would inspect a portion of any metal. If it looks like everything is bad after the level 1 inspection, we will pull back and bill for time and materials at that point and time. Having the Town building inspector inspect the building was discussed. Town Manager Hewett said the \$31,000 represents the increased cost of the marine survey, it doesn't include money for the building. Commissioner Smith agreed with inspecting just a certain number of the pier pilings to get a good idea of the whole structure.

Motion by Commissioner Kwiatkowski that we actually appropriate an additional \$45,000 to allow for enough money for a full inspection, with extra days for the pier if necessary and then allowing another \$9,000 to do the inspection of the building; second by Commissioner Sullivan.

Commissioner Kwiatkowski confirmed she meant that the appropriation goes from \$31,000 to \$45,000, not an additional \$45,000.

Inspections Director Evans explained it is best for him to be left out of inspections because it would be a conflict of interest. He recommended obtaining an outside independent inspector. Mayor Pro Tem Brown stated he thinks the right thing to do is to check a few of them and from that point we would have something to base it on. If it is looking good, keep going. The Board agreed that is the way to proceed. Commissioner Kwiatkowski said the increase is to have sufficient funds to do it, if it doesn't get spent it will go back into the BPART Fund. Town Manager Hewett doesn't have a quote for the building yet. He wanted a decision on this first. Commissioner Murdock suggested checking the pier first. Town Manager Hewett stated his intent was to do the inspections sequentially. If the pier comes back bad, he will probably come back to the Board to see if they still want to have the building inspected.

The Board voted by roll call. Commissioner Kwiatkowski reviewed her motion. The motion passed by a 4 – 1 vote, with Mayor Pro Tem Brown and Commissioners Murdock, Sullivan and Kwiatkowski voting for the motion and Commissioner Smith voting in the negative.

ADJOURNMENT

Motion by Commissioner Murdock to adjourn at 4:24 p.m.; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk