

Town of North Topsail Beach

Fred J. Burns, Mayor
Richard Macartney, Mayor Pro Tem
Aldermen:
Don Harte
Joann M. McDermon
Richard Peters
Walter Yurek



Stuart Turille
Town Manager

Carin Z. Faulkner, MPA
Asst. Town Manager/Town Clerk

Nature's Tranquil Beauty

Board of Aldermen Regular Meeting **NOTES & ACTIONS TAKEN** Wednesday, May 3, 2017 6:30 P.M.

- I. Call to Order Mayor Fred Burns
- II. Invocation Mayor Fred Burns
- III. Pledge of Allegiance
- IV. Approval of Agenda
- V. Open Forum – 3 minute limit
- VI. Public Hearings/Presentations:
 - A. Public Hearing: Adoption of the Unified Development Ordinance, as codified and published by American Legal Publishing ([Hill](#)) **Discussion & Possible Action**

A public hearing was held. A motion was made to adopt Ordinance 2017-3 – An Ordinance of the Board of Aldermen of North Topsail Beach, NC, Enacting a UDO for the Town of North Topsail Beach, NC, Revising, Amending, Restating, Codifying and Compiling Certain Existing Development Ordinance of the Town Dealing with Subjects Embraced in Such UDO. The motion passed unanimously.
 - B. Public Hearing: Proposed Text Amendment to Unified Development Ordinance Section 4.03.09 to allow for swimming pools within the CAMA setback, consistent with CAMA's general use standards for Ocean Hazard Area of Environmental Concern (AEC) pursuant to 15A NCAC 07h.0309 ([Harte](#)) **Discussion & Possible Action**

A public hearing was held. A motion was made to adopt Ordinance 2017-4 – An Ordinance Amending UDO Section 4.03.09 Outdoor Swimming Pools, Spas, and Hot Tubs as presented (making the ordinance consistent with CAMA rules and eliminating the text "Be placed no closer than 20 feet from the landward toe of the dune as marked by NC Division of Coastal Management." The motion passed 3 to 2 with Aldermen Peters and Yurek voting against.
- VII. Manager's Report

Mr. Turille gave the following report and took questions from the Board:

 - I. Shoreline Protection Projects:
 1. Hurricane Matthew Remediation:
 - A. Dune push—the recent dune push did incur damage from the recent April 24 storm event.

We are monitoring this and will be discussing future beach projects in the upcoming weeks; usually the southerly wind direction replenishes berm and dune over the Summer; residents are encouraged to use sand fencing and sea oats to replenish damaged dunes.

B. **Phase 5**—options sent to you for review; request a workshop in the next few weeks to place this project in the context of the overall Shoreline Protection fund project needs.

2. Hardened Structure: I am in communication with Senator Brown on funding needs for placement in the State budget this fiscal year.

II. New River Inlet Management—active discussions between Camp Lejeune on USACE are now occurring as to opening and maintaining New River, as mentioned at the last Shallow draft fund meeting. This was discussed with the County Manager who said that a letter requesting Camp Lejeune assistance was sent to the Base.

III. Onslow County/NTB Relations:

- The County Manager said he was planning a meeting with us early June
- Agreed to NTB charge for permissible driving area
- Agreed to consider joint occupancy tax collection cost-share.
- Agreed to install gate.

IV. Upcoming Meetings:

- FY17-18 Budget—Capital Improvement Projects, Funds 20& 30 and Shoreline Protection Fund Project prioritization; date? May 17-18 suggested.
- Four Town meeting is June 15, hosted by NTB; Senator Brown agreed with Ms. Wilson as a back-up.

V. Real Surplus Property Auction: to date we have received payments of \$305,000 bringing our general fund balance % of operating expenses ratio to **40%**. Previously this had dropped to 18% so this is good news. As more auction funds arrive this ratio will increase.

VIII. Assistant Town Manager's Report

Ms. Faulkner gave the following report:

North End Proposed Policies & Law Enforcement Efforts

- **Gate** – Town Staff has been in contact with Onslow County for some time about assisting the Town with the installation of a gate so that the permissible driving area at the North End can be closed like other park areas of the town. The Town has reached an agreement with the adjacent property owner and Town and County staff have agreed to the gate location. The gate is now being fabricated and will be installed as soon as possible. Town Staff will be requesting an amendment to the Town's ordinance to specify the hours that the area gate will be closed. The parking lot will still be open to the public so that there is still pedestrian access to this area.
- **Permits for Access to Permissible Driving Area** – At the Board's budget workshop on 4/13 Town Staff made a proposal to consider requiring a permit and charging a fee for vehicles to access the permissible driving area. This could include hiring an attendant for weekends and holidays to better enforce the requirement and to take payments and a pay station at the entrance other times of the year. The Board directed Town Staff to move forward with this effective June 1, 2017 and to report to the Town progress in getting the program up and running. As of now, per the Town Attorney, the Town Manager has spoken with the County Manager who indicated that the County had no objections to the program. The next step is for Town Staff to look at Emerald Isle and Topsail Beach's programs in addition to the information gathered on Carolina Beach in order to refine it processes for implementation. Town Staff will be requesting an additional amendment to the beach driving ordinance and for the final decisions on fees be made to include in the FY18 fee schedule.
- **PT (Seasonal) Ordinance Enforcement Officer & Additional Police Officers** – At the Board's budget workshop on 4/13 Town Staff proposed additional staff to include a part time seasonal ordinance enforcement officer which would be dedicated to enforcing parking and beach ordinances – this would be to meet the increase in beachgoer population and allow sworn law enforcement officers to respond to calls for service of a more severe nature. Chief Fillinger requested two additional officer to meet the same demands based on increased calls for service and population increase.
- **State Highway Patrol** - Earlier this year the Chief Fillinger requested that the State Highway Patrol assist the Town on the north end near Beach Access #3 and River Road. They have been

rotating in and out on Saturdays and Sundays since about the middle of March. To date, the 1st Sgt. in charge of our district has informed the Police Chief that since that time, his Troop has written approximately 10 citations. Most of those citations have been seat belt violations.

- **NC Marine Patrol & NCIS** – Chief Fillinger has requested NC Marine Patrol incorporate that area into their patrols as well. Since then they have been in the area checking fishing licenses and issuing any citations they are able to. He has also contacted Naval Criminal Investigative Service from Camp Lejeune, and requested that they too have a presence up on the North End on weekends to help us deal with any problematic military members.
- **Jacksonville PD** – Chief Fillinger met with Chief Yaniero of the Jacksonville Police Department and discussed with him the recurring complaints on our north end regarding speeding. He requested the assistance of one of JPD's unmarked traffic units for this past weekend (4/29 & 4/30). JPD graciously provided the Town with a traffic officer who specializes in community traffic complaints. This officer set about this weekend from 2 pm to 6 pm both days, and confined his presence from about the St. Regis back to River Road applying a zero tolerance stance towards any and all traffic violations. As a result, the officer wrote 10 speeding tickets (occurring on NRIR near the St. Regis, none on River Road), two (2) seatbelt violations, three (3) window tint violations, two (2) possession of marijuana citations resulting from a traffic stop, one (1) stop sign violation, one (1) helmet violation, one (1) failure to carry vehicle registration, and one (1) failure to carry driver's license. A number of those charges were secondary issues discovered after an initial traffic stop. He indicated to us that he did not observe a legitimate speeding issue from the area of NRIR at the Topsail Reef, up to the inlet. Most of the speeding citations initiated were those leaving the area proceeding towards the St. Regis.
- **North Topsail Beach PD** - NTBPD continued operations at beach access #3 from around 11 am until approximately 6 pm Friday through Sunday. During that time, officers wrote four (4) sandbag violations, two (2) parking violations on River Road, one (1) leash law violation, one (1) glass bottle violation, and one (1) clinging to a motor vehicle violation. Also, one (1) arrest was made at the inlet for careless and reckless operation of a motor vehicle. NTBPD continues to stress the importance of folks calling 911 when they witness criminal and/or disorderly conduct.

Beach Intern Program

The beach intern program began this past weekend (4/29 & 4/30). Two (2) interns drove the beach strand Saturday and Sunday from around 11 am until 6 pm. They reported a positive response from most of the citizens and guests they dealt with, and documented numerous contacts for public education of our beach ordinances. They also handed out approximately 150 educational beach pamphlets. The Town hopes to continue and increase the positivity surrounding their presence on the strand in the coming weeks.

Turtle Patrol Meeting

Town Staff attended a meeting of turtle patrol volunteers who work a section of North Topsail Beach. Town Staff discussed the lack of volunteers that came forward to do the beach ambassador program and expressed a need to assist the Town with public education in regard to the unattended beach equipment ordinance. Town Staff made several of the pink public education tags available to the group of volunteers to use outside of their normal volunteer time to assist the Town in letting weekly renters know of the new ordinance in hopes to have more compliance this year. Town Staff offered to be a contact through which any issues regarding equipment too close to the nests could be made so that the Town can make follow-up contact during the day to have the equipment relocated and put up at night.

Hurricane Matthew Resilient Redevelopment Plan

Town Staff had a one-on-one meeting with the consultant assisting the State with the Hurricane Matthew Resilient Redevelopment Plan to confirm some of the potential projects identified by the Town. Town Staff discussed the flooding on River Drive, generator needs for the North End Fire Station, the Town's beach nourishment maintenance plan, the sand bags, terminal groin and the Town's CBRA status. Town Staff also attended the last meeting in Onslow County before the plan's presentation to the North Carolina General Assembly. This meeting was the last in a series of three meetings being held to inform the development of the County's Resilient Redevelopment Plan. At this meeting, the consultants collected any remaining feedback on the draft resilience strategies that have been developed for the County in the focus areas of housing, economic development, infrastructure and the environment. A draft report should be shown on this webpage as it is finalized: <http://rebuild.nc.gov/HurricaneMatthew/Counties/Onslow>

Sea Oat Cost Share Program

The Town is no longer taking orders for plants as we have received enough orders to meet the budgeted amount for this cost share program. This Friday, May 5th is the first Friday plants will be available for pick up.

Census Meeting

Town Staff attended a meeting for the 2020 Census for the Local Update of Census Address (LUCA) operation. Census officials made a presentation about LUCA and explained the importance of ensuring that all new addresses are listed since the last census so that there is an accurate count. Town Staff will be in contact with Onslow County staff to see if they can provide assistance to the Town since the County will be working on the unincorporated areas of the County such as Sneads Ferry which has experienced a lot of growth since the 2010 Census.

New Crossover on New River Inlet (across from Barton Bay Ct.)

Surveys and drawings have been completed for this project which was contingent upon County grant funding. Local contractors have been given the drawings and bids are due on May 12th. Construction should begin shortly thereafter.

Certificate of Appreciation from Kiwanis Club

The Town was awarded a Certificate of Appreciation from Topsail Island Area Kiwanis Club

Upcoming Events

4 Town Meeting – June 15th at 6:30 p.m. at Ocean's Edge Restaurant (St. Regis)

Ocean City Jazz Festival – July 1st and 2nd (2649 Island Drive)

Earth & Surf Festival – Saturday, July 8th at Onslow County Beach Access #2 (202 Ernest Drive)

- IX. Consent Agenda: (Any item may be removed for separate discussion or scheduled at the next regular business meeting) **Action Item**

The Consent Agenda was approved unanimously.

- A. Approval of Minutes - April 5, 2017 April 13, 2017
- B. Department Head Reports
 - 1. Finance Department
 - 2. Fire Department
 - 3. Inspections Department
 - 4. Planning Department
 - 5. Police Department
- C. Committee Reports
 - 1. Planning Board
 - 2. Board of Adjustment
 - 3. TISPC (Topsail Island Shoreline Protection Commission)
 - 4. ONWASA (Onslow Water and Sewer Authority)
- D. Request to Re-appoint Members to the Planning Board and Board of Adjustment

- X. Old Business

- A. FY17-18 Operating General Fund Budget (**Turille**) **Discussion & Possible Action**

A motion was made to direct staff to look at Option 3 (to finance all 6 new vehicles for FY18) and that the board would look into paying them off early. The motion passed unanimously. Motion passed 4 to 1 with Mayor Pro Tem Macartney voting against.

XI. New Business

- A. Request to Award Disaster Debris Clearance Removal Services Contract
(Faulkner) Discussion & Possible Action

A motion was made to award the Disaster Debris Clearance Removal Services Contract to Crowder Gulf Disaster Recovery and Debris Management. The motion passed unanimously.

- B. Request to Award Debris Monitoring Services Contract (Faulkner) Discussion & Possible Action

A motion was made to award the Debris Monitoring Services Contract to Tetra Tech, Inc. The motion passed 4 to 1 with Mayor Pro Tem Macartney voting against.

- C. Request to Adopt an Ordinance Amending Article II Section 10-32 – Beach Driving Regulations (Faulkner) Discussion & Possible Action

A motion was made to adopt Ordinance 2017-5 – An Ordinance Amending Article II Section 10-32 Beach Driving Regulations. The motion passed unanimously (this changed the hours of driving on the north end (permissible driving area) from between dawn and dusk to 7 AM and 5 PM October 1st – March 31st and the hours between 6 AM and 7 PM April 1st – September 30th).

- D. Discussion of North End Issues (Burns) Discussion & Possible Action

No action was taken.

XII. Open Forum – 3 minute limit

XIII. Attorney's Report

XIV. Mayor's Report

XV. Aldermen's Report

- XVI. Closed Session per N.C.G.S. 143-318.11 Closed Sessions (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease;

AND (6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

No action was taken in closed session.

XVII. Adjournment