

Heather Finnell

From: tracey thomas <tracey7.thomas@gmail.com>
Sent: Sunday, November 19, 2023 7:39 AM
To: page dyer; brian murdock; Smith, Rick; ARNOLD.GERALDNC@ME.COM
Cc: Heather Finnell
Subject: I urge you to NOT vote on paving Block Q on Nov 21

Heather-Please add this to the Nov 21 meeting comments-thanks.

Holden Beach Commissioners,

As a newly elected Holden Beach Commissioner I am requesting that you do not vote at the Nov 21st board meeting to take any action on the paving of Block Q (Item 11 on the agenda). No decision needs to be made on Nov 21st unless your sole purpose is to prevent the incoming commissioners from weighing in on the matter.

The voters have spoken and they want change. They want me and my fellow newly elected commissioners to make decisions on the future of Holden Beach. It would be unprofessional and negligent if you purposely make this decision on Nov 21st to prevent us from having the opportunity to vote on it.

If you move forward with this, we will be forced to reconsider this item in the Dec board meeting when we take office, and any termination fees will be on you.

Respectfully,
Tracey Thomas

11/18/23

A PETITION TO STOP THE
PAVING OF "BLOCK Q" AT THE HBPOA
MEETING: 34 TOTAL ATTENDING - 17 SIGNATURE

The undersigned property owners and taxpayers of the Town of Holden Beach strongly urge the Board of Commissioners to avoid the necessity of a legal challenge pursuant to North Carolina G.S. 166A – 299 by tabling any action on Item 11 of the Agenda for the Regular Meeting scheduled for November 21, 2023 providing for "Discussion and Possible Selection of Lowest Apparent Bidder and Associated Paperwork – Town Manager Hewitt."

This Item 11, which would implement the controversial development of the so-called Block Q Acquisition, has been rushed by the Town and the award of the bid is clearly not ripe for a BOC final decision.

As noted in the agenda documentation, a critical component of the financing of this project requires the closing of a public street pursuant to the adoption of proposed Ordinance 23-15, which is subject to North Carolina G.S. Section 166A – 299. That Section provides in relevant part:

"(a) When a city proposes to permanently close any street or public alley, the council shall first adopt a resolution declaring its intent to close the street or alley and calling a public hearing on the question. The resolution shall be published once a week for four successive weeks prior to the hearing, a copy thereof shall be sent by registered or certified mail to all owners of property adjoining the street or alley as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley. ... At the hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of any individual. If it appears to the satisfaction of the council after the hearing that closing the street or alley is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the council may adopt an order closing the street or alley."

Although the Town Manager purport that the "public hearing" requirement was satisfied by a hearing conducted on September 22, 2022, it is apparent that a purported hearing conduct 14 months prior to the adoption of the ordinance and prior to the articulation of the current development plan cannot possibly satisfy the purpose of Section 166A – 299. This is true

even if that long-ago hearing satisfied the notice, quorum and other technical requirement, which, from the record, appear to be questionable.

For reasons that are not apparent, the Town Manager seems anxious to rush the implementation of this controversial project by giving mere lip service to the statutory requirements. If the BOC elects to join him in this, the undersigned will be forced to appeal that BOC's order pursuant to G.S. 166-299(b):

"(b) Any person aggrieved by the closing of any street or alley including the Department of Transportation if the street or alley is under its authority and control, may appeal the council's order to the General Court of Justice within 30 days after its adoption. In appeals of streets closed under this section, all facts and issues shall be heard and decided by a judge sitting without a jury. In addition to determining whether procedural requirements were complied with, the court shall determine whether, on the record as presented to the city council, the council's decision to close the street was in accordance with the statutory standards of subsection (a) of this section and any other applicable requirements of local law or ordinance."

Pursuant to that proceeding we will ask the court to stay the execution of the contract and implementation of the project pending the court's decision.

It would, of course, be far more prudent if the BOC would simply defer this matter until it can call, notice and conduct a proper hearing as required by G.S. 166A-299(a).

Peter Freer 198 BRUNSWICK AVE W.

JB 329 OBW

W. H. H. 159 OBE

John C. Reed 159 OBE

Kathleen 107 Windjammer

Melba Skatky 107 Windjammer

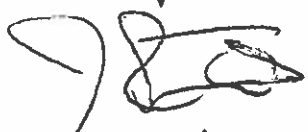
Mr. S. S. 112 Shell Dr

Lora Emmentzer 112 Shell Dr

Abner 329 Ocean Blvd W

Ned Lays 900 OBW

Wm Myers 301 OBW



265 OBE

Don Fitzgerald 105 Golden Deer Way

Rebecca Greene 115 Sunshine Ln.

Beverly A. Compton 1317 OBW HB

Ray Compton 1317 ORW HB



166 Brunswick Ave E.

Heather Finnell

From: MARIA L SURPRISE <msurprise@icloud.com>
Sent: Monday, November 20, 2023 3:45 PM
To: alan@alanholdenrealty.com; drpagedyer@gmail.com; rsmith9431@gmail.com; Heather Finnell; David Hewett; Christy Ferguson; BOCmurdock@gmail.com; arnold.geraldnc@me.com
Cc: John Woods; Tom Myers; Tracey Thomas; rpaarfus
Subject: BOC Meeting Agenda Item 11 - Discussion and possible selection of lowest apparent bidder for Block Q and associated paperwork

Dear Mayor, Commissioners, and Town Management,

I'm writing to strongly urge you to withdraw agenda item 11 from the upcoming BOC meeting. I believe more discussion is warranted before implementation of the Block Q project begins, to ensure this development is in the Town's best interests, both environmentally and fiscally.

My number one concern about moving forward with the Block Q project as it is currently designed is the environment. Why are we paving more of our beautiful island? There have to be alternate solutions to Block Q that do not include more asphalt. The DOT repaving project is already increasing our impervious surfaces, and we are still awaiting the storm water study results.

My second concern is cost. Moving ahead with Block Q is premature because we are still waiting to see what the bid results are for the Pier project. I believe it is financially prudent to stop moving forward with Block Q until we know the cost to reopen the Pier.

Thank you for your consideration.

Kind regards,
Maria

Maria Surprise
159 OBE
910-842-5309

Thank you for your consideration.

Kind regards,
Maria

Maria Surprise
159 OBE
910-842-5309

Heather Finnell

From: Rick Paarfus <rpaarfus@ec.rr.com>
Sent: Monday, November 20, 2023 5:50 PM
To: Brian Murdock; Rick Smith; arnold.geraldnc@me.com; Page Dyer; David Hewett; Heather Finnell; alan@alanholdenrealty.com
Subject: Block Q Paving Contractor Selection

Commissioners,

I am writing to request that action on item 11 (Block Q paving contract) on the November 21 BOC agenda be deferred until I and the other two incoming commissioners can review the project with the incumbent commissioners and the architect. Unfortunately, I only recently obtained a copy of the project plans. On Oct. 19th I asked the Town if digital or paper copies of the plans and specifications were available, but they were not at that time. I subsequently requested drawings on Friday Nov. 17th and they were promptly e-mailed to me. Upon review of the drawings, I identified several issues that need to be discussed, such as the choice of impervious paving and safety concerns with regard to the storm water infiltration basins. Further, after reviewing the bad news in the Pavilion Engineering Report dated February 24 2023, there may be an opportunity to address this situation in the block Q project to our advantage. Time should be taken to allow the new commissioners to weigh in and avoid the cost of change orders and cancellations. Heather, please include this e-mail in the public comments.

V/R

Rick Paarfus
140 Tarpon Drive

Heather Finnell

From: Bill Gettys <bill.gettys@gmail.com>
Sent: Monday, November 20, 2023 7:23 PM
To: Heather Finnell
Subject: Public Comment for Commissioners' Meeting, November 21, 2023

Dear Heather,

Please add my comments to the list of public comments for the Commissioners' meeting on November 21:

To Holden Beach Commissioners and Mayor Holden

I see that an item on your agenda for the meeting on Tuesday is proposed Resolution 23-12, Water Resources Development Grant. I urge you to vote in favor of that resolution which will enable the Town of Holden Beach to contract for removal of a large sandbar that has formed in the entrance to the Harbor Acres canals. If the resolution is approved, 75% of funding to remove the sandbar will come from state funds and the remainder will come from the Harbor Acres Special Revenue Fund which has already been fully funded for this purpose by canal dredging assessments. No other taxpayers on the island will be asked to assist with paying for this project.

I've spoken with many of the Harbor Acres taxpayers about this matter. All have expressed concern about the size of the sandbar and the way it restricts navigation. All approve of using canal dredging assessments to clear the sandbar. Here is a photograph I made showing the extent of the blockage.



Please help us clear this hazard to navigation and improve boating safety by approving Resolution 23-12.

Bill Gettys
157 Swordfish Drive
bill.gettys@gmail.com

Heather Finnell

From: Sylvia Pate <sylviahpate@gmail.com>
Sent: Monday, November 20, 2023 7:39 PM
To: Alan Holden; Rick Smith; Page Dyer; Gerald Arnold
Cc: Heather Finnell; David Hewett
Subject: Public Comments for November 21 Board Agenda (Items 11 & 13)

Dear Mayor Holden, Mayor Pro Tem Smith and Commissioners Dyer and Arnold:

I would like to convey my support for you to take the necessary action on ***Item 11 (Discussion & Possible Selection of Lowest Apparent Bidder for Block Q and Associated Paperwork)*** on the November 21st Board Agenda to move this project forward. I have attended numerous Commissioner meetings and know that this is not an item that just came up but a project the Board has been working on since the purchase of the Block Q property in conducting the project in phases. It is unfortunate that it comes just prior to newly elected commissioners taking their oath of office in December, but it is an initiative you have been working on and just because there are new commissioners coming on board does not necessitate the need to put everything on hold. If they so choose to undo actions you take, then that will be on them.

While the recent election resulted in the election of 2 commissioners to replace 2 incumbents, one incumbent was re-elected, one was not up for re-election and the Mayor was re-elected and there is a new commissioner to fill an unexpired term so there is a bit of a mixed message in those results and I don't believe a resounding message that all of the voting residents of Holden Beach are 100% supportive of the new regime. While the commissioners that were running as a group, will in fact have the majority vote in December, they are not in office yet, so do your duty and vote to move the Block Q project forward.

I also lend my support for ***Item 13 (Discussion and Possible Approval of Ward and Smith, PA Engagement Letter)*** as I understand the importance of advocacy at the Federal Level, otherwise your voice does not get heard and you get left out of funding opportunities and other activities. The current advocacy has proven to be successful in obtaining resources for the Town of Holden Beach and I would urge you to continue this engagement.

Thank you for your continued service and a special thanks to Commissioner Murdock and Commissioner Arnold for dedication and commitment to the Town of Holde Beach.

I would request that this email be made a part of the public comments for this meeting agenda.

Respectfully,

Sylvia H. Pate
111 Charlotte Street
Holden Beach, NC

Greater Holden Beach Merchants Association

November 21, 2023

Good morning: HB Commissioner and Mayor Holden

We understand a vote to move forward with development of Block Q Phase 1 is on the agenda for tonight's commissioners meeting. We are hoping the Commissioners will move forward with the development of this property by voting to approve the selection of a contractor. When completed it will be a great access to our community for both the residents and the many guests that visit our beautiful Island each year. We believe this property is an investment in the future of our Island Community and should be used to provide amenities for both residents and guests.

Let's keep our Family Beach moving in a forward direction by voting to approve the awarding of a contract to Wells Brothers Construction for Phase 1.

Thank you for your service to our community

Greater Holden Beach Merchants Association

Heather Finnell

From: tmmyers@atmc.net
Sent: Tuesday, November 21, 2023 11:26 AM
To: alan@alanholdenrealty.com; 'Rick Smith'; 'Brian Murdock'; drpagedyer@gmail.com; arnold.geraldnc@me.com
Cc: Heather Finnell
Subject: Comments on Agenda Item 11

Dear Mayor and Commissioners,

I am asking you to please defer the decision on the Block Q paving contract until after a public information session can be conducted.

I know you have spent two years on this effort and have conducted several public meetings, but I am convinced the general public still does not really know what you are about to do tonight since some very important information has not been shared.

Specifically:

- The public has not been informed the number of boat trailer parking spots is going to be reduced by more than half (down to only 15) and 75 new car parking spots are going to be added. We currently have spaces for more than 30 boat trailers in the ROW perimeter around the property. These perimeter spots will be converted to car parking.
- The public has not been informed that over 50% of the property is going to be paved with asphalt - a percentage that exceeds the newly raised limit of 40% for impervious surfaces.
- The public has not been informed that almost an acre of asphalt is going to be laid, and as a result, a significant amount of the remaining property will need to be used for runoff water retention and infiltration basins.
- The public has not been informed the Town received an engineering report in February stating the pavilion requires significant repairs, and since the repairs will likely exceed the value of the structure, the Town should consider full replacement - which means we have an opportunity to move the concerts away from the stinky sewer system and conduct them on an attractive grassy open space in Block Q.
- Unfortunately, relocation of the pavilion is not in the plan that will be voted on tonight, and it isn't clear if the remaining green space will allow it to happen, in which case we will be forced to rebuild the pavilion and continue conducting the concerts right next to the sewer wet well.

These are the reasons why tonight's decision should be deferred until after an information session can be conducted. The bids are good for at least 90 days so there is sufficient time to schedule this session. The public deserves to be informed about this important decision and provide input into how this valuable Town asset should be used.

Also, the bids for the pier renovation effort will have been opened and we will know if additional funds are needed to complete that work, in which case we could re-direct the Block Q funds to focus more on the pier.

Best regards,
Tom Myers
301 OBW

Heather Finnell

From: Susan Thompson <312833@msn.com>
Sent: Tuesday, November 21, 2023 8:06 AM
To: Heather Finnell
Subject: Block Q

I really believe it's important to understand how much landscaping will be part of the changes to block Q, and what that will look like. The island is looking more like a concrete jungle particularly once OB is widened. I would hope the current commissioners table this vote today.

Thank you.
Susan Thompson. OBW

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