



Town of Holden Beach
Board of Commissioners
Regular Meeting

Tuesday, July 18, 2017
7:00 PM

Holden Beach Town Hall
Public Assembly



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS' REGULAR MEETING
HOLDEN BEACH TOWN HALL – PUBLIC ASSEMBLY
TUESDAY, JULY 18, 2017 - 7:00 P.M.**

1. Invocation
2. Call to Order/ Welcome
3. Pledge of Allegiance
4. Agenda Approval
5. Approval of Minutes
 - a. Minutes of the Regular Meeting of June 20, 2017 (Pages 1 - 7)
 - b. Minutes of the Special Meeting of June 23, 2017 (Pages 8 - 9)
6. Public Comments on Agenda Items
7. Guest Speaker – Suzanne LaFollette- Black (AARP – North Carolina Associate Director – Coastal Region)
– Present AARP Age Friendly Communities (Mayor Pro Tem Fletcher and Commissioner Freer)
8. Brunswick County Tourism Development Authority Update – Mitzi York (Town Manager Hewett)
9. Fire Department Report – Fire Chief Doug Todd
10. Police Report – Chief Wally Layne (Page 10)
11. Run HB Requests – Coastal Race Productions (Shoreline Protection and Recreation Manager Ferguson)
(Pages 11 – 12)
 - a. Banner Approval
 - b. Beer Garden Request
12. Discussion and Possible Action on Staggered Terms for the Board of Commissioners – Attorney
Freedland (Pages 13 – 14)
 - a. Ordinance 17-10, An Ordinance Amending the Charter of the Town of Holden Beach to
Implement Four-Year Staggered Terms for the Members of the Town of Holden Beach Board of
Commissioners
 - b. Resolution 17-09, A Resolution Calling a Special Election for the Purpose of Submitting to a
Vote an Ordinance Implementing Four-Year Staggered Terms for the Members of the Town of
Holden Beach Board of Commissioners
13. Fiscal Year 2016 – 2017 Budget Update – Town Manager Hewett (Page 15)

14. Discussion and Possible Approval of Update to the 2016 – 2017 Audit Contract with Thompson, Price, Scott, Adams and Co, P.A. – Town Manager Hewett
(Pages 16 – 19)
15. Discussion and Possible Nomination of Members to Fill Vacancies on Town Boards – Town Clerk Finnell
(Pages 20 – 23)
 - a. Board of Adjustment
 - b. Planning & Zoning Board
 - c. Parks & Recreation Advisory Board
16. Discussion and Possible Action on Amending Title IX, General Regulations, Section 95.05 Street Rights-of-Way - Commissioner Freer
(Pages 24 – 26)
17. Town Manager's Report
18. Mayor's Comments
19. Board of Commissioners' Comments
20. Public Comments on General Items
21. Adjournment



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
REGULAR MEETING
TUESDAY, JUNE 20, 2017 – 7:00 P.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Regular Meeting on Tuesday, June 20, 2017 at 7:00 p.m. in the Town Hall Public Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem John Fletcher; Commissioners Peter Freer, Kim Isenhour and Ken Kyser; Town Manager David W. Hewett; Town Clerk Heather Finnell; Police Chief Wally Layne; Public Works Director Chris Clemmons; Shoreline Protection and Recreation Manager Christy Ferguson; Building Official Tim Evans; and Fiscal Operations Clerk Mandy Lockner. Commissioner Ashley Royal was unable to attend the meeting.

Mayor Holden asked for a moment of silence and then called the meeting to order.

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

Mayor Holden said Commissioner Royal is out of town on business. Two of the items have been placed on the agenda by Commissioner Royal. Mayor Pro Tem Fletcher said Commissioner Royal asked him to speak for him.

Motion by Commissioner Fletcher to amend item 14 to read 14a and add the words "and associated beach access matters" and add 14b: Discussion and Possible Action to Amend Ordinance 95.05B: Streets and Rights of Way.

Mayor Pro Tem Fletcher said the items are just for discussion tonight. Attorney Fox suggested discussing the item under the comments. Commissioner Freer confirmed that Mayor Pro Tem Fletcher would like to direct the clerk to prepare an ordinance to vote on at the next meeting. Attorney Fox said she cannot give legal advice because she does not know what is being proposed to be discussed. Commissioner Kyser said he is not prepared to discuss something he had no idea would be on the agenda. He is opposed to adding that item unless it is discussed under comments. Attorney Fox suggested it would be easier to ask for a consensus under his comments instead of amending the agenda.

Mayor Pro Tem Fletcher amended his motion. He said we would not need to add item 14a or 14b, we can just add the words "and associated beach access matters" to the Elizabeth Street parking issue. The amended motion was seconded by Commissioner Freer.

Commissioner Kyser would like to know what the Board would be discussing. Mayor Pro Tem Fletcher responded the parking situation for Elizabeth Street and the access at the street. Attorney Fox said at the last meeting the Board asked her to research the issue. She has not connected with Ms. Pailthorp until tonight and she is not prepared to give a legal opinion on if the Town has the ability to do anything at that access. The Board discussed if the amendment should be approved.

Mayor Pro Tem Fletcher, with Commissioner Freer in agreement, withdrew his motion.

Motion by Commissioner Isenhour to approve the agenda as presented; second by Mayor Pro Tem Fletcher; approved by unanimous vote.

APPROVAL OF MINUTES

Motion by Commissioner Freer to approve the minutes of the Regular Meeting of May 16, 2017, the Special Meeting of May 19, 2017 and the Special Meeting of June 9, 2017 as written; second by Mayor Pro Tem Fletcher; approved by unanimous vote.

PUBLIC COMMENTS ON AGENDA ITEMS

Rick Green, a resident and an attorney, has been retained by one of owners in the L.S. Holden Subdivision. He said there are two issues, one, parking is addressed by the resolution. He said the second is the beach access. He provided information on his research. Mr. Green hit the public comment time limit.

Motion by Mayor Pro Tem Fletcher to waive the time limits and let Mr. Green go on.

Mayor Pro Tem Fletcher said it could be extended for another two minutes. Mr. Green said he might take three minutes.

Mr. Green talked about the homeowners in the L.S. Holden Subdivision maintaining the accessway. He would like the Town to restore the area to a private access for the L.S. Holden Subdivision and make Elizabeth Street no parking.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 17-08, FISCAL YEAR 2017 – 2018 BUDGET ORDINANCE

Town Manager Hewett reviewed the budget process. The two items the Board requested to be changed are in the ordinance, the \$100,000 appropriation for Lockwood Folly dredging and a footnote on the terminal groin that indicates the total lifecycle, 30 year costs for the project. Commissioner Freer said he made the request regarding Lockwood Folly, but wanted a separate line item to be added. He would like the focus to be east end beach nourishment, not inlet dredging. Town Manager Hewett explained the line that is already established is the same line that was put in the budget for the previous two cycles and the most recent appropriation of \$35,000 for the Lockwood Folly dredging. The vessel that will probably be used is the sidecaster dredge. The sidecaster doesn't put sand on the beach. According to the latest information from the Corps late last week, the inlet crossing projects this coming year won't happen down south. The \$76,000 from the last budget was under the Lockwood Folly Dredging line item. That was done

under the Corps' permit which uses the least cost method of disposal. The sand is the byproduct. Town Manager Hewett said there is a line item call Beach Nourishment. He stated the discriminator he tried to implement is to tie that item to a permit that the Town holds. He thinks it clouds the issue on what the money is earmarked for if that item is tied to a different line item. Commissioner Freer said he understands the Town has a permit that we have not exercised at this point. Town Manager Hewett said we won't be able to use the permit in the upcoming budget because of the dredging window. He said there won't be enough sand in the inlet to economically deploy on that permit. He doesn't anticipate any more dredging this fiscal year besides the one that has not yet happened for the \$35,000 the Town contributed. He said the Merritt should be here around July 15th for about two weeks, then there will be late September and late October cycles. At that time, the Merritt will be sent to the yard for repairs. The Corps doesn't have an outer bar sidescaster vessel available for the inlet for this time next year. He said it will be next November before the Town has a crack at conceptually getting together an east end sand nourishment project using sand from the inlet. The survey we just received shows the Lockwood Folly Inlet outer bar is opening up a little bit. Town Manager Hewett said conditions have improved on the outer bar since a month ago. Commissioner Freer said the Corps' perspective may be low cost, but to him sand was the primary benefit. Commissioner Freer said the Board added that in because previous amounts weren't planned. Town Manager Hewett said by putting it in, depending on availability of the Merritt, it could be there is a window where the \$100,000 provides that kind of capability where we are trying to scramble and fulfill now.

Commissioner Freer stated he saw the asterisk on the projected 30 year cost related to the capital expenditure. He said he is a little afraid to vote on the budget because he is wondering if the Board is approving all of the items in the Capital Plan. Town Manager Hewett responded that the only expenditures that are authorized are the current year budget expenditures. The numbers in the other nine years float. Commissioner Freer would like the plan to be in the Budget Message, but not in the ordinance. Town Manager Hewett said that is different from the previous guidance. Fiscal Operations Clerk Lockner said you are only approving the expenditures for 2017 – 2018, you are not approving the next 10 years. She provided an example of how the previous numbers in the plan changed.

Motion by Mayor Pro Tem Fletcher to adopt the budget as presented, Fiscal Year 2017 - 2018, second by Commissioner Isenhour; approved by unanimous vote.

POLICE REPORT – CHIEF WALLY LAYNE

- It has been a typical busy summer. We have been one officer short for the past week. Sean Watson was bitten by a copperhead at his home and continues to recover.
- Have removed 62 items from the beach at night. The items are typically removed between Saturday and Monday night.
- 4th of July is coming. We are in hurricane season. Make sure you are prepared for both.

BEACH RANGER PROGRAM REPORT – BUILDING OFFICIAL TIM EVANS

Building Official Evans provided statistics on the Building Inspections Department. He said permitting and the number of inspections are up. He talked about the background of the Beach Ranger Program. They

are running shifts between 9:30 a.m. and 3:30 p.m. He wants it to be an educational program and assist folks. They keep a daily log of all contact. Building Official Evans provided statistics on the information logged and types of services they provide. He talked about some problems they encountered. Commissioner Freer said he read in the newspaper that the beach rangers won't ticket if there is a violation. Building Official Evans explained if people don't comply, the rangers advise them they will come back with help.

SOLID WASTE REPORT – PUBLIC WORKS DIRECTOR CHRIS CLEMMONS

Public Works Director Clemmons said as a result of the last budget meeting, he met with Waste Industries. They have one standard service that they don't customize. Waste Industries did agree to work with the Town on routes. He explained the new routes. We tried the new route on Saturday. By 10:00 a.m. all cans were dumped on Ocean Boulevard and the rollback provider was gone. After talking to the rollback provider, he asked everyone to talk to their neighbors to clarify the recycling schedule. He said another issue the rollback provider noticed was that cleaning crews are filling the trash cans back up after they clean the houses.

DISCUSSION AND POSSIBLE ACTION ON SUPPORT OF BRUNSWICK COUNTY OPIOID TASK FORCE

Town Clerk Finnell said a letter and resolution were prepared for the Board based on the feedback from the last meeting.

Motion by Commissioner Isenhour to support the Brunswick County Opioid Task Force with a letter and resolution; second by Commissioner Kyser; approved by unanimous vote.

DISCUSSION AND POSSIBLE ACTION ON RESOLUTION 17-07, RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE CHARTER OF THE TOWN OF HOLDEN BEACH TO IMPLEMENT FOUR-YEAR STAGGERED TERMS FOR THE MEMBERS OF THE TOWN OF HOLDEN BEACH BOARD OF COMMISSIONERS AND SETTING THE DATE FOR A PUBLIC HEARING

Attorney Fox said Resolution 17-07 is presented for consideration. The resolution was drafted based on Board direction. Adoption of an ordinance for staggered terms for the Board, excluding the mayor would be considered at the July meeting. Commissioner Freer asked about referendum versus an ordinance. Attorney Fox explained if the Board adopts the resolution tonight, Town Clerk Finnell will publish a notice of intent to adopt an ordinance at the July meeting. There will be a public hearing prior to the meeting and then the Board would adopt an ordinance at the July regular meeting. Also, at that time based on previous discussion, the Board would also adopt a resolution asking the clerk to notify the Board of Elections that it should be a matter to be voted on by the public at the November election.

Motion by Mayor Pro Tem Fletcher to approve Resolution 17-07; second by Commissioner Freer; approved by unanimous vote.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 17-08, RESOLUTION AMENDING THE FEE SCHEDULE FOR THE TOWN OF HOLDEN BEACH

Town Clerk Finnell said based on feedback from the Board at the last meeting, staff prepared Resolution 17-08. Town Manager Hewett added this is with the understanding that people who want to get the additional decals will come in to obtain them. Mayor Pro Tem Fletcher talked about his past experience with decals.

Motion by Mayor Pro Tem Fletcher to approve Resolution 17-08; second by Commissioner Freer; approved by unanimous vote.

DISCUSSION AND POSSIBLE ACTION TO AMEND ORDINANCE 72.03, PARKING PROHIBITED AT ALL TIMES

Motion by Mayor Pro Tem Fletcher to amend the parking ordinance, 72.03, to designate Elizabeth Street as closed to vehicular traffic, a no parking zone; second by Commissioner Freer.

Town Clerk Finnell asked if she is being directed to bring that back to the Board because she doesn't have an ordinance prepared to vote on. Mayor Holden said the motion should be to have the item put on the agenda at the next meeting. Attorney Fox said vehicular traffic is another issue than no parking, which is a whole different process. She explained the process.

Mayor Pro Tem Fletcher agreed to amend his motion to direct the town clerk to prepare an ordinance for no parking on Elizabeth Street to be considered at the next meeting.

Commissioner Kyser said the Board hasn't heard from the attorney about this whole subject. He said he knows people do not like parking on Elizabeth Street, but other streets have the same issue. He understands the problem, but he doesn't want to see a knee jerk reaction without getting Attorney Fox's advice. Chief Layne said the thing everyone needs to keep in mind is that it is Town right-of-way.

The motion passed by a 3 – 1 vote with Mayor Pro Tem Fletcher and Commissioners Freer and Isenhour voting for the motion and Commissioner Kyser voting in the negative.

DISCUSSION AND POSSIBLE SCHEDULING OF A TIME TO HOLD INTERVIEWS FOR UPCOMING VACANCIES ON TOWN BOARDS

The Board came to a consensus to schedule interviews for July 18th at 6:30 p.m.

PUBLIC COMMENTS ON GENERAL ITEMS

- GenX and Water Supply – We do get our water from the Cape Fear River. We don't know anything about the compound except from the communications from the county, state and various media. Handouts from the county are available in the back. We have been notified that they will stop the release of the compound into the Cape Fear River. Mayor Holden asked Town Manager Hewett to clarify we get some of our water from the Cape Fear River, not all of it.

- The water tank is full and online. The Fire Department is doing flow testing. Asked Chief Todd to give a report at the July meeting.
- No new information on the flood map status.
- Paving for Jordan, Marsh Walk and Schooner is complete.
- Sewer Vulnerability Improvements – all four lift station gensets are operational as of last week. Will incorporate into Town's plans.
- Central Reach Project - sand fence installation is complete. Seeing immediate results on some of those sections of sand fence. Vegetation planting is underway. Will move to the eastern reach when finished there.
- Bridgeview Park – finished mitigation measures with the installation of marsh plantings. It was a permit requirement. It was an Eagle Scout Project by Jack Boldt of Troop 262. The troop leader is Matt Gould, Our 2nd kayak launch has been installed. We only have the splash pad installation remaining. That will occur this fall.

MAYOR'S COMMENTS

- Comments being made about our beach strand by visitors have been overwhelmingly good. Comments about the flowers in the garden have been excellent. Overall comments have been good. Thinks the crowd we had here for Memorial Day was the biggest he could remember. We didn't have any major incidents.
- Didn't have to haul trash this week. Thanked Public Works Director Clemmons for what he did.

BOARD OF COMMISSIONERS' COMMENTS

Mayor Pro Tem Fletcher

- We have a nice turnout tonight and some new faces.
- He and his wife are morning riders for the Turtle Patrol. He provided Turtle Patrol statistics. He told a story about a man sleeping on the beach and loggerhead laying her nest near him. We are pretty much on track with last year.

Commissioner Freer

- Thanked everyone for coming. Thanked staff. His family did tie dye. It is a lot of work.

Commissioner Isenhour

- After Hurricane Matthew the numbers on the Oceanside of her house blew away. They had to put them back up. This past weekend they blew away again. Pay attention to the numbers on your house. They are good for safety reasons.

Commissioner Kyser

- Thanked everyone for being here. Reminded everyone about the public hearing about staggered terms. Come express your opinions.

PUBLIC COMMENTS ON GENERAL ITEMS

Marlene Barz read a letter from the Holden Beach Property Owners Association regarding parking problems on the island. They are requesting that the Board prevent parking on improved property and communicate by letter regarding right-of-way issues.

Dolly Mitchell said Mayor Holden spoke to the Men's Fellowship this morning. She asked Mayor Holden to comment on his discussion regarding having serial numbers for all appliances in case you need to be reimbursed for homeowners' insurance. Mayor Holden said at the Men's Breakfast they discussed planning for emergencies and hurricanes. In regards to insurance claims, you need to have serial numbers for anything of value. As we get into the season, we will have opportunities for the public to be informed of plans. Commissioner Kyser added he had a neighbor whose house burnt down. He talked about his experience. He suggested if you videotape everything you have, you can review it and make a claim for everything you have.

Woody Tyner wanted to recognize Town Manager Hewett and his staff for the Budget Message, it is an excellent document. If you haven't read it, read it.

EXECUTIVE SESSION PURSUANT TO NORTH CAROLINA GENERAL STATUTE 143-318.11(A)(5), TO ESTABLISH OR INSTRUCT STAFF OR AGENT CONCERNING THE ACQUISITION OF PARCEL NUMBERS 232NF029, 232NF001, 232NF002, 232NF003, 232NF004, 232NF005, 232NF006, 232NF007 AND 232NF008, OWNED BY HOLDEN BEACH ENTERPRISES AND TO CONSULT WITH THE TOWN ATTORNEY

Town Clerk Finnell read the reason for going into Executive Session.

Motion by Mayor Pro Tem Fletcher to go into Executive Session at 8:25 p.m.; second by Commissioner Freer; approved by unanimous vote.

OPEN SESSION

Motion by Commissioner Isenhour to go back into Open Session at 9:18 p.m.; second by Commissioner Kyser; approved by unanimous vote.

Mayor Holden announced that no action was taken.

ADJOURNMENT

Motion Mayor Pro Tem Fletcher to adjourn at 9:18 p.m.; second by Commissioner Freer; approved by unanimous vote.

ATTEST:

J. Alan Holden, Mayor

Heather Finnell, Town Clerk



**TOWN OF HOLDEN BEACH
BOARD OF COMMISSIONERS
SPECIAL MEETING
JUNE 23, 2017 – 9:30 A.M.**

The Board of Commissioners of the Town of Holden Beach, North Carolina met for a Special Meeting on Friday, June 23, 2017 at 9:30 a.m. in the Town Hall Public Assembly. Present were Mayor J. Alan Holden; Mayor Pro Tem John Fletcher; Commissioners Ashley Royal, Peter Freer, Kim Isenhour and Ken Kyser; Town Manager David W. Hewett; and Town Clerk Heather Finnell.

DISCUSSION AND POSSIBLE ACTION ON ORDINANCE 17-09, AN ORDINANCE AMENDING THE HOLDEN BEACH CODE OF ORDINANCES, TITLE VII: TRAFFIC CODE (SECTION 72.04 PARKING PROHIBITED AT ALL TIMES)

Mayor Holden called the meeting to order and asked Mayor Pro Tem Fletcher to provide information on agenda item 2.

Motion by Mayor Pro Tem Fletcher to delete this item from the agenda, second by Commissioner Freer.

Commissioner Royal inquired how it has been resolved. Mayor Pro Tem Fletcher said he found that the Town already has an ordinance in hand that allows assigned parking which resolves the issue. Commissioner Freer inquired if the Board needs to vote on making Elizabeth Street part of that. Town Clerk Finnell said Elizabeth Street already has the exception. She explained that the proposed ordinance in front of the Board would make Elizabeth Street no parking, the existing rule designates parking by sign. Commissioner Freer said the Town can designate the area for other uses. The space would be designated for things rather than cars. The Board talked about public input.

The motion passed by unanimous vote.

DIRECT THE PLANNING AND ZONING BOARD TO SET UP A 5-MEMBER COMMUNITY ADVISORY COMMITTEE TO ADDRESS PARKING FOR THE TOWN OF HOLDEN BEACH

Mayor Pro Tem Fletcher said the Board directs the Planning & Zoning Board to set-up a 5-member Community Advisory Committee to address parking for the Town of Holden Beach. The specific brief for the committee is to assess current parking resources, assess Town of Holden Beach owned properties that can potentially be used for parking, investigate what other beach communities in the area do for parking, investigate paid parking options, investigate if CAMA consideration places any restrictions on parking rules, consider appropriate limitations on right-of-way parking and do all of this from the perspective of public access and improving quality of life and convenience for Town of Holden Beach homeowners. Mayor Pro Tem Fletcher also proposes to change the rules slightly to allow the chair or vice chair of the Planning and Zoning Board to make their own rules for reporting to the Board of Commissioners.

Motion by Mayor Pro Tem Fletcher to accept agenda item 3 directing the Planning & Zoning Board to set-up a 5-member Community Advisory Committee to address the parking for the Town of Holden Beach.

Mayor Holden clarified for everyone that the motion was to establish a 5-member Community Advisory Committee. Mayor Pro Tem Fletcher agreed that was the motion.

The motion was seconded by Commissioner Royal.

Mayor Pro Tem Fletcher read the brief for the committee again and added the Board of Commissioners authorizes the chair or vice chair to establish their own reporting rules back to the Board of Commissioners. Commissioner Freer said this is a fairly new community advisory committee and he thinks it is a good idea to include citizens to work with the committee and staff to take a comprehensive view of parking. He said there are some weird rules on how the committee would report. He thinks Mayor Pro Tem Fletcher is giving them flexibility of reporting. He said there is also a three month term that can be modified if needed. Town Manager Hewett said he is not sure you can amend the rules of procedure for the Citizens Advisory Committee since it was not on the agenda. He suggested the Board broaden the scope because there are other considerations beyond CAMA rules, like ADA requirements. He suggested broadening the scope so it doesn't unintentionally restrict the prospective and include some language that includes all applicable regulations. Town Clerk Finnell said her concern is that you have an ordinance that may need to be adjusted. She doesn't know the exact wording of the ordinance. It might not be able to be changed without editing the ordinance. Commissioner Freer said that isn't a problem because that is for reporting and it would be later anyways. Town Manager Hewett said that can be done at the next meeting. The Board talked about amending that part at the next meeting. Commissioner Freer said that committee is two Planning & Zoning Board members and three general public members. The Board talked about public comments. Commissioner Royal said this calls for an assessment. He asked if the Board is intending for the committee to present recommendations. Commissioner Freer said he thinks the Board is. Commissioner Royal said the Board can take further action at a later date to include recommendations. Commissioner Kyser said all the Board is voting on is the five person committee, not the verbiage. The Board discussed the motion.

Mayor Pro Tem Fletcher and Commissioner Freer amended the motion to add the wording in the briefing.

Commissioner Royal asked if they can add "and make recommendations based on their assessment". Town Clerk Finnell suggested they also add consider adding Town Manager Hewett's recommendation on including all applicable regulations.

Mayor Pro Tem Fletcher and Commissioner Freer agreed to add the changes to the motion.

The motion passed by unanimous vote.

ADJOURNMENT

Motion by Mayor Pro Tem Fletcher to adjourn at 9:50 a.m.; second by Commissioner Freer; approved by unanimous vote.

J. Alan Holden, Mayor

ATTEST:

Heather Finnell, Town Clerk

Activity Log Event Summary (Cumulative Totals)

HOLDEN BEACH POLICE DEPT.

(06/01/2017 - 06/30/2017)

<No Event Type Specified>	1	911 Hang Up/Open Line	1
Administrative Call	2	Alarm Activation	21
Animal Complaint	22	Assist Motorist	10
Assist Other Agency	16	Attempt to Locate-ATL	10
Beach Equipment Tagging	29	Beach Patrol	1
Disturbance/Fight	3	Domestic Disturbance	3
EMS/Medical Call	19	Escort/Relay	2
Fire Call	4	Fireworks	2
Found Person	1	Found Property	1
Incident Report	4	Intoxicated Subject	1
Keep Check	24	Lost Property	6
Maintenance Call (Not HB Public Works)	1	Maintenance/Water Leaks(HB Only)	7
Meet with Complainant	13	Missing Person	2
Motor Vehicle Crash (Property Damage Only)	2	Noise/Nuisance Complaint	2
Parking	5	Phone Call (requested to call subject)	41
Public Assist	1	Residence Check	1
Suspicious Activity	5	Suspicious Person	5
Suspicious Vehicle	5	Water Rescue	2
Welfare Check	1		

Total Number Of Events: 276



Date: July 10, 2017

To: Commissioners and Mayor Holden

From: Christy Ferguson, Shoreline and Recreation Manager

(14)

Re: Beer Garden and Signage Request for Run HB

Coastal Race Productions will be conducting Run HB on Saturday, September 9, 2017. The Town of Holden Beach will be a sponsor for the event. Coastal Race Productions is here this evening to speak to you about both the possibility of a beer garden and to get permission to hang their signs and banners for the event.

Sales and Consumption of alcoholic beverages in the Town of Holden Beach is covered in the Code of Ordinances, 130.03. It states Board of Commissioner approval is required as an exception to the sale and consumption of alcoholic beverages being prohibited. Coastal Race Productions brought it to the Town's attention that they are allowed to have a beer garden in neighboring municipal venues where races like this are held. They would like to offer that to the runners of legal age here as well. The access to the area would be controlled by Coastal Race Productions. They have additional information regarding how the system has worked at other beach communities and why they think it would add to the event.

BAM! RACE SERIES

RUN HOLDEN BEACH **SEPT. 9, 2017**

Half Marathon • 5K • 1 Mile

RunHoldenBeach.com

ORDINANCE 17-10

AN ORDINANCE AMENDING THE CHARTER OF THE TOWN OF HOLDEN BEACH TO IMPLEMENT FOUR-YEAR STAGGERED TERMS FOR THE COMMISSIONERS OF THE TOWN OF HOLDEN BEACH BOARD OF COMMISSIONERS.

BE IT ORDAINED by the Board of Commissioners of the Town of Holden Beach:

Section 1. Pursuant to G.S.160A-101 and 160A-102, the Charter of the Town of Holden Beach, as set forth in the corporate charter for the Town of Holden Beach adopted February 14, 1969, as amended, is hereby further amended to provide that the Commissioners of the Town of Holden Beach Board of Commissioners shall hereafter be elected for four-year terms on a staggered basis as set for in Section 2 below. The Mayor shall continue to be elected for a two year term.

Section 2. At the regular municipal election to be held on November 5, 2019, the three commissioner candidates who receive the highest number of votes shall be elected for four-year terms, while the two commissioner candidates who receive the next highest number of votes shall be elected for two-year terms. At the regular municipal election to be held in 2021, and every four years thereafter, two commissioners on the Board of Commissioners shall be elected to serve for four-year terms. At the regular municipal election to be held in 2023, and every four years thereafter, three commissioners of the Board of Commissioners shall be elected to four-year terms.

Section 3. This ordinance shall be effective only upon approval by a vote of the people. A special election for the purpose of submitting the ordinance to a vote shall be held as provided by the resolution also adopted this day.

Adopted this 18th day of July, 2017

Mayor

ATTEST:

Approved as to Form:

Clerk

Attorney

RESOLUTION 17-09

RESOLUTION CALLING A SPECIAL ELECTION FOR THE PURPOSE OF SUBMITTING TO A VOTE AN ORDINANCE IMPLEMENTING FOUR-YEAR STAGGERED TERMS FOR COMMISSIONERS OF THE TOWN OF HOLDEN BEACH BOARD OF COMMISSIONERS

WHEREAS, pursuant to G.S. 160A-101 and 160A-102, the Board of Commissioners of the Town of Holden Beach enacted an ordinance on July 18, 2017 amending the corporate charter for the Town of Holden Beach adopted on February 14, 1969, as amended, to implement four-year staggered terms for the commissioners of the Town of Holden Beach Board of Commissioners; and

WHEREAS, pursuant to G.S. 160A-102, the ordinance provides that it will become effective only if approved by a vote of the people;

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Commissioners of the Town of Holden Beach that:

1. An election is hereby called for Tuesday, November 7, 2017 for the purpose of determining whether the commissioners of the Town of Holden Beach Board of Commissioners shall be elected for four-year terms on a staggered basis as follows: At the regular municipal election to be held on November 5, 2019, the three commissioner candidates who receive the highest number of votes shall be elected for four-year terms, while the two commissioner candidates who receive the next highest number of votes shall be elected for two-year terms. At the regular municipal election to be held in 2021, and every four years thereafter, two commissioners of the Board of Commissioners shall be elected to serve for four-year terms. At the regular municipal election to be held in 2023, and every four years thereafter, three commissioners of the Board of Commissioners shall be elected to four-year terms.

2. Pursuant to G.S. 163-287 the Brunswick County Board of Elections is hereby requested to conduct the election herein described and the Town of Holden Beach Clerk is directed to forthwith deliver a copy of this resolution to said Board of Elections.

3. Pursuant to G.S. 160A-102, the Town of Holden Beach Clerk shall cause to be duly published in accordance with G.S. 163-287 a notice of the election hereby called.

4. The election shall be held in accordance with Article 23, Chapter 163 of the General Statutes of North Carolina.

Adopted this the 18th day of July 2017.

Mayor

ATTEST:

Clerk

<u>Fund</u>	<u>Budget</u>	<u>Actual</u>	<u>Encumbrance</u>	<u>Delta</u>	<u>(Act+Enc)/Budg</u>
General					
Revenue	3,512,002	3,465,327		46,675	98.67%
Expense	3,512,002	3,331,343	0	180,659	94.86%
Rev less Exp	0	133,984			
Rev less (Exp+Enc)			133,984	-133,984	3.82%
H2O and Sewer					
Revenue	3,854,834	3,643,908		210,926	94.53%
Expense	3,854,834	3,449,528	0	405,306	89.49%
Rev less Exp	0	194,380			
Rev less (Exp+Enc)			194,380	-194,380	5.04%
BPART					
Revenue	12,788,447	8,801,004		3,987,443	68.82%
Expense	12,788,447	7,127,874	0	5,660,573	55.74%
Rev less Exp	0	1,673,130			
Rev less (Exp+Enc)			1,673,130	-1,673,130	13.08%
Canal Dredge					
Revenue	1,696,440	1,682,638		13,802	99.19%
Expense	1,696,440	5,647	0	1,690,793	0.33%
Rev less Exp	0	1,676,991			
Rev less (Exp+Enc)			1,676,991	-1,676,991	98.85%
CRP Capital Proj					
Revenue	15,000,000	15,002,835		-2,835	100.02%
Expense	15,000,000	14,959,043	0	40,957	99.73%
Rev less Exp	0	43,792			
Rev less (Exp+Enc)			43,792	-43,792	0.29%

u/docs/budget/16/fy1617 Budget to Actual by fund as of 30 june 2017 *YH*

Thompson, Price, Scott, Adams & Co, P.A.**P.O. Box 398****1626 S Madison Street****Whiteville, NC 28472****Telephone (910) 642-2109****Fax (910) 642-5958****Alan W. Thompson, CPA****R. Bryon Scott, CPA****Gregory S. Adams, CPA**

June 12, 2017

Mr. David Hewett
Town of Holden Beach
110 Rothschild St
Holden Beach, NC 28462

Dear Mr. Hewett,

Your entity has been selected by the Office of the State Auditor to have an additional attest engagement performed based on your participation in the LGERS retirement system. We have enclosed two copies of the engagement letter. Once the engagement letter has been approved by the board and signed, please return one copy to us so that we can forward it to the LGC. The other copy is for your records.

Should you have any questions, please give me a call at (910) 642-2109.

Thanks,

Alan Thompson

Members

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Alan W. Thompson, CPA

R. Bryon Scott, CPA

Gregory S. Adams, CPA

June 12, 2017

To the Mayor and Town Council
Town of Holden Beach, North Carolina

We are pleased to confirm our understanding of the nature and limitations of the services we are to provide for the Town of Holden Beach.

We will apply the agreed-upon procedures which the Office of State Auditor has specified, listed in the attached schedule, to the census data of the Town of Holden Beach as of December 31, 2016 prepared in accordance with attestation standards established by the American Institute of Certified Public Accountants. This engagement is solely to assist the Office of the State Auditor in offering an opinion on the State's Comprehensive Annual Financial Report. Our engagement to apply agreed-upon procedures will be conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of the procedures is solely the responsibility of those parties specified in the report. Consequently, we make no representation regarding the sufficiency of the procedures described in the attached schedule either for the purpose for which this report has been requested or for any other purpose. If, for any reason, we are unable to complete the procedures, we will describe any restrictions on the performance of the procedures in our report, or will not issue a report as a result of the engagement.

Because the agreed-upon procedures, as indicated by the Office of the State Auditor, do not constitute an examination, we will not express an opinion the Town of Holden Beach. In addition, we have no obligation to perform any procedures beyond those listed requested by the Office of the State Auditor.

We will submit a report listing the procedures performed and our finding. This report is intended solely for the use of the Office of the State Auditor and the Town of Holden Beach management, and should not be used by anyone other than these specified parties. Our report will contain a paragraph indicating that had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

You are responsible for the presentation of the census data in accordance with criteria set by the Retirement System's Handbook revised January 2016; and for selecting the criteria and determining that such criteria are appropriate for your purposes. You are responsible for assuming all management responsibilities and for overseeing the report we provide by designating an individual, preferably within senior management, who possesses suitable skill, knowledge, and/or

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experience. In addition, you are responsible for evaluating the adequacy and results of the services performed and accepting responsibility for the results of such services.

Alan W. Thompson, CPA is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

We plan to begin our procedures on approximately July 17, 2017 and, unless unforeseeable problems are encountered, the engagement should be completed by October 13, 2017. At the conclusion of our engagement, we will require a representation letter from management that, among other things, will confirm management's responsibility for the presentation of the census data in accordance with criteria set by the Retirement System's Handbook revised January 2016.

We estimate that our fees for these services will be \$2,500. The fee estimate is based on anticipated cooperation from your personnel and the assumption the unexpected circumstances will not be encountered during the engagement. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 90 days or more overdue and will not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket expenditures through the date of termination.

We appreciate the opportunity to assist you and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us. If the need for additional procedures arises, our agreement with you will need to be revised. It is customary for us to enumerate these revisions in an addendum to this letter. If additional specified parties of the report are added, we will require that they acknowledge in writing their responsibility for the sufficiency of procedures.

Very truly yours,

Thompson, Price, Scott, Adams & Co., P.A.

Thompson, Price, Scott, Adams & Co., P.A
Whiteville, North Carolina
June 12, 2017

RESPONSE:

This letter correctly sets forth the understanding of the Town of Holden Beach, North Carolina.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

Cc: Town Council



Date: July 12, 2017

To: Commissioners and Mayor Holden

From: Heather Finnell, Town Clerk HF

Re: Board Vacancies

There are three terms expiring on the Parks & Recreation Advisory Board. Karen Fleischhauer is eligible and willing to serve another term. Peggy Schiavone and Lewis Mitchell have served the maximum terms allowed for the board. Jack Lohman's term is not expiring, but he has requested that he be moved to the Board of Adjustment if possible.

Nelson Payne, John McEntire and Olivia Gomez have submitted applications and are interested in serving on the Parks & Recreation Advisory Board.

There are three Regular Member and three Alternate Member positions expiring on the Board of Adjustment. Regular Members Larry Blume and Larry Reinhart are eligible and willing to serve another term. Regular Member MaryLou Lahren has served the maximum terms allowed for the board. Alternate Members Anne Arnold and Ben Baker are eligible and willing to serve another term. Alternate Member Dennis Harrington does not desire to serve another term.

As previously mentioned, Jack Lohman (Parks & Recreation Advisory Board member), has expressed his desire to serve on the Board of Adjustment.

There is one Regular Member and two Alternate Member terms expiring on the Planning & Zoning Board. Regular Member Tiffany Hobbs does not wish to serve another term. Alternate Members Peter Pallas and Greg Shue are eligible and willing to serve another term.

Cheryl Dellinger, Marshall (Woody) Tyner and Ron Jackson have submitted applications and are interested in serving on the Planning & Zoning Board.

Nelson Payne, John McEntire, Cheryl Dellinger, Woody Tyner, Ron Jackson and Olivia Gomez have all been invited to the interviews on July 18th at 6:30 p.m.

Parks & Recreation Advisory Board

		Term	Term Expires	
Peggy Schiavone Chair	Appointed November 9, 2010 Reappointed 8/12/14	2nd	2017	no
Lewis Mitchell Vicechair	Appointed November 9, 2010 Reappointed 8/12/14	2nd	2017	no
Becky Willis	Appointed to Tom Decker's Vacant Position 1/12/16	not full	2017	
Karen Fleischhauer	Appointed to Shane Holden's Vacant Position	1st	2017	yes
Jack Lohman	Appointed to Charlie Stokes Vacant Position March 12, 2013 Reappointed 7/19/16	1st	2019	
Melanie Champion	Appointed to Carol Moneypenny's Vacant Position 02/12/13 Reappointed 7/19/16	1st	2019	
John Legge	Appointed to Carol Byrnside's Position 7/14/15	1st	2018	

BOARD OF ADJUSTMENT APPOINTMENT & EXPIRATION DATES

NAME	SUMMARY	TERM EXPIRES	Term	
Larry Blume	Appointed to MaryLou Lahren's Alternate Position 8/13/13 Appointed to Regular Position Vacated by John Lytvinenko on March 11, 2014 Reappointed to Regular Position 07/08/14	Jul-17	1st	yes
Larry Reinhart	Appointed to Bobby Brown's Regular Position 01/12/2016	Jul-17	not full	yes
MaryLou Lahren	Appointed to Marlene Hahn's Alternate Position 02/08/10 Re-appointed to Alt Position 7/12/11 Appointed to Ken Weston's Regular Position 6/11/13 Reappointed to Regular Position 7/8/14	Jul-17	2nd	no
Stephen Veenker	Appointed to John Lytvinenko's Alternate Position 8/09/11 Appointed to Marlene Hahn's Regular Position 06/11/13 Rappointed to Regular Position 07/19/16	Jul-19	2nd	
John Kilian	John Kilians's Regular Member Position Vacant as a result of Resolution 15-10 Reinstated March 8, 2016	Jul-18	1st	
Anne Arnold	Anne Arnold's Alternate Member Position Vacant as a result of Resolution 15-10 Reinstated March 8, 2016	Jul-17	1st	yes
Dennis Harrington	Appointed to John Fletcher's Alternate Position 01/12/2016	Jul-17	Not full	no
Ben Baker	Appointed to John Killian's Alternate Position 7/14/15	Jul-17	1st	yes

PLANNING AND ZONING

TERM
EXPIRES TERM

Vicki Myers	Appointed to Ralph Martin's Alternate Position on 8/12/14 Appointed to John Legge's Regular Position 07/14/15 Rappointed to Regular Position 7/19/16	07/01/2019	1st	
Bob Hunter	Appointed to Tiffany Hobb's Alternate Position Appointed to Brayton Willis' Regular Position 07/14/15	07/01/2018	1st	
Mark Fleischhauer	Appointed to Tony Marwitz's Regular Position 7/14/15	07/01/2018	1st	
Michael Sullivan	Appointed to Bob Hunter's Alternate Position 7/14/15 Appointed to David Burris' Regular Position - reconstitution of PZ 12/16/15	07/01/2018	1st	
Tiffany Hobbs	Appointed to David Burris' Alternate Position 01/12/16 Appointed to Ralph Martin's Regular Position 7/19/16	07/01/2017	Not full	no
Peter Pallas	Appointed to Vicki Myer's Alternate Position 7/14/15 Reappointed 7/19/16	07/01/2017		yes
Greg Shue	Tiffany Hobb's Vacant Alternate Position 8/16/2016	07/01/2017		yes

Section 95.05 (B) of the Ordinances of the Town related to rights-of-way is hereby amended by adding the follow as clause (4) thereto:

“(4) a rope or chain and post barrier used to protect any such mail box, newspaper box, grass or vegetation from damage by vehicles or pedestrians; provided that such posts are: (a) not closer than 4 feet from the edge of the pavement or road bed; (b) not more than 18 inches in height and 4 inches by four inches in dimension; (c) made of wood or plastic; (d) set no deeper than 18 inches; (e) not set in or filled with concrete, stone or similar materials; and (f) spaced no closer than 6 feet apart.

Holden Beach Code of Ordinances

§ 95.05 STREET RIGHTS-OF-WAY.

(A) The purpose of this regulation is to establish what may be placed in street rights-of-way which are cleared by installation or repair of utilities, streets, or walkways. This regulation is not intended to remove or destroy landscaping or structures which are presently in place. Landscaping in street rights-of-way:

- (1) Must not present a safety hazard;
- (2) Must not impede traffic;
- (3) Is placed at the risk of the individual; and
- (4) Is encouraged.

('85 Code, § 14-2)

(B) The ten feet of rights-of-way nearest the pavement or road bed shall remain clear of all items with the following exceptions:

- (1) Mailboxes and newspaper boxes.
- (2) Grass, an approved pervious product or vegetation not to exceed one foot in height.
- (3) The properties located at 1189, 1190, 1191 and 1192 Ocean Boulevard West may install or place a fence within the right-of-way.

('85 Code, § 14-2.1)

(C) The area of the rights-of-way beyond ten feet of the pavement or road bed:

- (1) May be landscaped by the abutting property owner provided § 157.081 of the zoning code is complied with.
- (2) Shall be kept clear of all other manmade structures not used in landscaping with the exception of fences.

('85 Code, § 14-2.2)

(D) The town has no responsibility to protect any items, authorized or unauthorized, which are placed in street rights-of-way. Improvements are made at the owners risk and may be destroyed or damaged during walkway, street, and utility installation or maintenance. Items deemed to be a safety hazard or to impede traffic will be removed by the town.

(E) All existing concrete within the right-of-way that is removed for any reason cannot be replaced.

(*85 Code, § 14-2.3) (Ord. 5-89, passed 5-1-89; Am. Ord. 90-17, passed 12-3-90; Am. Ord. 94-29, passed 11-7-94; Am. Ord. 95-03, passed 2-6-95; Am. Ord. 02-08, passed 5-27-02; Am. Ord. 06-13, passed 11-14-06; Am. Ord. 12-04, passed 5-8-12) Penalty, see § 95.99