



Town of North Topsail Beach
Town Hall - 2008 Loggerhead Court, N. Topsail Beach, NC

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Board of Aldermen Regular Meeting Minutes

Wednesday, November 02, 2022, at 11:00 AM

Board members Present: Mayor McDermon, Mayor Pro Tem Benson, Alderman Fontana, Alderman Grant, Alderman Leonard. **Board members absent:** Alderman Pletl

Staff present: Town Manager Derian, Administrative Record Assistant Kerri Simpson

Town Attorney Edes was in attendance.

Other participants: Fran Way, ATM Coastal Engineer, and Ernie Olds, Becker Morgan Group

I. CALL TO ORDER. Mayor McDermon called the meeting to order at 11 am.

Attorney Edes noted that there are two alderman seats open. Thus, the rules for a quorum are met with three of four elected officials present.

II. INVOCATION. Alderman Grant gave the invocation.

III. PLEDGE OF ALLEGIANCE. Mayor McDermon led the group in the pledge.

IV. APPROVAL OF AGENDA. Mayor McDermon requested a motion to adopt the agenda.

Mayor Pro Tem Benson made the motion to adopt the agenda which was seconded by Alderman Grant. It was approved unanimously.

V. MANAGER'S REPORT

Beach Projects:

Living Shoreline Project – Richard Peters Park

- I am pleased to report that the first Living Shoreline project for the Town was completed at Richard Peters Park on October 18th. I have talked to the NC Coastal Federation about signage for the project. They are working on signage that will be installed at the project site to convey information about Living Shorelines and provide an educational component to the park. I have already expressed interest for another project and the goal is to have a demonstration of different types of Living Shorelines throughout NTB.

Channel to Jacksonville

- There was a meeting on Sept. 20th with USACE in regard to the ICW Crossing and to discuss the channel to Jacksonville disposal area. USACE has awarded a contract to Cottrell contracting to place approximately 173,000 cubic yards of sand that will be

placed along the inlet area. There is a site meeting scheduled with USACE, their contractor and us on November 9th at 11:00 am to review the project area. We relayed that we would like this project to occur first and then come in after with our FEMA project that is expected to place an additional 16,000 cubic yards of sand.

Phase 5

- Last season's paused work is to resume November 16th by ST Wooten at the Gray Street Access.
- Tranche 2 work – CM Mitchell will start work Mid-February and complete the remainder of Phase 5.

Phase 4 / Coastal Storm Damage Mitigation Fund Grant

- We have received a letter of award from the NC Department of Environmental Quality/Division of Water Resources announcing that \$10,500,000 in financial assistance for the Town's nourishment has been tentatively approved by the state. The award is pending the successful execution of a grant contract between the State and the Town. I have submitted additional information as requested last week and there was a place holder to discuss this Grant under New Business in the event that I had received the contract for the Board to approve at today's meeting. I have provided the Board a Resolution to review and to take action on later in the meeting. If the Board moves forward with a Resolution, then I will have a contract to execute as the next step.
- I had an initial meeting with engineers and the Carter Associates to map out the logistics of the project and grant requirements. The engineers are working on a timeline and then we will work with Carters and our auditors to map out the cash flow and timing so everything will coincide. This grant contract will have a term of two years. Grantees may request a one-year extension. The feedback I have received so far from the engineers is that it will start next season (2023/2024) and be completed within that season. Starting mid-November and finishing in April.
- Permitting is still pending.

County BA#4

- Fran has reached out to CM Mitchell for updated costs and first available start date to fill in the dune.

Abandoned Vessel Removal Request

- The NC Coastal Federation has contacted their contractor right before Hurricane Ian, who has been inundated with work in Florida. They are still waiting on them to finish up a couple of removals in this area. They are checking back with them to see if they can look at it and if they can estimate any sort of timeline. Depending on the cost, they may

be able to cover the removal with grant funding if it is in the \$35,000 range with funds they have left.

Hurricane Ian Response

- Under the current declaration, CAT B Emergency Protective Measures are available for FEMA reimbursement. FEMA is still gathering other damages from around the state to determine if we are getting a full disaster declaration. I authorized the engineers to complete a post Ian beach survey after an initial assessment to gather data on beach loss, volume of sand loss and verify where it moved during the storm event. Should FEMA extend emergency protective measures for CAT G, then we will be able to submit the surveying and any beach restoration deemed necessary. Feedback I have received is based on damage calculations; it is not looking promising for NC. Surveying is still in progress and expected to wrap up this week.

FEMA Funds

- I have been working through various agencies to get our current FEMA funds released. On Monday, we have received \$3,829,736 in FEMA funds that were due.

Website

- We officially launched the new website on October 26th and provided an invitation via social media for any feedback or suggestions from residents/users. To date, we have received positive feedback from staff and outside users. Some of the features of the new site include the ability to complete most forms on-line, dedicated projects page to find up-to-date information on planned and projects that are underway, detailed permitting instructions and real time weather and rip current information provided by a newly installed weather station at Town Hall.

VI. OPEN FORUM

Jeff Meyer thanked Mike Benson who spoke to the Topsail Reef HOA Meeting about beach nourishment projects and how the beach works along the shoreline at Topsail Reef condos.

VII. PUBLIC PRESENTATIONS AND HEARINGS

A. Coastal Engineer Update (Mr. Fran Way)

Town Beach Projects Summary

- Phase 5 Beach Nourishment -ST Wooten hauled ~120,000 cubic yards over 2 months (March and April 2022). Will start up again November 16 and work north. 180,000 cubic yards remain.

- Separate 2nd Tranche Truck Haul for Phase 5 for 290,000 cubic yards. Start at Gray Street and work south in February 2023
- Hurricane Dorian Phase 1 FEMA Category G (15,000 cubic yards) near Topsail Reef Villas and 45,000 cubic yards permitted (Nov 16, 2022, to April 1, 2023).
- USACE AIWW/Channel Dredging and Phase 1 Placement
- New River Inlet Management Master Plan EIS: Continued EIS processing and meetings. Additional Modeling
- Working with the Town's Finance Officer and DEC Associates regarding funding for FEMA and State funded projects
- Sea Oat Planting -Complete but some Hurricane Ian damage
- Permitting Coordination (all projects)
- County Beach Access #4 work to be completed as planned
- State Grant (Phase 4) coordination and permitting underway

Mayor Pro Tem Benson asked Mr. Way to update the estimated cost of construction of a terminal groin in today's dollars given the 2018 estimate is now 4 years old. **Mayor McDermon** questioned the additional engineering cost to generate the new estimate. The consensus was the Board agreed to a 2-hour professional fee for this estimate.

VIII. CONSENT AGENDA

A. Department Head Reports

1. Finance Department
2. Fire Department
3. Inspections Department
4. Planning Department
5. Police Department

B. Committee Reports

1. Planning Board & PPI Committee
2. Board of Adjustment
3. TISPC <https://tispc.org/minutes/>
4. ONWASA
5. Parks & Rec Committee

C. MOTV Tax Refund

D. Acceptance of resignation - Mr. Don Harte, from the Board of Aldermen effective September 2, 2022.

E. Resolution 2022-0008 in Support of a Local Magistrate

Mayor McDermon requested a motion to adopt the consent agenda.

Alderman Grant made the motion to adopt the consent agenda which was seconded by Mayor Pro Tem Benson. It was approved unanimously.

IX. CONTINUING BUSINESS

A. Oath of Office for new Board of Aldermen Members - Mr. Fred Fontana and Mr. Tom Leonard

Mr. Fred Fontana was sworn in by Kerri Simpson, Records Clerk. Alderman Fontana took his seat on the Board.

Mr. Tom Leonard was sworn in by Kerri Simpson, Records Clerk, with the assistance of former Town Manager Dave Gilbride. Alderman Leonard took his seat on the Board.

B. BISAC Update.

Mayor Pro Tem Benson gave the update for the Tuesday, October 25 meeting. Two action items from the BISAC Committee were brought to the Board. The first, the appointment of Steve Scheibner as an at-large member.

Mayor McDermon asked for a motion to appoint Mr. Steve Scheibner to BISAC as an at-large member.

Alderman Grant made the motion to appoint Steve Scheibner to BISAC with a second from Alderman Leonard. The motion passed unanimously.

Mayor Pro Tem Benson then announced that a second BISAC committee member had resigned, and that the Town Manager had noticed this opening with a November 30th application deadline.

Alderman Grant made a motion to accept the resignations of Michael Pawelko and Thomas Garrison from BISAC with a second from Mayor Pro Tem Benson. The motion passed unanimously.

Mayor Pro Tem Benson then asked the Board to alter the way the Town participates in selecting its membership to the Topsail Island Shoreline Protection Commission. With the formation of the BISAC Committee, Mayor Pro Tem Benson proposed that two members representing one of the five phases plus one elected official be the representatives to TISPC. The Board was requested to charge the committee for recommendations. Alderman Grant challenged this strategy and proposed to table the matter until the December Board/staff workshop.

Mayor Pro Tem Benson spoke briefly about the high-level WATERS Summit in Wilmington recently. He also reported that the CRC adoption of the new Inlet Hazard Areas and rules for the state were paused until further rule making can be done to accommodate all structures in inlet hazard areas.

X. NEW BUSINESS

A. Beach Engineer/Grant Writing. Alderman Grant suggested a strategy to hire consultants to help apply for grants. He asked the town manager to give the board a RFQ for grant assistance to the town.

B. Fire Station #2 Presentation. Ernest W. Olds, Becker Morgan Group, Inc. gave an overview of the new fire station no 2 planning with a focus on the LEEDS certification issues and costs. He did not recommend going forward with LEEDS due to costs versus long-term energy savings. The consensus of board questions and discussion was that the costs of LEED certification do not indeed benefit the construction requirements and cost, so LEED certification will not be sought.

C. Coastal Storm Mitigation Fund Grant. Manager Derian is in the process of meeting the state requirements to apply for and accept the grant funds. A resolution is needed. Manager Derian read the resolution to sponsor Phase 4 beach nourishment that requests the state to provide necessary funds for the project. Attorney Edes suggested a ‘full compliance agreement statement’ be added to the resolution. (See Appendix A for full text of resolution.)

Mayor McDermon asked for a motion to accept the resolution

Alderman Grant made the motion to accept the resolution as modified by Attorney Edes. Alderman Fontana seconded the motion. The motion passed unanimously.

XI. OPEN FORUM

Susan Meyer wanted clarification for the permitting of Hurricane Dorian Phase 1 where the permit is for 45,000 cy of sand but only 16,000 cubic yards will be placed under the FEMA Cat G project.

Cameron Kuegel was concerned about where disposal sand was placed in the 2020-2021 project and how it would be any different in this cycle. He was concerned about the upcoming Revetment Committee meeting and that it should be a public meeting.

XII. ATTORNEY'S REPORT – no report

XIII. MAYOR'S REPORT. Mayor McDermon recognized Lisa Carpenter, a candidate for Onslow County Commissioner, in the audience. She also thanked former manager Dave Gilbride for participating in the swearing in ceremony for Alderman Leonard. She also mentioned the upcoming Board/staff workshop in December.

XIV. ALDERMAN'S REPORT.

Alderman Leonard thanked the board for his appointment. Several goals were given including removing the town from CBRA and asking state rule changes to allow funding of hardened structures. He recognized the Marine Corps and veterans for having a happy veteran's day with special recognition of Gunnery Sergeant Boatman.

Mayor Pro Tem Benson attended the TISPC meeting where an initiative towards USA BlueFlag Beach recognition was discussed. The TISPC group also organized a Vitex invasive dune plant eradication meeting with a state liaison. He reported earlier on the WATERS Summit he attended. He spoke at the Topsail Reef Condo HOA annual meeting recently as mentioned previously. He commended Manager Derian and staff for the effort that made the new town website easy to use, easy to read, and with up-to-date information.

Alderman Fontana thanked the Board for his appointment. He echoed the report on Vitex as an issue we need to address along the beach.

Alderman Grant thanked the staff and Manager Derian for an excellent Board package this month. He congratulated the new Board members. He stated he had attended the county meeting.

On behalf of **Alderman Pletl**, Manager Derian announced the Christmas tree lighting to be held at Town Hall on November 16 at 6 pm. Refreshments will be served along with a visit from Santa himself.

XV. CLOSED SESSION

Mayor McDermon asked for a motion to go into 'Closed Session' to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.

Alderman Leonard made the motion to go into closed session as per N.C.G.S. 143-318.11(a) (3) and Alderman Grant seconded that motion which passed unanimously.

Mayor McDermon announced that the Board returned to open session and that no action was taken.

XVI. ADJOURNMENT

Mayor McDermon asked for a motion to adjourn.

Alderman Leonard made the motion to adjourn with a second from Alderman Grant. The motion carried unanimously.

Joann McDermon, Mayor

ATTEST:

Nancy Avery, Interim Town Clerk