

Board of Aldermen Regular Meeting
Wednesday, December 4, 2024
DRAFT MINUTES

The Town of North Topsail Beach Board of Aldermen held its regular meeting on December 4, 2024. A quorum of the board was present. Town Manager Derian and Attorney Ferguson were in attendance.

Board members present: Mayor Joann McDermon and Mayor Pro Tem Mike Benson
Aldermen: Richard Grant, Tom Leonard, Connie Pletl and Laura Olszewski

Board members absent: None

CALL TO ORDER

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

APPROVAL OF AGENDA

Mayor McDermon asked if there were any changes to the agenda.

Alderman Olszewski requested removal of item E ‘Fixed Asset disposal Police Department’ from the Consent Agenda.

Motion – Alderman Grant motioned to approve the agenda with the removal of item E ‘Fixed Asset disposal Police Department’ from the Consent Agenda; seconded by Mayor Pro Tem Benson; unanimously approved.

MANAGER’S REPORT

Manager Derian provided the following report to the Board.

Beach Projects and Operations

The Army Corps upcoming dredge project – I worked with the property owner to acquire the last remaining right of entry agreement. I had a call with the Corps on November 15th and they indicated they needed the last agreement in two weeks, or the project would be diverted elsewhere. The Navigation Branch will conduct dredging in the Atlantic and Intracoastal Waterway and Channel Jacksonville and place compatible material along the Phase I shoreline. Approximately 88,000 cubic yards will be pumped by pipeline and be place starting at approximately 2342 New River Inlet Road south approximately 2,000-4,000 feet. It is anticipated the nourishment may extend down to Porpoise Place. The project is Corps funded, and the Town has limited input. We anticipate the project starting between December 5th and mid-December and work to continue for 30 days. I issued the project announcement on this initiative last week.

Beach assessment – on November 20th, I met with Division of Coastal Management on the beach to review properties near Porpoise Place to the Reef complex to view decks and compromised pools. Staff is working with DCM on a letter that will go to property owners outlining the permitting options. Work is in progress on that.

Phase 4 project – We anticipate the contractor will start early December at the south end of Phase 4 which is around 3686 Island Drive and work north approximately 8,000 feet. Work will continue until May 1, 2025, and will place approximately 60,000 cubic yards of sand. Access to the beach will be through the Second Avenue access which is beach access # 28. This access has been used for other projects. The project announcement will be issued today.

Potential Cyclone # 8 dune project– I received notification November 20th our request for public assistance was approved pending signatures on the funding agreement. There was no dollar amount listed. I requested and received clarification on what we can and cannot do. Next step of the process is an exploratory and scoping call with FEMA to determine the amount of funding. We are obligated to issue an RFP for the work. A budget amendment is included on the Consent Agenda that obligates the project budget and expenses that are expected to be approved for the project in the amount of \$2 million dollars. Fran (Engineer Way) has been asked to prepare proposals and a timeline. This is the unnamed storm that came through on September 16th. This project will place sand surveyed as lost. 75% will be from Federal funds and 25% from State funds.

Stormwater project

Under the Consent Agenda is the budget amendment for approval of the stormwater projects with WK Dickson to design and complete the plans for the two critical areas that were determined as Richard Peters Park and the area near Fire Station # 2 on Gray Street. I submitted the first quarterly report to the State. We will now begin and incur expenses for this project.

Roadway and shoulder repairs

The shoulder repair to River Drive was completed over the Thanksgiving holiday. The original contractor had equipment failure, so I moved to the next contractor to have it completed.

Fire Station No. 2

Owner/architect/owner meetings continue on a bi-weekly basis. Work is progressing.

Holiday Season

The third annual Christmas Tree lighting was held November 20th at Town Hall. Thank you to staff for helping to set up the event and to everyone that participated.

The Christmas Tree recycling initiative is underway. Trees may be dropped off at the Jeffries Parking lot on New River Road. Make sure it is undecorated. Drop off is available from

December 26th to January 13th, 2025. The bin to recycle lights is outside at Town Hall. It will be here until after Christmas. Free mulch will be available for pick up after January 16th. A Letters to Santa mailbox has been set up in Town Hall.

OPEN FORUM – No one signed up to speak.

PUBLIC PRESENTATIONS AND HEARINGS

A. Presentation of FY 23-24 Audit

Austin Eubanks, CPA, CFE at Thompson, Price, Scott and Adam's & Co. presented the following highlights from the Fiscal Year 2023-2024 audit:

- No material errors were noted.
- There was one significant deficiency in internal control relating to non-compliance with budget in the ARPA fund due to lack of a budget amendment when transferring funds.
- There were no new changes in accounting policies this year.
- Management Judgement and Accounting Estimates were reasonable as they should be.
- Financial statements disclosures were deemed neutral, consistent and clear.
- There were no significant recorded or unrecorded differences.
- There were no disagreements with management.
- No outside consultation was used and no prior issues.
- We found no irregularities or illegal acts and there were no other findings of issue.
- Minimum Undesignated Fund Balance is 195% which far exceeds the recommended 34%.

B. NCDOT Letter of Intent to repeal the speed limit Ordinance No. 1033725 for the 3.92-mile section of SR 1568 (New River Inlet Road)

Division Traffic Engineer Mathis stated NCDOT sent a letter to the Town last week with the recommendation to lower the speed limit for the 3.92-mile section of New River Inlet Road from 45 mph to 35 mph. The recommendation is based on two studies done by them. The next step for the Town is to take this under consideration and vote and approved sign off on the Certification of Municipal Declaration to Repeal Speed Limit and Request for Concurrence.

Consensus - After discussion, the Board agreed to table the decision on the NCDOT Letter of Intent to repeal the speed limit 45 Ordinance No 1033725 for the 3.92-mile section of SR 1568 until the new legal counsel has the chance to review it and the Board explores its options. Target is possibly the January 2025 meeting.

C. Coastal Engineer Monthly Report

Engineer Way provided the December 2024 update with the following highlights:

- Phase I - Corps AIWW project to place approximately 88,000 of material by Southwinds Dredging is slated to begin mid-December.

- New River Inlet Management Master Plan Environmental Impact Study final sections are under development.
- Phase 4 State grant nourishment project to place approximately 250,000 cubic yards of material will begin December 5th.
- Post Tropical Storm Survey was submitted to FEMA/NCEM for Tropical Cyclone # 8 to place approximately 61,000 to 88,000 cubic yards of material and is potentially eligible. It will focus on Phases 1, 2 and 3.
- Disposal area 143 beneficial reuse for nourishment of Phases 1, 2 and 3 for potentially 1.9 to 2.6 million cubic yards is under investigation, then permitting.

CONSENT AGENDA

Consent agenda items include:

- Board of Aldermen November 6, 2024, minutes
- Parking lot lease agreements effective January 1, 2025, as presented.
- MOTV Refunds in the amount of \$302.99.
- Termination and Release Agreement with C.M. Mitchell Construction Company, Inc., as presented.
- ATM Professional Services Agreement for engineering support for beach projects as presented.
- TI Coastal Professional Services Agreement for engineering support for Phase 4 beach project as presented.
- WK Dickinson Agreement for engineering support for stormwater projects.
- ST Wooten contract for Phase 4 beach project as presented.
- ATM Professional Services Agreement for engineering support for FEMA/State project PYC # 8 as presented.
- Budget amendment 2025-25.9 Fund 30 Shoreline Protection.
- Budget amendment 2025-25.10 Fund 31 Beach Main Capital Project.
- Budget amendment 2025-25.11 Fund 32 NCDPS PTC 8 Grant.
- Budget amendment 2025-25.12 Fund 60 NCEM CRMG2304 stormwater grant project 120424

Motion – Mayor Pro Tem Benson motioned to approve the Consent Agenda as amended with the removal of item E ‘Fixed Asset Disposal Police Department’; seconded by Alderman Leonard; unanimously approved.

NEW BUSINESS

A. Election of Mayor Pro Tem

Motion – Alderman Benson motioned to nominate Alderman Tom Leonard as Mayor Pro Tem; seconded by Alderman Grant; unanimously approved.

B. Liaison appointments

Consensus - The Board agreed on the following liaison appointments:

- Aldermen Benson and Grant as liaisons to BISAC.
- Aldermen Olszewski and Pletl as liaisons to the CIP Committee.
- Alderman Pletl and Mayor Pro Tem Leonard to the Parking Committee.
- Alderman Pletl and Mayor McDermon as liaisons to the Parks and Recreation Committee.
- Alderman Pletl and Mayor McDermon as liaisons to the Revetment Committee.
- Mayor McDermon as primary and Alderman Olszewski as alternate liaisons to the Greater Topsail Area Chamber of Commerce and Tourism.
- Mayor Pro Tem Leonard as liaison to the NCBIWA Board of Directors.
- Alderman Grant as primary and Mayor McDermon as alternate liaisons to the ONWASA Board of Directors.
- Alderman Grant as primary and Alderman Olszewski as alternate liaisons to the Onslow County Board of Commissioners.
- Alderman Olszewski as primary and Alderman Pletl as alternate liaisons to the JUMPO Committee.
- Alderman Benson and Mayor Pro Tem Leonard as liaisons to the TISPC.
- Alderman Olszewski and Mayor Pro Tem Leonard as liaisons to Camp Lejeune.
- Alderman Pletl as primary and Alderman Grant as alternate liaisons to the CRC.
- Mayor McDermon and Mayor Pro Tem Leonard as liaisons to USACE EIS.
- Mayor McDermon as primary and Mayor Pro Tem Leonard as alternate liaisons to the Greater Topsail Community Alliance.
- Mayor McDermon and Mayor Pro Tem Leonard as liaisons for state and federal representatives

C. Appointment of three check signatories

Consensus - the Board appointed Aldermen Grant, Alderman Olszewski and Mayor Pro Tem Leonard as check signatories.

D. Building envelopes and set back

Motion - Alderman Grant motioned to move this agenda item after the Closed Session: seconded by Mayor Pro Tem Leonard; unanimously approved.

OPEN FORUM

- Mark Barefoot, General Manager of 8121 New River Inlet Road, thanked the Board for allowing him to host the 2024 Gobble Wobble.

- Pam Thomas, 2240 New River Inlet Road explained the parking lot at the end of building 8 is eroding. They were told by the Town the only thing that could be put there were sandbags. She said other areas are putting up wood or metal structures and she asked why they were not allowed to do so.

ATTORNEY REPORT – None

MAYOR REPORT– Mayor McDermon thanked everyone for the work for the holiday tree lighting at Town Hall and the coordination work relating to the storms.

ALDERMEN REPORTS:

Alderman Grant reported he attended the County Commissioner meeting for the swearing-in of new members. He thanked Manager Derian for the work done on the Army Corps of Engineers dredge project.

Alderman Olszewski reported she attended the 249th Marine Birthday Ball at Camp Lejeune. She reminded those new to the community that the Board of Aldermen meetings are streamed, and full agendas are available online. Details of projects are available on the Projects section of the website.

Alderman Benson thanked everyone for their attendance at the meetings. He also thanked Manager Derian for her effort on the Army Corps of Engineers project.

Mayor Pro Tem Leonard thanked the Town Manager and staff for all of their hard work as referenced above. The CBRA legislation is still awaiting action, and we are prepared to draft another bill if this one should die for lack of action.

Alderman Pletl agreed with her fellow Aldermen comments.

CLOSED SESSION

Motion – Mayor Pro Tem Leonard motioned to go into Closed Session at 1:18 pm as per NCGS 143.318.11(a)(3) to consult with the attorney; seconded by Alderman Olszewski; unanimously approved.

Motion – Alderman Grant motioned to return to open session at 2:27 pm; seconded by Alderman Pletl; unanimously approved.

Mayor McDermon stated no decisions were made during Closed Session.

NEW BUSINESS (continued)

D. Building envelopes and set back

Motion – Alderman Grant motioned to direct the Planning Board to propose changes to ordinances that address construction within the CAMA setbacks for purposes of environmental

concerns and public health and safety related to erosion; seconded by Alderman Pletl; unanimously approved.

ADJOURNMENT

Motion – Mayor Pro Tem Leonard motioned to adjourn at 2:39 pm; seconded by Alderman Olszewski; unanimously approved.

Joann McDermon, Mayor