

Board of Aldermen Regular Meeting  
Wednesday, September 4, 2024  
MINUTES

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

Board members present: Mayor Joann McDermon, 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 Pletl gave the invocation and led in the Pledge of Allegiance.

#### APPROVAL OF AGENDA

**Motion** – Alderman Leonard motioned to remove item C ‘Fixed Asset Disposal for Police Department’ from the Consent Agenda and adopt the agenda as amended; seconded by Alderman Grant; unanimously approved.

MANAGER’S REPORT – Manager Derian provided the following report to the Board.

#### *Beach projects and Operations*

*Beach matting* – I have continued to work through the process to install beach matting at two walk-on areas at Jeffries Beach access. Those are the two that do not have wooden crossovers but are straight walk outs. I met with a field representative a week ago to review the length I was proposing. It was determined we would need to apply for a CAMA minor permit which includes sending letters to the two neighbors adjoining the property. Everything we needed to do has been completed and sent to the DEQ for final determination on the permits.

*Beach Vitex removal* – I have continued to meet with the Town Managers from Surf City and Topsail Beach about our joint eradication project in the amount of \$690,000.50. We are continuing to work through preparation of a Memorandum of Understanding, which will be the next step in this process. I anticipate this will be ready to go before the Board of Aldermen in November for approval.

*Easements* – I received notification from the Army Corps of Engineers in early August that the Savannah District was assisting the Wilmington District and needed to confirm easements for the Atlantic Intracoastal Waterway Beach placement for fiscal year 2025. I spent a considerable amount of time tracking down agreements that were in place and obtaining new ones. These are required prior to them being able to initiate construction. There are four remaining agreements needed for access to the remaining seven parcels. Memorandums of Agreement were mailed to all property owners. I am waiting for those to come back.

*Tropical Storm Debby* – the storm came through in August which resulted in some erosion. According to the engineers, the beach did really well. I requested the engineers do a post storm survey and I shared those results with the Board. The area of Topsail Dunes has been an area of concern and post Debby requires an emergency push. Fran from ATM is working with the regulatory agencies and is obtaining proposals for us to be able to proceed. Consensus from the Board is to proceed using Shoreline Protection funds in an amount we estimate to be \$7,000. Once we have received all approvals and the schedule, I will advise Topsail Dunes and publish an update. We also had some minor roof repairs at the main facility at Richard Peters Park and those have been completed under warranty.

*American Flood Coalition* – I gave a power point presentation to their group about our upcoming storm water projects. I, along with Mayor Pro Tem Benson, were interviewed. I think this was part of that interview process. I think legislators encouraged them to continue funding these types of grants. North Topsail Beach was awarded the highest amount of grant funding in the state through the Emergency Management Disaster Relief and Mitigation Fund that I applied for and it was \$1,261, 067. A project tab has been started on our website for these types of projects so you will be able to follow through on the next steps as we proceed.

Mayor Pro Tem Benson pointed out to the Board and audience that the Coalition was here to gather feedback on how important these projects are to local communities. They were very impressed that we were awarded the largest grant; that our town does not have a grant writer; and that we are able with our small staff to procure that grant. Kudos to Manager Derian for that achievement.

*ONWASA Booster pump project* – I touched base with the CEO last week for an update on the project for Town Hall. They are still approximately 30 days behind. They are hoping to use Qwik-Cure concrete which is expected to speed up operations by what they estimate to be 20 days. They ran into an issue with one of the sub-contractors doing metal decking work. Concrete work is scheduled for September 12<sup>th</sup> and 13<sup>th</sup>. They are also having to relocate the sewer line that feeds Town Hall due to the proximity of the new water line. This means they will have to cut into more of the back driveway It will get replaced and overlaid once the project is complete. Initially we were expecting that project to be done in October. I estimate November-December timeframe.

*Environmental Impact Study* – A meeting was held in August with the Mayor, Mayor Pro Tem, myself, ATM, Dial Cordy and the Army Corps of Engineers to discuss the schedule. February of 2025 will be the two-year mark for completion. The Corps will need to request an extension at this point. They will need to determine how long of an extension. We expressed concern about the timeline and requested a realistic timeline from Dial Cordy on remaining items to be resubmitted to the Corps. I spoke with Fran this week and he confirmed that Dial Cordy sent an email yesterday to the Army Corps with a new proposed schedule that moves the timeline to May 15, 2026. We will continue to meet monthly as we have been to urge them to continue to move forward.

*Request for Qualifications/Letters of Interest* – An RFQ was issued in July with submittals due July 8, 2024, at 4 pm. I received eleven proposals. Each proposal has been reviewed and scored. Those recommended for selection are on today’s agenda for consideration to enter into an agreement which has been prepared to be considered today as well.

*Request for Proposal for municipal legal services* – This was issued on August 2<sup>nd</sup>. Proposals are currently under review.

*Onslow County Strategic Plan* – I have had two meetings with Onslow County over the last month to provide input into their strategic plan. I, along with the Fire Chief, met with one of their consultants regarding strictly EMS and then I met with another consultant to discuss a wider range of topics. Topics included managing growth, infrastructure which includes the water pressure issues we have been experiencing, EMS, storm recovery, environment and access to health care providers. Onslow County is hosting in person envisioning forums throughout the month of September and I encourage everyone to attend those meetings to participate in the process and provide feedback.

*Fire Station No. 2* – Work continues. Plumbing started the week of August 3<sup>rd</sup>, electrical and masonry started the week of August 23<sup>rd</sup>, deliveries have included concrete for the elevator footing and retainer wall rebar and we continue on a bi-weekly basis with the owner, architect, and contractor meetings.

*Trash and recycling services* – You have an agenda item to review on the agenda today as well, concerning an Interlocal Governmental Agreement. I have been updating the Board of Aldermen on meetings of the Town Managers of Surf City, Topsail Beach, North Topsail beach, Holly Ridge to engage in a potential joint Request for Proposals for trash and recycling services going forward. The agreement is on today’s agenda for approval. This is the first step that will allow us to proceed further into this process where we will proceed with the issuance of a Request for Proposals. Our current contract, executed in 2014, has had several addendums and expires July 1, 2025. There is no option for any further addendums or renewals. The intent has been to start this process early to allow interested contractors to prepare and have a new contract in place prior to the existing contract’s expiration. By collectively issuing a Request for Proposal for solid waste services, we are expecting competitive pricing due to economies of scale. Basic services we provide now will continue to be provided and will allow the Board to consider additional services, such as a bulk pickup or an additional day for recycling. This will provide options or at minimum outline the cost to provide these services. This will also be the time to review current ordinances and make amendments. I will be addressing the Board more with this as we go on with amendments.

#### *Announcements*

The annual Howl-O-Ween event will be held on October 23<sup>rd</sup> from 5 – 7 pm at Richard Peters Park. Thank you to Pet Supplies Plus who has once again graciously agreed to sponsor the event. We will hold a pet parade and costume contest. Entry is a nonperishable food item that will go to Share the Table who will also be there participating in the event. We will also have a raffle available for cash purchases and all money will go for Paws for Purpose. We will have on site photo ops, apple cider and cookies as well as pup cups that will be served to all pets free for all

attendance. If you pre-register your pet for the contest, your pet will receive a free goody bag from Pet Supplies Plus. New for this year, we will have a food truck, Bad Bob's Grill, on site with a Halloween themed menu.

The third annual Christmas Tree lighting will be at Town Hall on November 20<sup>th</sup> at 6pm.

#### OPEN FORUM

- Shane Bartus, 13 Osprey Drive, expressed concern about oyster leases, particularly the water column leases with floating cages. He said they are big and unsightly and get in the way of navigating waters for fishing in prime fishing areas. In the last two years, there has been a 600% increase in oyster leases between the two bridges.
- Curt Anders, 136 Sea Gull Drive, said he is representing the residents surrounding the Tiki Shack to register a complaint about the loud noise of outdoor bands. The Town has ordinances, and the police force has done a great job trying to handle the situation but once they leave the music is turned back up. Music is played outdoors until midnight. This needs to be taken care of.
- Jeff Meyer, 2224 New River Inlet Road, asked if the Town limits what time construction sites can begin work in the morning.
- Phyllis Umbergen, 126 Sea Gull, said she lives behind the Tiki Bar where the music is so loud people are having to talk over it to have a conversation and the lights shine directly into her home. She asked the Board to take this into consideration. We all have to live together.
- Joe Summers, 26 Bermuda Landing Place, thanked the Board for putting up the speed limit sign at 11<sup>th</sup> Avenue. He suggested the Town consider putting plastic coating on the beach crossover railings to help prevent splinters. Since 2021, taxes have doubled. He is on a fixed income which never doubles. It is hard on homeowners.

#### PUBLIC PRESENTATIONS AND HEARINGS

##### A. Certificates of Appreciation

Mayor McDermon presented a Certificate of Appreciation for volunteer service to John Gardner in person and said that certificates will be provided to Paul Dorazio and Hanna McCloud who were not in attendance.

B. Public hearing rezoning application #RZ24-00001 for parcel 774-27.3 located at 1090 New River Inlet Road from R-20 to R-15.

**Motion** – Alderman Leonard motioned to open the public hearing at 11:37 am; seconded by Alderman Olszewski; unanimously approved.

Planning Director Hill explained the Town received an application by Toby Keaton, AIA, on behalf of Daniel and Rebecca Sooy to rezone parcel 77427.3 from R-20 to R-15. The lot exists in a small block of R-20 zoned properties surrounded by R-5, R-10, and R-15 zoning. R-15

zoning relaxes side setbacks and allows a structure to be built further away from the dunes and decreases the amount of required impervious surface.

The Planning Board heard the request on July 11, 2024, and voted to recommend denial of the rezoning stating it is not consistent with the Comprehensive Plan and Future Land Use Maps and expressed concern about location of the lot in a high erosion area with CAMA setbacks.

Applicant Dan Sooy stated he bought the lot in 2021 and thought the CAMA setback was 60 feet. There were two easements on the property that he did not track at the time of purchase. Tax assessment makes him think it was a buildable lot. Comprehensive Plans are advisory documents not regulatory ones.

Toby Keeton, Kersting Architecture, said he was approached by the Sooy's to do a feasibility study to determine what could be done. We suggested coming to the Town to look for remedies. We are asking for relief from the street sideline to build further away from the ocean. R15 zoning does comply with the CAMA Land Use Plan and the lot is a good candidate for it and would give more opportunity to design something in keeping with other structures rather than the current footprint.

#### Public comments

- Bill O'Donnell, 3612 Island Drive, said he did not have a particular comment about this rezoning. It is important to listen to the surrounding residents in these things and not ignore them.
- Noah Steer, 1138 New River Inlet Road, said he owns the property across the street. He bought it 3 years ago and he and two other families were told by realtors that building would not happen across the street.
- Brandy Steer, 1079 New River Inlet Road, said she owns other lots across the street from her primary residence so she can see the intracoastal waterway. Three different realtors said the lot across the street from her was not buildable. It is the buyer's due diligence to find out if a lot is buildable or not.
- Joe Summers, 26 Bermuda Landing, expressed concern about ecology, dune integrity, and turtle safety. There needs to be beach access signage on the road.

**Motion** – Alderman Leonard motioned to close the Public Hearing at 12:37 pm; seconded by Alderman Grant; unanimously approved.

Mayor McDermon said the Board had two options before them to either deny or approve the rezoning request.

**Motion** – Alderman Grant motioned to adopt Ordinance 2024-03 as presented to deny the proposed rezoning to a R-15 district because:

- It is inconsistent with the purpose and intent of the Comprehensive Plan because it promotes the development of properties that have been deemed unbuildable due to either state or local development regulations
- The proposed density is not in line with those recommended for Future Land Use Map Low Density requirement.
- It is not reasonable or in the public interest because amending zoning setbacks and granting variances in high erosion areas to allow for development is counterintuitive to the higher standards that the Town has adopted in its hazard mitigation planning to protect the community.
- Rezoning may restrict access for emergency access vehicles.

The motion was seconded by Mayor Pro Tem Benson.

Alderman Leonard commented that this is not about what a realtor told someone about whether something was buildable across the street, but about this man’s request and whether or not it will fit the footprint.

*Roll call vote*

- Alderman Pletl                      Aye
- Alderman Leonard                Aye
- Mayor Pro Tem Benson        Aye
- Alderman Olszewski            Nay
- Alderman Grant                 Aye

The motion was approved by a 4 to 1 vote with Alderman Olszewski against.

CONSENT AGENDA

The Consent Agenda consisted of the following items:

- Minutes from July 3, 2024.
- MOTV Tax Refunds for total of \$40.26 and \$11.55.
- Budget amendment 2024-25.1 for \$3,180.10.
- Budget amendment 2024-25.2 for \$46,145.40.
- Budget amendment 2024-25.3 for \$28,497.00

**Motion** – Alderman Leonard motioned to approve the Consent Agenda as modified (with the removal of item C ‘Fixed Asset Disposals Police Department’ upon adoption of the agenda); seconded by Mayor Pro Tem Benson; unanimously approved.

CONTINUING BUSINESS

A. Crosswalk update

Public Works Superintendent Cablay informed the Board that staff is waiting on a decision on the encroachment permit from NCDOT before work may begin on proposed crosswalks.

B. Update of NC DOT Letter of Intent to repeal the speed limit 45 ordinance no. 1033725 for the 3.92 -mile section of SR1568 (New River Inlet Road)

Mr. Stoney Mathis, NC DOT representative, explained DOT did another speed study in mid-July for the stretch of New River Inlet Road that is 45 mile per hour (mph). The 85<sup>th</sup> percentile speed was 40 mph which was down approximately 10 miles per hour from the previous data on that stretch in January of this year. DOT also updated the crash history, and two more crashes were added since October/November of last year. One was a rear end crash, and one was a runoff the roadway to the left side crash. With that updated information and considering the previous factors looked at with the pedestrian and bicycle usage as well as the characteristics of the roadway, higher density of driveways, side roads, bridge barriers, pedestrian crossings, DOT's recommendation remains lowering the speed limit to 35 mph so that all of New River Inlet Road from Highway 210 to the end of the island is 35 mph.

The Board discussed DOT's recommendation with the following points:

Alderman Grant – Last time NCDOT was here, he asked them to let the Board know when they did another speed study, and they did not let us know. It was done on Island Drive. We would really appreciate it if in the future DOT lets us know what is going on as a courtesy. He requested DOT send him the crash data. The DOT website shows the highest risk area rated is in Surf City from the North Topsail Beach/Surf City limit to Topsail Beach and that speed limit is 35 mph. They allow low speed vehicles (LSV) there. Topsail Beach is 35 and 25 mph, and they requested no LSVs and golf carts. He assumes if the Town sends a request to ban LSVs if the speed limit is lowered to 35 mph, that DOT will grant that.

Alderman Olszewski - Please clarify where the recommendation is for. Is it Island Drive or New River Inlet Road?

Mr. Mathis said it is for New River Inlet Road, not Island Drive.

Alderman Leonard – Was any consideration given to the safety hazard that would be created when lowering the speed limit to 35 mph because it would allow LSVs and/or golf carts?

Mr Hancock, DOT, replied yes, they did consider it which is why they brought up the ability to limit or eliminate usage of LSVs and/or golf carts.

Alderman Leonard – You are saying if you lower the speed limit the Town will have to come back with a request to you to ban LSVs. The last time DOT was here, the Town offered a compromise of a 40-mph speed limit which would lower it but keep it above the threshold that allows LSV/golf carts. Did you consider that?

Mr. Hancock -Yes, we have to do it one step at a time. If the Town wishes LSVs to be banned from that road, they have to make the request to DOT. We did consider 40 mph and discussed it with the regional office, but we all agreed on 35 mph.

Alderman Leonard –What are you expecting from the Town? A resolution or something agreeing or not agreeing with your recommendation or offering another option?

Mr. Mathis – A resolution agreeing would be great for the safety of everyone.

Alderman Grant – We need a letter from DOT outlining the process.

Alderman Pletl – We would appreciate any help you can give us on bike lanes.

Mayor McDermon– Reducing the speed to 35 mph brings in a lot of other issues for pedestrian/bicycling safety. She is not comfortable reducing the speed to 35 mph without banning LSVs. They need to be tied together because that roadway is not wide enough.

Mayor Pro Tem Benson – He thinks there are differences of opinion on the Board about LSVs and there needs to be a separate discussion on that. We have had LSVs in a 35 mph and they have not caused problems. He also does not see LSVs driving 5 miles along this road, but only driving short distances.

Mayor McDermon - It sounds like next steps are to have a resolution on the October meeting agenda for discussion of the 35-mph speed limit along with the Board’s desire to ban or not ban LSVs.

Alderman Grant – That is only if we get back from the DOT what the process is.

Alderman Olszewski – Do you not get into disparate treatment with homeowners when you are deciding arbitrarily in front of somebody’s house that they can have a LSV?

Mr. Mathis – We have that with just about every aspect we deal with on state roads. We look at the masses and not the individual. We will put together a letter to the Town on the process.

**Consensus** – DOT will provide a letter on the process to the Town.

C. Fixed Asset Disposals for Police Department to include 2016 Dodge Charger, 100 KW Generator with trailer, Dip/Chin exercise equipment, Dual cable cross exercise equipment.

Alderman Leonard asked Chief Younginer to explain to the taxpayers and citizens why we are writing off a 2016 Dodge Charger.

Chief Younginer said the 2016 Dodge Charger has not been abused. It is the only all-wheel drive vehicle we have and has a front-end problem that will cost \$2,000 to fix. It has air conditioning problems and over 115,000 miles on it. The cars run continuously. The cost to repair it is not worth it.

**Motion** – Alderman Leonard motioned to approve the fixed asset disposals for the Police Department; seconded by Alderman Olszewski; unanimously approved.

Fixed Asset Disposals included:



- 2016 Dodge Charger
- 100 KW Generator with trailer
- Dip/Chin exercise equipment
- Dual cable cross exercise equipment.

Mayor McDermon called for a break at 1:15 pm.

Mayor McDermon resumed the meeting at 1:27 pm.

## NEW BUSINESS

### A. Beach, Inlet, Sound Advisory Committee Vacancy and Applications

Mayor Pro Tem Benson said Jacob Smith withdrew his application for both BISAC and Planning Board. He works full time and travels a lot and was not sure he could do justice to serving.

Mayor McDermon stated there is one vacancy and applicants are Charles Walker, Stephen Paul Newbern, Jason Stahr, Phil A. Fowler.

Board members took a written vote with the following results:

- Jason Stahr - 4 votes
- Charles Walker - 1 vote
- Stephen Paul Newberg – 0 votes
- Phil A. Fowler – 0 votes.

Jason Stahr was appointed to serve the remaining term of John Gardner on BISAC through February 1, 2027.

### B. Planning Board Alternate Vacancies and Applications

Mayor McDermon said there are two vacancies. Applicants are William O'Donnell, Michael Torto, Christy Barefoot, Cleta Jan Bellamy-Genee, Keith Wilkerson, Jason Stahr, Grey Chapman, Kimberly Sailer, Charles Walker, Barbara Swavely.

Board members took a written vote with the following results:

- Keith Wilkerson – 3 votes
- Charles Walker – 3 votes
- Cleta Jan Bellamy-Genee – 1 vote
- Kimberly Sailer – 1 vote
- Christy Barefoot – 1 vote
- Grey Chapman – 1 vote

Keith Wilkerson and Charles Walker were appointed as alternate members with terms expiring May 15, 2027.

## B. Onslow County Shellfish lease proposal update and consideration of a moratorium on new shellfish lease in Onslow and Pender water

Mayor Pro Tem Benson stated the Topsail Island Shoreline Protection Committee (TISPC) has had a pretty good discussion on shellfish leases. The public waters behind Topsail Island are being squeezed for new shellfish leases because counties to the north and south have imposed through state statutes moratoriums on new leases in those public waters. It is forcing state regulators who grant the shellfish leases to look for space in areas that are still public waters not subject to these moratoriums. This is forcing leases into our area. Behind North Topsail Beach alone there are 30 shellfish leases by his count. A public hearing was held last week proposing 6 new shellfish licenses in Topsail Sound which adjoins Surf City/North Topsail Beach. It has become an issue. How do we balance tourism and public use of public water? They impinge on shoreline fishing for recreational fishers. Chair Smith has asked the three municipalities and two counties if they are interested in supporting a moratorium on new leases. He requested feedback from board members.

Manager Derian stated she spoke with the other town managers, and we all would like consistent language for all the towns, if the Board wants to pursue this. She can bring it back at a future meeting.

Alderman Leonard asked if it would bring any additional weight if all 3 towns came back collectively rather than individually. Has anyone spoken informally to our legislators individually?

Alderman Pletl said she would be agreeable to have Manager Derian look into the language to work towards a moratorium. In doing her research, she has concerns about density. She wants to keep pursuing and see what other towns and counties are doing to make an informed decision.

Alderman Grant said he was the only one that went to the meeting last week. The only objection was sport/recreational fishing. They did weigh in on the benefits of oysters. The Wildlife Federation is a proponent of the shellfish leases. This is a state regulation, and he does not understand why this is in our lane. He believes he does not know enough about it or who we might be fighting with. It might be someone we need for our beach projects. He does not know which side we should be on.

Mayor Pro Tem Benson said the point is how much is too much in terms of how many leases are in our waters. A moratorium means no new leases. It does not impact existing leases.

Alderman Olszewski said she spoke with a local fisherwoman who was on an advisory committee to the state regarding this issue. Her concern was density and that there had not been enough conversation at the state and local level. The state has thrown millions of dollars into aquaculture. The state is who we are picking this fight with. It takes 2-3 years now to get a lease.

A moratorium would be no new leases. Her concern is the process for lease renewal. We do not understand the lease process. Another concern is the floating bags and whether they are the contaminating swimming waters. She thinks we need to know more before we agree to a ban.

Mayor McDermon said her thought is to see what the language is that is being put together so we can further discuss it as a board

Alderman Olszewski asked if this would be a recommendation to the state. This is a complex issue. We should research legislators' positions on this. She encouraged local fishermen to come and give their opinions.

Alderman Leonard said it looks like to him that, ultimately, we are going to the state with a recommendation. We may paint ourselves into a corner without realizing it.

**Consensus** – Manager Derian to bring back language regarding a moratorium on shellfish leases.

#### D. Master Agreement on On-Call Engineering and Related Services

Manager Derian explained she covered this item in her report earlier in the meeting and she outlined the firms she is suggesting.

**Motion** - Alderman Pletl motioned to approve the Master Agreement for On-Call Engineering and Related Services as prepared and to execute with the following firms: Stantec Consulting Inc.; WithersRavenel, Inc.; WK Dickson & Co. Inc.; Geosyntec Consultants ATM of NC; TI Coastal, PLLC; seconded by Alderman Leonard; unanimously approved.

#### E. Registration and sponsorship for N.C. Beach, Inlet and Waterway Association 2024 Fall conference on November 18-19, 2024, in Wilmington, NC.

Manager Derian explained historically the Board has approved the silver level sponsorship which includes two attendees.

**Motion** - Alderman Leonard motioned to approve the silver level sponsorship in the amount of \$1,200.00 which includes two attendees and attendance at 2024 NCBIWA fall conference; seconded by Alderman Olszewski; unanimously approved.

#### F. Finance report

Finance Officer Helms asked what the Board would like her to review on the Finance report. The Finance Report includes 3 budget amendments to be approved.

Alderman Grant said he would like to see a balance sheet with Fund balances showing where we are, how much cash we have and the status of the FEMA reimbursement. He would like the Board provided with a snapshot of cash balances, encumbered and unencumbered and an idea of where we are cash wise.

Manager Derian stated we received \$1,779,075.90 this morning from FEMA reimbursement for Hurricane Florence. Last week we received \$845,801.37.

Finance Officer Helms said with these reimbursements everything is in close out with FEMA and we are waiting on the 25% reimbursement from the state.

**Motion** – Mayor Pro Tem Benson motioned to approve the May 2024 Finance Report that includes three budget amendments; seconded by Alderman Grant; unanimously approved.

Budget amendments are:

- 2024-25.1 for \$3,180.10
- 2024-25.2 for \$46,145.40
- 2024-25.3 for \$28,497.00

#### G. Legislative goals passed by Onslow County

Alderman Grant handed out a copy of legislative goals by Onslow County at its meeting and asked Board members to give him their thoughts on what we can coordinate with the county on our projects and our requests to them for money.

#### H. Infrastructure/CAMA

Alderman Grant stated we need to take a look at the stress that is being put on the ONWASA system. When we put in the pump station and there is more pressure, we are going to find more leaks in the water system. He is pushing the ONWASA Board to take a look at replacing old mains. There is no money being budgeted. In our budget on the ONWASA side, we have the money to put in a tower on the north end. He wants the Board to look at what we should be pushing ONWASA to do and what the Town can do.

#### I. Interlocal Agreement between the Towns of North Topsail Beach, Surf City, Topsail Beach and Holly Ridge

Manager Derian stated she gave an overview of this agreement for management of solid waste in her report.

**Motion** – Mayor Pro Tem Benson motioned to approve the Interlocal Agreement as presented to be agreed upon by the Town Attorney and Town Manager for the implementation of a partnership to solicit proposals for the management of solid waste including trash and recycling services to the residents of the Towns represented; seconded by Alderman Olszewski; unanimously approved.

#### OPEN FORUM

- Mark Barefoot, General Manager of the Tiki Bar, said it is a great place to meet everybody. Entertainment is scheduled to stop at 10 pm. He wants the Town to consider letting it go to midnight to allow workers to enjoy it after closing.

- Shane Bartus, 13 Osprey Drive, said he has no issue with bottom leases for oysters. His issue is with floating leases.
- Jeremy Grove, 2210 New River Inlet Road, said he lives across the street from the Tiki Bar and he does not hear anything. Sounds like most of the complaints are coming from newly constructed homes behind there. He does hear construction across the road at 7 am every morning. The real problem is too much building on the island because we do not have the infrastructure for it. Lowering the speed limit to 35 mph is ridiculous and an inconvenience for those that live on the north end because it takes a long time to get off the island.

ATTORNEY REPORT – None

MAYOR REPORT– None

ALDERMEN REPORTS:

Alderman Pletl – Turtle nesting has concluded with 67 nests in North Topsail Beach, 31 nests in Surf City and 6 in Topsail Beach. There are still 38 nests left to hatch. Residents have been great about turning off lights and allowing turtle people to park in their driveways to access the beach. There will be an annual Constitution Day ringing of the bells event at the Freedom Fountain in Jacksonville on September 17<sup>th</sup> at 4 pm.

Alderman Leonard thanked everyone for coming out and congratulated the new appointees. Last month he attended the Second Marine Expeditionary Force Change of Command at Camp Lejeune. He reminded everyone that we are still in the middle of hurricane season and September is the most active month. Be prepared.

Mayor Pro Tem Benson said the state legislature passed the Regulatory Reform Act of 2024 which included a lot of changes affecting the coast. The Coastal Review online has an excellent article reviewing the Act. Primary things affected are the requirement to report your recreational fish catch has been moved back a year and property owners with walkways and piers that they want to replace, or are damaged in a storm, no longer have to get a CAMA permit but do still have to get a municipal permit. That is a significant change in CAMA regulations.

Alderman Olszewski said there is an ONSLOW County Visioning Forum on September 4<sup>th</sup> from 6-7:30 pm at the government center.

Alderman Grant thanked everyone for coming.

CLOSED SESSION

**Motion** – Mayor Pro Tem Benson motioned to go into Closed Session at 2:15 pm as per NCGS 143.318.11(a)(3) to consult with the attorney; seconded by Alderman Olszewski; unanimously approved.

Return to open session – Mayor McDermon stated the Board took no action in Closed Session.

ADJOURNMENT

**Motion** - Alderman Leonard motioned to adjourn at 2:43 pm; seconded by Alderman Olszewski; unanimously approved.

*I certify this are the official minutes adopted by the Board of Aldermen in session on September 4, 2024.*

*Nancy Avery  
Interim Town Clerk*