

Joann M. McDermon, Mayor
Mike Benson, Mayor Pro Tem



Alice Derian, ICMA-CM
Town Manager

Aldermen:
Fred Fontana
Richard Grant
Tom Leonard
Connie Pletl

Nancy Avery
Interim Town Clerk

Board of Aldermen Regular Meeting
Wednesday, May 3, 2023
MINUTES

The Town of North Topsail Beach Board of Aldermen held its regular meeting on May 3, 2023. A quorum of the board was present. Attorney Edes was in attendance.

Board members present: Mayor McDermon, Mayor Pro Tem Benson, Aldermen Connie Pletl, Fred Fontana, Richard Grant, and Tom Leonard.

Board members absent: none.

Staff present: Town Manager Derian, IT Director Ricky Schwisow, Police Chief Younginer, Fire Chief Soward, Planning Director Hill, Finance Officer Elliott and Deputy Town Clerk Winzler.

Call to order

Mayor McDermon called the meeting to order at 11:00 am. Alderman Fontana gave the invocation and led in the Pledge of Allegiance.

Approval of Agenda

Mayor McDermon stated that Onslow United Transit Services will not be present today as item A under Presentations and will have to be rescheduled.

Manager Derian requested draft minutes for March 15, and April 5, 2023, be removed from the Consent Agenda for changes to be brought to the next meeting.

Motion - Alderman Leonard motioned to adopt the agenda as amended with the two referenced changes; seconded by Mayor Pro Tem Benson; unanimously approved.

Manager's report

Beach Projects:

Phase 5

- CM Mitchell has continued with Tranche 2 of the project and is actively hauling sand. As of May 1st, a total of 410,000CY's of sand have been placed and stockpiled ready to push. They will continue to haul sand through May 19th as approved by the Board. A project update reflecting the work plan from May 1st through May 19th has been placed on our website's project page. They are utilizing the Gray Street access and working on the beach seaward of South Pemuda Wynd this week. They are projected to wrap up next

week in this area and move towards the campground area. The last week of scheduled work ending May 19th, we anticipate that the contractor will be working at the northern end of Seashore Drive.

- As I look ahead to our next season, I am asking that our Engineers look at additional/alternative access options to consider and discuss before our projects resume. Residents in the Gray Street area tend to be more inconvenienced by the projects for the length of our environmental window. We opened the 2nd Avenue access this season, which helped facilitate the project; however, want to take time to thoroughly assess the project areas and what other options we may have and plan in advance.

Phase 1

- I previously reported that St Wooten worked through March 30th to place 24,419CY's of sand. The area immediate to the South of the Reef received sand that included buildings \$5,6,7 and 8 to include 100 feet south of the Reef and that they will finish the remaining 20,581 CY's that the BOA has authorized when we resume in the fall.
- Fran has recently provided a new proposal for 50,000 CY's to be placed in the amount of \$2,250,000. In walking through the proposal with Fran, the Board would technically be approving 30,000 CY's of additional sand plus mobilization. The 50,000 CY proposal is a clean slate proposal for the next season since the prior approval was for estimated quantities based on this environmental window that has closed. This proposal is based on a permit modification that increased the volume to extend nourishment past St. Regis. The Board previously approved 45,000 Cy's Total. 15,000 FEMA reimbursable and 30,000 to be paid from state allocated funds that were received in the amount of \$1.5Million. If the Board chooses to pursue this additional work, you will need to approve the additional 30,000 CY's plus \$50k for mobilization. In total, we would place 50,000 CY's in the amount of \$2,250,000. We used funding from the state in the amount of \$377,130 that extended our project area this season. If the Board chooses to move forward with this then the funds will need to come out of the remaining state funds \$1,122,870 and \$1,350,000 out of Fund Balance. Fund balance is \$11,395,434 as of 6/30/22 (not all restricted, but enough to cover).

Previously approved	Breakdown			
45k CY:	15k CY	30k CY		
<i>How Funded?</i>	FEMA project. reimbursable	State Monies of \$1.5mil to be used	1,500,000	State monies
			377130.02	spent
			1,122,869.98	remaining
New proposal	Breakdown			
50k CY:	20,581 CY	30k CY ADDITIONAL		
How funded?	State Monies Remaining (\$1.1mil Available) \$945k	30 Fund Balance		

BA#4

I am waiting for final invoices for BA#4 to be able to approach the County about using remaining funds for dune plantings. Unfortunately, the contractor tied this billing into a billing issue that Brian is working through, and it has taken this long to get all the pending invoices in. I have stressed the deadlines for the grant closeout, so all are aware of what we need to accomplish by when.

Fire Station

The lease agreement for Temporary quarters has been fully executed. The architect is working on the final plan regarding security cameras and once that is completed the IFB will be issued.

Budget:

Since our last budget workshop in April, we have amended the budget calendar and republished to reflect:

- May 10th – Public Hearing on the Budget to be held at 11:00 am at Town Hall
- June 14th – Budget Ordinance Adoption– Budget to be adopted during special meeting at 11:00 am

Grants:

- The Local Assistance for Stormwater Infrastructure Investments Program grant was submitted on April 28th for final design and permitting of two storm water projects in the amount of \$203,000. Richard Peters Park and Gray Street area.
- A State and Local Cybersecurity Grant Program application was submitted on April 28th for \$13,527 that includes planned expenditures built into the FY 23/24 budget.
- I had signage made for the Living Shoreline Project at Richard Peters Park that is being picked up today. The cost for signage is being paid for by another grant from the NC Coastal Federation.

Announcements:

- In observance of Earth Day, we installed numerous holly bushes, muhly grass, crepe myrtles and planted annuals throughout the front entrance to Town Hall. Thank you to Public Works and Admin staff who assisted with the project. We have a new free library box on the front deck at Town Hall now as well.
- We rolled out NTB merchandise that is for sale at Town Hall.
- We will hold a beach clean-up with Onslow tourism on May 11th at BA#4 from 9am to 10am.
- Vegetative Debris pick-up ended yesterday and we will be mulching soon. Once ready, we will notify residents to pick up the free mulch on a first come first served basis.

Open Forum

Dennis Ledwon of 1896 New River Inlet Road said he lives just south of St. Regis and asked if there is a tentative schedule for when that area will receive replenishment.

Mayor McDermon responded that there is not a current project that covers St. Regis down to the bridge. That area is something the Town and beach committee are working on.

Public presentations and hearings

Coastal Engineer Monthly Report

Mr. Fran Way updated the Board on the status of projects with the following highlights:

- US Corps of Engineers AIWW/Channel Dredging and Phase 1 Placement completed mid-March,
- Hurricane Dorian Phase I FEMA Category G near Topsail Reef Condos (buildings 5, 6, 7 and 8) completed. This was originally permitted for 40,000 cubic yards. Previously 45,000 cubic yards were permitted. We were able to end up getting permitted for placement of a total of 75,000 cubic yards to start this November to place sand a little bit south of St. Regis, Topsail Reef buildings 1-4 and structures north of there and south of building 8 south. We were able to get current work permitted until May 19th also. As of March 2023; 25,000 cubic yards have been placed. 15,000 cubic yards were funded by FEMA so anything above that will have to be funded another way.
- New River Inlet Management Master Plan EIS Notice of Intent has been published and a draft environmental impact study is underway,
- County Beach Access 4 project completed in late March,
- State grant nourishment (Phase 4 and connects with Phase 5 Truck Haul)),
- Phase 5 Beach Nourishment placed 450,000 cubic yards and is now working south from Gray Street access.

Mayor McDermon said the Board needs to discuss and decide whether to increase the amount of sand to 75,000 cubic yards for the FEMA Category G work near Topsail Reef as suggested by Mr. Way in his report and how it will be paid for. Mr. Way said it is \$45 per cubic yard plus \$50,000 mobilization costs. The additional cost for this in his approximation, is 1.5 million conservatively. This is an alternative idea. ST Wooten needs a few months to stockpile the sand ahead of time, should we choose to do this.

Manager Derian said the cost would be an additional \$1,122,869.98. The \$2,250,000 million is the total project cost, some of which has already been funded. Fund 30 balance is \$11,395,434. 24,419 cubic yards have been placed and 20,581 has yet to be placed.

Discussion highlights:

- This money will be spent from the next fiscal year. We will be committing money for the next fiscal year in this fiscal year. We are being asked to approve stockpiling sand now for work to be done next fiscal year. We have money in the current beach fund for this. We should approve it now, not for next year. Are there funding options other than town resources? Will doing this make this an engineered beach? (Grant)
- Think it is cleaner to show it in this fiscal year and roll it over if we do not spend it. What would be left if we did this? We did not put out all 45,000 cubic yards. Is any of the cost for the remaining sand that has not been put out included in this \$1,122,869.98 amount that has not been spent yet? (Fontana)
- This proposal would require new funds to be committed, not funds we have already committed. The manager said it would cost an additional \$2 million to place the additional sand and that would come from Fund 30. It would take the balance of Fund 30

to pay this. \$5 million of that is to pay the SOB (Special Obligation Bond), correct? Isn't some of that money for sand behind the Reef? (Benson)

- We do have the money to pay for this without having to raise taxes for next year. Are there negatives to waiting until next month to decide? (Pletl)
- There is serious dune damage in this area. This additional sand will be put on the beach. How will that help with the dune? Maybe we should table this for more information. Both the sand and the dune need to be taken care of. We need more information on how or if this will help the dune. (McDermon)
- Alderman Grant and I will not be at the next meeting. That is a negative. (Leonard)

Attorney Edes said the Board would be contracting for the work dependent on funds available from the next fiscal year. He said he thinks it could be earmarked in this year's budget and if not spent, it would roll over to next fiscal year.

Finance Officer Elliott said it would be a budget amendment for this year but then you would see it again in a couple of weeks when you approve the next fiscal year budget. Two million is the payment for the Special Obligation Bond (SOB). We would not be touching surplus but using fund balance. As of June 30, 2022, the fund balance is \$11 million.

Mr. Way said ideally you would put sand on the beach and the dune, but if you put it only on the beach, it will still help take some pressure from the dune. If we were not in a CBRA zone designation, it would be easy to say yes this would become an engineered beach. But we cannot guarantee that because of the CBRA designation. There is a shot.

McDermon proposed tabling this to the next meeting or to the next budget workshop to get an answer about an engineered beach and more info about whether we should do more for the beach and the dune.

No action was taken.

Consent Agenda

- Minutes from March 14, 2023, budget workshop

Motion - Alderman Leonard motioned to approve the Consent Agenda as amended with the removal of the minutes from the March 15, 2023, budget workshop and the April 5, 2023, regular meeting.; seconded by Alderman Grant; unanimously approved.

Continuing Business

- A. BISAC update - Chair Strother gave his report from the Beach, Inlet, Sound Advisory Committee (included in minutes) with the following highlights:
- NC Byways and Waterways Convention will be held May 11th and 12th in Emerald Isle. He will attend to represent the committee.
 - TI Coastal Engineering presented a draft thirty-year plan to the committee. They discussed initial priorities, design schedule, initial construction schedule, and funding opportunities. They also discussed a groin or some other interim measures to provide temporary terminal structure for the inlet. He expects to have a Thirty-Year Concept Plan completed by August 2023.

B. Bike lanes on shoulders from 210 to north end of New River Inlet Road draft agreement with NC Department of Transportation

Attorney Edes said the risk in the proposed Memo of Understanding (MOU) is the design and engineering costs anticipated at \$100,00 may go up and the Town will be responsible or if we do not move forward or are unable to get the required permitting, the Town would still be responsible for the costs. He reads it as a lump sum deposit. The timing of when it is to be paid is probably negotiable. He does not read it as costs being refundable. We could ask to add language stating that within so many days of the Town making payment, work would begin. We can also ask for reasonable tasks to be associated with this.

Discussion highlights:

- He has no problem with the project or spending the money but it needs to be flushed out as to when the work will begin. (Grant)
- Is it possible for the manager and attorney to draft changes they want to see in the MOU (Memo of Understanding)? He would like to be able to give DOT a date on when this can be expected from the Town. (Fontana)
- She thinks the Board is in agreement with moving forward with getting bike lanes on New River Inlet Road and she wants to turn it over to the manager to respond and work with DOT. (McDermon)
- There needs to be a list of deliverables. The language does not specify how or when the work will be done. (Leonard)

Manager Derian said she thinks DOT needs to say what the deliverables are in the scope and the Board can look at it, consider it and decide. She does not think it is appropriate for her and the attorney to assume what the deliverables are.

Consensus – Manager Derian to contact DOT requesting more information relating to deliverables and when work would begin in relation to payment by the Town.

C. Thirty-year Beach Plan proposal from TI Coastal

Manager Derian said the proposal codifies what the Town is trying to accomplish with a strategic five-year plan regarding specifically what is not already planned for Phases 2 and 3 and then looking forward with a thirty-year beach plan. The cost of the contract is \$45,000 and that is to start working on the deliverables outlined by BISAC.

Motion – Alderman Pletl motioned to accept the proposal from TI Coastal; seconded by Mayor Pro Tem Benson; unanimously approved.

Open Forum

Susan Myer, 2224 New River Inlet Road, Unit 138 said from Topsail Reef north we are federal flood, so part of that could be an engineered beach. She did not know if everyone was aware of that.

Attorney report

None

Mayor report

Mayor McDermon thanked all for coming and thanked staff for all the hard work on the budget.

Aldermen report

Mayor Pro Tem Benson said BISAC (Beach, Inlet, Sound Advisory committee) had a very informative meeting last month and learned a lot about how beaches are built and how we can have berms along all 11 miles of the beach within 5-7 years from now, optimistically.

Alderman Pletl thanked those that came out and watch the meetings and said she is pleased with how the Town has progressed moving forward especially with the budget this year. She reminded everyone that it is Turtle season so turn your lights out at night.

Leonard said Congressman Murphy's office said the CBRA bill has been referred to the House Committee on Natural Resources. He put together two proposed letters for out of state constituent property owners to put on the website. There will be a link of representatives from each district. The idea is to garner support throughout the House of Representatives. The second letter is for everyone else to use. He attended the Commander General's Spring Reception last Wednesday evening at the Camp Lejeune Officer's Club along with Alderman Fontana and Manager Derian. He introduced Manager Derian to key members of staff to hopefully help with the things we are working on. He appreciates everyone coming out and watching us.

Alderman Fontana said turtle season is upon us. The turtle patrol was out yesterday morning. If folks would remind their renters to fill holes when finished playing on the beach, it would help the turtles to not have to go through the holes.

Alderman Grant said he attended the County Commissioners meeting. They are struggling with their budget like everyone else. He took his grandkids to visit our Fire Department and they had hats and all kinds of things for the kids and made his family feel very welcome.

Closed session

Motion - Alderman Pletl motioned to go into closed session at 12:17 pm as per NCGS 143-318.11(3) and (5) consultation with the attorney and land acquisition; seconded by Alderman Leonard; unanimously approved.

The Board returned to open session at 1:05 pm. Mayor McDermon stated no action was taken.

Adjournment

Motion – Alderman Pletl motioned to adjourn at 1:05 pm; seconded by Alderman Fontana; unanimously approved.

Joann McDermon, Mayor

ATTEST: _____
Nancy Avery, Interim Town Clerk

DRAFT