



Town of North Topsail Beach Board of Aldermen Regular Meeting Agenda

Wednesday, October 04, 2023, at 11:00 AM

Town Hall - 2008 Loggerhead Court, North Topsail Beach, NC 28460

(910) 328-1349 | www.northtopsailbeachnc.gov

Mayor - Joann M. McDermon
Alderman - Richard Grant
Alderman - Connie Pletl
Town Manager - Alice Derian

Mayor Pro Tem - Mike Benson
Alderman – Alfred Fontana
Alderman – Tom Leonard
Interim Town Clerk – Nancy Avery

- I. **CALL TO ORDER (Mayor McDermon)**
- II. **INVOCATION (Alderman Fontana)**
- III. **PLEDGE OF ALLEGIANCE (Mayor McDermon)**
- IV. **APPROVAL OF AGENDA**

Specific Action Requested: Mayor will request for a motion to adopt the agenda

- V. **MANAGER'S REPORT**
- VI. **OPEN FORUM**

Citizens have the opportunity to address the Board for no more than three minutes per comment on any issue upon which the Board of Alderman has control.

- VII. **PUBLIC PRESENTATIONS AND HEARINGS**
- VIII. **CONSENT AGENDA**

A. Approval of Minutes

September 6, 2023 regular BOA minutes

B. Department Head Reports

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

C. Monthly update from coastal engineer (Fran Way)

D. MOTV Tax Refund for \$31.42

E. Budget amendment 2023-24.5 amending GF appropriation with an increase of \$55,366.53 to appropriate funds for final payment application for Town Hall renovation project.

- F. Committee Reports
1. TISPC <https://tispc.org/minutes/>

Specific Action Requested: Mayor will request a motion to approve the Consent Agenda

IX. CONTINUING BUSINESS

- A. CBRA update (Alderman Leonard)

- B. Ordinance 23-03 and Amendment to Fee Schedule (Planning Director Hill)

1. Ordinance 23-03 amending Unified Development Code sections 10.07.05, 10.07.06 and 11.01.12 regarding Wetland protection and definition.

Specific Action Requested: Mayor may request a motion to adopt Ordinance 23-03 as presented.

2. Amendment to Town's Planning and Zoning Fee Schedule adding a new civil citation for Wetland Protection.

Specific Action Requested: Mayor may request a motion to amend the Town's Planning and Zoning Fee Schedule to add a new civil citation as per UDO Section 10.07.06 Wetland Protection in the amount of \$10,000 each for first offense and subsequent offenses.

X. NEW BUSINESS

- A. Planning Board

Recommendation from Chairperson (Planning Director Hill)

Applications (Mayor McDermon)

- B. Board of Adjustment

Recommendation from Chairperson (Planning Director Hill)

Applications (Mayor McDermon)

- C. Activities Update (Alderman Grant)

XI. OPEN FORUM

Citizens have the opportunity to address the Board for no more than three minutes per comment on any issue upon which the Board of Alderman has control.

XII. ATTORNEY'S REPORT

XIII. MAYOR'S REPORT

XIV. ALDERMAN'S REPORT

XV. CLOSED SESSION

Consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged (N.C.G.S. 143-318.11 (a) (3) and to discuss specific personnel matter N.C.G.S. 143-318.11 (a) (6).

XVI.ADJOURNMENT

Joann M. McDermon, Mayor
Mike Benson, Mayor Pro Tem



Alice Derian, ICMA-CM
Town Manager

Aldermen:
Fred Fontana
Richard Grant
Tom Leonard
Connie Pletl

Nancy Avery
Interim Town Clerk

Board of Aldermen Regular Meeting
Wednesday, September 6, 2023
DRAFT MINUTES

The Town of North Topsail Beach Board of Aldermen held its regular meeting on September 6, 2023. A quorum of the board was present. Attorney Edes was in attendance.

Board members present: Mayor McDermon, Mayor Pro Tem Benson, Aldermen Connie Pletl, Fred Fontana, Richard Grant and Tom Leonard

Staff present: Town Manager Derian, IT Director Ricky Schwisow, Finance Officer Elliott, Code Enforcement Officer/Project Facilitator Conant and Interim Town Clerk Nancy Avery.

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

Alderman Leonard requested the addition of Resolution of Appreciation to the Town Manager to the agenda.

Motion - Mayor Pro Tem Benson motioned to adopt the agenda as amended with the addition of the resolution; seconded by Alderman Pletl; unanimously approved.

Manager's report

Town Manager Derian reported:

Sea Oats:

- Since our last BOA meeting, TI Coastal has confirmed completion of the Sea Oats project.

USACE Letter of Acknowledgement/ Letter to Residents:

- At the last BOA meeting, I reported that I provided a letter of acknowledgement to the US Army Corps of Engineers regarding their intent to construct the Surf City portion of the Coastal Storm Mgt project for the Town of Surf City. Again, there will be a transition between the two towns that will extend approximately 1,000 feet into the southern town limit of North Topsail Beach and include a tapered placement of sand into this transition area. The Town of Surf City will be securing any necessary easements. The intent of the letter was to acknowledge the project and to say we will assist in communications with

- residents at the appropriate time regarding the portion of the project occurring in North Topsail Beach. Since our last meeting I worked with Surf City's Town Manager on a joint letter that was to be distributed to residents by Surf City within the project area that was mailed the week of August 25th to obtain easements. All information is posted on our website's project page.

Environmental Impact Statement – USACE:

- Our EIS call with USACE that was regularly scheduled for August 30th was postponed due to Hurricane Idalia. Chapter 4 has been received and reviewed by USACE and Dial Cordy was expected to have Chapters 5 and 6 submitted by August 15th. We have another meeting scheduled for September 12th.

Tropical Storm Idalia:

- Monitoring and updates started early and were continual and timely throughout the event. I met with staff on Monday to prepare for the pending storm. Staff were busy visiting contractor sites, encouraging tie downs and emptying of dumpsters, doing beach surveys to pick up abandoned items and securing items at our access points.
- A CodeRed notification was sent to all subscribed on Monday, August 28th, a state of emergency was declared on Tuesday, August 29th without imposing any restriction. The state of emergency was rescinded on Friday, September 1st at 12:00 noon.
- We deployed our drone to capture pre-storm conditions along the beach and once again at EOD on Friday, September 1st to capture post-storm conditions. I touched base with TI Coastal and ATM yesterday about conditions seen from drone footage and asked their professional opinions. It is felt that an engineering survey specific to Idalia is not necessary and there is not a federal declaration in NC, therefore we would not be reimbursed. TI Coastal was out yesterday at my request to survey current conditions from the ground. Overall, they felt that the beach fared well. The truck haul section had light run up marks to the dunes, but no damage to the dunes and an intermittent edge of berm scarp (6-8 inches here and there and some very isolated areas of a taller oceanfront scarp about 12-18 inches). The upland dry beach is still 60 ft wide here.
 - Just north of Myrtle Drive (Access 30), a small dune scarp started (just south of here there was some run up onto the dune face which may have killed a few sea oat plants, but no scarping). Dune scarp just north of Myrtle Drive is about 18".
 - Hampton colony still had a small dune scarp and beach berm scarp
 - Access 33 (parking lot by Town Hall) probably had the largest fresh dune scarp at waist high (2' or so)
 - Onslow Access 4 had smallest beach area by far and a large dune scarp just north of the beach access area (3-4')
 - Access 38 had a small dune scarp. The beach is only about 30-40 feet wide here.
 - Overall, the beach looked pretty good considering the long duration of elevated sea conditions and the super high tides we had last week. Not great, but manageable for sure.
- I worked closely with the trash contractor to determine and communicate the schedule.
- I kept in communication with surrounding Town Manager's and County Manager to share information and provide updates.

- Public Works staff worked to scrape sand from shoulders in two areas to allow more water to divert and collect on River Rd Extension. We placed road closed/ high water signage on the roadway on NRI Rd at the intersection near The Reef on Tuesday, August 29th and they remained up until yesterday. Due to King Tides, we left the signage up and 4x4 Drive on area gate locked until yesterday morning. Residents and emergency personnel could still get through; however, we wanted to deter traffic to this area as much as possible.
- We started surveying the Town at daybreak on Thursday, August 31st and worked to pick up debris from River Rd extension, New River Inlet Road and pumped water from flooded roadways near Gray Street and Richard Peters Park. Administrative offices were closed on Thursday, however; we had the main line manned from 5:00 am through 5:00 pm. Updates and notices were published throughout the day.

Light ordinance:

- Last week, I met with our Code Enforcement Officer and Karen Beasley Sea Turtle Sea Turtle Hospital to receive feedback on a draft light ordinance that will be presented to the BOA. We are working to finalize a draft for BOA review and feedback in October. We will also be working on educational initiatives to have at Town Hall that will be coming soon such as a light display that shows amber and LED lighting and to have the availability for homeowners to purchase amber lights at Town Hall.

Events:

- Wednesday, November 15th has been chosen as the date for the 2nd Annual Christmas Tree Lights that will be held at 6:00pm here at Town Hall.
- The Town will be holding the First Annual Howl O Ween Pet Parade and Pet Costume Contest. I would like to give a big thank you to our sponsor, Pet Supplies Plus who I contacted and has graciously agreed to pay for this event. This will be held on October 25th from 5pm to 7pm at Richard Peters Park. You will be supporting Share the Table by bringing a non-perishable item to the event and we will have raffle tickets for purchase that will benefit Paws 4 Cause. We created a fb event page for you to pre-register your pets. Pets that are pre-registered will receive a goody bag that is also being provided by Pet Supplies Plus. I will be emceeding the event and our BOA will be the judges of the costume contest. We will be serving pup cups to the pets and will have cider and cookies for their people, as well as photo booth ops set up and music. It is free to attend, just bring a non-perishable food item for Share the Table.

Grants:

- We received notice of intent to award for a Cyber Security grant in the amount of \$13,527 that was applied for.
- I have submitted an Amendment to the Phase 4 \$10.5 million renourishment State grant contract on August 14th and sent an extension request, which if approved will be until December 18, 2025. We asked for an extension now for the grant to allow for project completion based on environmental window restrictions and project production rates. The regulatory turtle nesting/hatching no-work window (May to November 15) represents 6.5 months and is the largest impact on production. Basically, the contractor only has 5.5 months out of the entire year to perform the work. The non-grant portion (Phase 5) is

- anticipated to be completed by the end of February 2024 with work starting on the CSDM grant in March 2024, continuing to April 30, 2024 (when the nourishment season ends). The contractor will still likely need a portion (November 16, 2024 to February 28, 2025) of the next nourishment season to get all the CSDM grant funded material on the beach. The contractor has been trying to ramp up the production rate and work faster but there are limitations (as well as weather/mechanical delays) that we are including for the above time estimate.

Discussion

Alderman Grant – I think generally everybody knows on Phase Four we did not have to put anything up. That is the \$10.5 million grant. That will allow us to finish up Phase Five. In looking at the financials and talking to you (Manager Derian), you do not believe we will have to do SOBs (Special Obligation Bond) for Phase Four, that we have the financial ability to not have to borrow the money to do Phase Four, is that right? That is a huge savings for us in terms of cost. It shows where we are in terms of the beach. That will allow us to basically go almost all of the way through Phase Four at the end of this thing, correct?

Manager Derian – Yes, that is correct. It is why we have been working on the front end to line everything up with the engineers and the Carters (Doug Carter and Associates) on the financing part to make sure we do not need to amend anything. Should we need to we will come back to the Board and let you know. As far as it stands right now, SOBs will not be necessary.

Alderman Grant – For the record, what is amazing is that if we went back three years ago before we had done the planning, since these were reimbursable projects such as FEMA Phase Five, we did not have the financial wherewithal to do these projects, so we have come a long way in terms of getting that together.

Open Forum

1. Lori Edmunds, 301 Bay Circle – I have three different major things:

- I have lived here for years and never knew where the beach access with free parking at mile marker 20 is because you cannot see it. It is in a bend. I think there should be a crosswalk. I finally found it by going on the beach and coming out. It is not marked. Even though there are signs there is not a crosswalk. This is a safety issue.
- I walk the beach every night and send pictures to the Police. They say they are sending them to the patrol person. I heard the original patrol person died. I would be happy to patrol part time. I have been in touch with Wendy who said the person did a great job. No he did not. Every night there is stuff on the beach. Every night. I go from St. Regis to the Reef. I do turtle walks in the morning south of here. There is always stuff on the beach. I was told we allow people to keep things in the sand under their stairs. If we are a turtle sanctuary, that is not where they belong. They belong up on the deck. I found eight bikes connected to the pilings. A turtle came up and did a crawl right there. Turtles cannot get through with bikes or tents. Another person had a huge tent. I told those guests they are not allowed to do that and there is supposed to be a \$50 fine. I want to see the fines. I tell people to get off the sandbags. I tell people to get off the dunes. Are we giving \$500 fines to anyone? I do not see anyone giving fines to anybody. This gets me upset. Holes on the beach are awful. I am going to break or twist an ankle and no one is doing anything. I am out there regularly. People know they are not being fined. Dolphin Shores is awful.

- I have lived on Bay Circle and Bay View for four years. The neighbors who lived there for thirty years (Jenkins) said once St. Regis put up a wall at their entrance, we get flooded every time. And not just for hurricanes. Four of us, not the whole neighborhood. They said it had never happened before.

Discussion

Mayor McDermon – I appreciate you coming in. I was not aware of some of these issues. I suggest after the meeting, the manager will follow up with you. Some of these we can look into. The fining issue is a whole different animal. I will use sandbags or the dunes as an example. The Police Officers have to see people on them to fine them. She suggested to Manager Derian that after the meeting thy follow up with Ms. Edmunds.

Alderman Fontana – I definitely agree with you on that issue of a crosswalk. I want to go through the entire town and review where we need crosswalks. I think your location you mentioned is not the only area that needs a crosswalk. We need more crosswalks and we also need more signage. We can get with NC DOT since they are in charge of the roads. I think definitely we need to be addressing that.

Mayor McDermon – That is something on the list that staff are already looking into.

Manager Derain – The Fire and Police Chiefs have been tasked with looking at crosswalks in every area and come up with recommendations. We will have something soon on crosswalks. Our Fire Chief has reached out to DOT and met with a vendor on pricing.

Alderman Grant - This is a state highway and unless DOT approves it, we cannot do anything.

2. Joe Sowers, 26 Bermuda Landing Place – We have been homeowners/taxpayers since 1988. We are not full-time residents yet. At access 19 there is a realty sign for amended sale right by the access bridge/dune overpass. Could you explain that please? Why is it on the dune? For dune integrity, a break in the dune will cause the ocean water will come in and pull out the dunes. There is no dune in front of the home. If there is a big hurricane, it is going to pull all the water out. We are at 11th Avenue and Topsail Road. There are beach access signs from the ocean but there are none from the road. It is the first time we have seen a non-conforming lot for sale. It would be helpful to have signage.

Discussion

Mayor McDermon – I do not know the parcel you are referring to, but if it is considered a lot and owned by someone, they do have the right to transfer that ownership by sale. It may be up for sale. If it is a non-conforming lot, it means they cannot do anything except potentially a crossover. There have been other non-conforming lots for sale. It will not impact your public beach access. I do not mind looking into this for you sir.

Public presentation and hearings

Proposed text amendments to UDO for protection of wetlands

Planning Director Hill stated:

- I work routinely with Division of Coastal Management (DCM) and US Army Corps of Engineers (Corps) staff with processing subdivision permit applications as well as complaints of violation and referring those to the appropriate jurisdictional authority.
- Typically the results are remediation but not accompanied with fines.
- In addition to providing natural environment habitats, coastal wetlands dampen the impact of a storm surge and thus reduce the flood risk.
- The importance of this is reflected in the numerous references to wetlands in the Town's flood plain regulations.
- The Town's zoning regulations reflect open space management practices which are consistent with the goal of reducing hazard losses such as the preservation of wetlands and other flood prone areas in their natural state in perpetuity.
- In addition to the conservation district, the purpose of the RA residential/agricultural zoning district is to set aside and protect those lands suitable for agricultural, forestry, and wetland uses.
- Identification and recognition of wetlands begins when we have an application for a subdivision. A review by the Army Corps for 404 or DCM is required before the Town issues final approval.
- The current Coastal Area Management Authority (CAMA) Land Use Plan (LUP) states the Town accepts state and federal law regarding land uses and development in Areas of Environmental Concern (AECs) including all NCAC 7H standards. No policies exceed the standards and permitting requirements found in Subchapter 7H, State Guidelines for AECs.
- The effects of session law 2023-63 Senate Bill 582 which was passed but vetoed by Governor Cooper and recently overridden on June 27th are not expected to alter DCM's approach within the Town's jurisdiction.
- At its August 20, 2023, meeting, the Planning Board discussed wetland regulations with Mickey Suggs with the Corps of Engineers and Rob Mayers of DCM and unanimously recommends adoption of an ordinance amending the Unified Development Ordinance (UDO) by updating standards protecting wetlands pursuant to NC Senate Bill 582 and providing for certain enforcement penalties for unpermitted disturbance and an amendment to the Town's Fee Schedule appropriately.

Attorney Edes – The proposed ordinance has the correct session stated in the recital which is NC Session Law 2023-63. The sixth recital references Senate Bill 582 which is the same bill. I suggest everywhere in this ordinance and the proposed text amendment that the word 'wetlands' be capitalized as a proper noun and that we adopt the definition found at NC Session Law 2023-63 which is the same as Senate Bill 582 and as we are going to make it a proper noun, that way there is a concrete definition for what wetlands are.

Planning Director Hill – We had discussed since the recent session law was to direct DCM to define wetlands that we would just simply state wetlands as defined by state and federal government.

Attorney Edes – It does say that in one portion but in another it defines wetlands as defined in 15A NCAC 2B.0202. There is also a definition for coastal wetlands and I think since it appears to me that that session law is to address recent developments in federal law, we can cite to that and then once rules are promulgated and adopted, we can bring back a text amendment.

Planning Director Hill – Rather than bring back a text amendment, if you want to do the reference just say as amended and then that way, we do not have to do that.

Attorney Edes – As may be amended from time to time.

Discussion

Mayor McDermon – On the Fee Schedule, the fine for damaged dunes is \$10,000 for the first offense and subsequent offense is \$10,000. I would like to see the same fine for the wetland protection. I do not know why that is only \$1,000.

Alderman Grant – I absolutely agree with that. Where it talks about any wetlands damaged during construction shall be restored to the original state. Its original state could take years. It is like grass in a dune. If I tear up the dune and I plant seagrass and it takes two years for the seagrass to go back to where it was, we are not going to fine somebody 365 times two years. We have to make it so that people do not do it on the front end of this type of thing. The idea is not to get fines. The idea is to keep people from tearing up the dunes and tearing up the wetlands. For someone building a \$3 million house, a small fine is not going to be material to them.

Mayor McDermon - From the wetlands perspective for a sound side home, if the pool is in the wetlands and is not where it is supposed to be, I understand they will be fined. Do we have the legal ability to also tell them they have to move it to be in compliance?

Planning Director Hill – To prevent that from ever occurring is why I require a wetlands delineation by bearings and distance. If it is 404, it has to be confirmed by the Army Corps of Engineers (Corps). There were complaints early on that that was taking quite a bit of time. That was discussed with the Corps and they are being turned around a lot faster than they were. It is not enough to just show the delineations on a plat of survey. Chances are the pool installer may or may not look at it. One of the other requirements in the ordinance that the Building Inspector and I do is ensure silt fences are installed and maintained. When we went through with the storm the day after Tropical Storm Idalia, the Building Inspector was calling contractors letting them know they needed to get their silt fences back up. That fence is a visual demarcation where those Wetlands are. If a pool was installed that encroaches into the Wetlands, it would be inconsistent with the CAMA permit and the permit the Town staff signed off on and they would need to move the pool.

Alderman Grant – The alternative to that is that you fine them \$10,000 a day until they move the pool which is going to make them move the pool anyway.

Mayor Pro Tem Benson – I strongly support what the Mayor and Alderman Grant are saying. The idea that we are not going to fine someone for unknowingly or intentionally intruding into a wetland area and the idea that it can be restored in fourteen (14) days is ridiculous. It takes years to restore our ecosystem like that. There needs to be a penalty for intruding into the Wetlands.

The Coastal Resource Commission (CRC) changed the thirty (30) foot setback law to thirty-five (35) feet in their last meeting. When the CRC regulations change, how does that filter down to the town? Does it come through the DCM. Is there some kind of bulletin put out?

Planning Director Hill – By the conditions included on the CAMA permit that I review as part of my overall review before I issue any zoning or flood permits. Typically the first document I look at is did they receive CAMA approval and what were the conditions of that approval. The other thing I look at was whether DCM was given the same plat and information that I was given so we are not working off of different plats or information.

Mayor Pro Tem Benson – The local CAMA permitting office is the place where CRC changes are incorporated into their approval for permits.

Planning Director Hill – The local CAMA permitting office is the boots on the ground for CRC changes.

Mayor Pro Tem Benson - Does the language in resolution on page 25, 10.07.05 Install and Maintain Effective Sedimentation and Erosion control measures; items A-D apply to any lot in town not just one that fronts a wetland, is that correct?

Planning Director Hill – Not necessarily. You may have lots that do not require silt fences. Particularly those items that I pulled are standard for the CAMA permit. The reason for including them in the ordinances is so the Building Inspector and I have the language for enforcement authority.

Alderman Leonard – Where are we with the fine? Have we decided?

Mayor McDermon – A \$10,000 fine.

Alderman Leonard – I support that too. To me the fine is preventative, a deterrent rather than a retribution.

Consensus – Board of Aldermen agree on a \$10,000 fine.

Attorney Edes – Does the DCM or the Corps do the delineation? We need a clearer definition of Wetlands.

Planning Director Hill – They have a private firm do the delineation which is then put on a site plan that goes to DCM or the Corps. The definition either needs to be 401 (state) or 404 (federal). To keep up with the changes in both, my recommendation is to say wetlands as defined by state or federal government.

Mayor Pro Tem Benson – Ms. Hill - in the federal part of your information prepared for the Board you reference a 401 wetland. Is that a federal designation? It is only mentioned one time in this document. Mostly we are talking about coastal Wetlands. I wonder if we do not need to be consistent, if there is a difference between federal and state Wetlands.

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Planning Director Hill – Federal is 404. We deal with 404 and 401 equally. 404 Wetlands are not uncommon. It is between the staff of DCM and the Corps, one of which takes jurisdiction. Federal is 404, not 401.

Attorney Edes – The Administrative Code is what the Senate Bill deals with, which is 15A NCAC 2B.0202. I suggest we use the definition as Administrative Code 15A NCAC 2B.0202 and any other applicable state and federal law as may be amended from time to time.

Planning Director Hill – I agree with that as it incorporates the federal definition also.

Alderman Grant – If federal and state law are inconsistent, where one is broader than the other, do we need to go with the more restrictive one?

Mayor McDermon – The intent of what we are looking for is captured here. I recommend you take this offline to capture and define the Wetlands and bring it back.

Consensus – Town Attorney and Planning Director to work on clarification of definition of Wetlands associated with the proposed text amendments and bring it back to the Board.

Public Hearing

Motion – Alderman Leonard motioned to open the Public Hearing at 10:02 pm; seconded by Alderman Grant; unanimously approved.

1. Michael Afify of A ‘N’ A Builders and a local homeowner – As a contractor and a licensed realtor I see a lot of different perspectives. I caution the Board with fining something that is already a fineable offense through multiple different agencies. Wetlands are a very cherished thing. Some of the Wetlands are coastal and have setbacks. Some do not have a setback. Millions of dollars go into the study of these things. Right now you have fines in place that can be seen as a deterrent but they can also be looked at as taking of private property as well. You have a five-foot buffer off a CAMA setback. Now there are two separate entities to argue with. On a recent project, I had a federal permit but not one from the Town. You were more restrictive. I believe that opens you up to some culpability and liability. We want to protect the products that protect the homes we build. Wetlands and dune structures are a way to do this. To give someone the opportunity to correct something is a good thing.
2. Laura Olszewski, 25 Bermuda Landing Place – I think we do have to be careful with making things punitive. The Board should also consider whether the surveyor has errors and omissions insurance and it is not the homeowners problem. A \$10,000 fine can be punitive and does not give the homeowner the option to go back to the surveyor who made the mistake the contractor then built with. We have to take into consideration whose stamp is on the drawings and who is responsible for the plot plan. I think if the state regs cover the federal regs as well, we should go with the state regs. Have we looked at other towns’ legislation that falls in line with what the state is doing, so we are not out of line with what others are doing.

Motion – Alderman Leonard motioned to close the Public Hearing at 12:07 pm; seconded by Alderman Fontana; unanimously approved.

Alderman Fontana – One clarification - are we all agreeing the fine should be \$10,000?

Consensus – All Board members agreed the fine should be \$10,000.

2. Coastal Engineer Update

Mr. Fran Way gave his September 2023 update stating it is geared towards the annual monitoring results with the following highlights:

- The beach wide overall gain of 424,000 cubic yards over the last year was largely due to nourishment efforts
- Phase One will have placement of 20,000 cubic yards this winter
- New River Inlet Management Master Plan draft Environmental Impact Study is under development
- Phase Five Beach Nourishment placed 411,000 cubic yards. The remaining volume is 226,000 cubic yards
- Annual monitoring was completed in June with these results:
Annual Mean High-Water Change in feet was:
 - Phase One +24.8
 - Phase Two +10.9
 - Phase Three + 0.2
 - Phase Four + 8.5
 - Phase Five +36.8
 - Total +19.1

Said presentation is herein incorporated as part of these minutes.

Discussion

Alderman Grant – Thank you for updating the schedule for me. I also updated it again and put in the percentages and cost by phase. Seventy million has been spent overtime. Sixty-nine percent is in Phase 5, thirty percent is in Phase One, zero in Phase Three and Two. The urban legend is that all the money has been spent up north when it has actually been spent in the south. We should have a continuous beach from Phase Five as far as we can get up into Phase Four, is that correct?

Mr. Way – That is correct.

Consent Agenda

- Minutes August 2, 2023

Motion - Mayor Pro Tem Benson motioned to approve the Consent Agenda as presented; seconded by Alderman Pletl; unanimously approved.

Continuing Business

- A. BISAC update – Chair Strother gave his report from the August Beach, Inlet, Sound Advisory Committee meeting stating the most important item the committee discussed was the five-year action plan and the thirty-year plan with TI Coastal. This discussion will be continued at the September meeting. The goal is to have all five phases be an engineered beach.

Discussion

Alderman Grant – We also discussed funding. Four million is going into the Beach Fund. The largest expense we have is paying off the Phase Five loan that is over two million dollars which is larger than the Police Department budget and the Fire Department budget. Mr. Gibson (TI Coastal) believes four million is sufficient to execute the plan but we cannot keep doing one-off projects. The beach has to be nourished every year.

Chair Strother – Yes, we hope to get an engineered beach in the five-year plan, then be in a maintenance program for the next thirty years. We hope to be able to do something each year towards maintenance. It is easier to maintain the entire beach

Alderman Leonard – The back history on the phases is that they came to be in the early 2000s. The Board started talking about nourishing the beach. Since there are 11.5 miles of coastline, it was financially not feasible, so it was broken into five phases.

B. CBRA

Alderman Leonard reported there was an impromptu opportunity in August to advance Coastal Barrier Reef Act (CBRA) legislation efforts. I received a call from Ray Celeste in Congressman Murphy's office that the staff director for the House subcommittee on Water, Wildlife and Fisheries was vacationing in North Topsail Beach in August. Our bill was advanced to that subcommittee earlier this year. He set up a meeting with her while she was in town and he and Manager Derian gave her a tour. We pointed out the CBRA and non CBRA areas and the fact that the idea behind the BRA bill was to discourage construction and building in CBRA zones. It did not really do that when you see all the construction in those areas. I think it is significant that someone wanted to take vacation time to learn more about our CBRA issue. The visit went well. The subcommittee meets this fall for a hearing on CRBA bill and we will be invited to speak. It is the first time someone has come down and looked at our situation to help.

New Business

A. NCBIWA 2023 Annual Conference

Manager Derian said the North Carolina Beach, Inlet and Waterway Association fall annual conference is scheduled for November 16-17, 2023, and will be held at the Aloft in downtown Wilmington. I recommend the Silver Level Sponsorship which is \$1,200.00 and includes two registrations. The cost of additional registration per member is \$200.00.

Motion – Alderman Leonard motioned to sponsor the Silver Level Sponsorship in the amount of \$1,200.00 for the NCBIWA Annual conference; seconded by Alderman Pletl; unanimously approved.

DRAFT MINUTES September 6, 2023

B. ONWASA liaison

Mayor McDermon said she spoke with Alderman Grant because of all of the growth and development happening in our area and how that overlaps or needs to be coordinated with the Onslow County and the utility companies. It is public knowledge that Onslow County Water Authority and Sewer Authority (ONWASA) is in the process of purchasing Pluris so that we would have one provider for water and sewer. Alderman Grant has the background in utility companies and he volunteered to take her seat on the ONWASA board. She stated she thinks this would be a benefit for our town. She asked if anyone on the Board had any concerns.

Discussion

Alderman Pletl – Mayor McDermon, will you still be his second?

Mayor McDermon – Yes, I will.

Alderman Grant – I used to run a utility. There is some planning going on with the County. The County is concerned about all the growth and it all ties into waterpower.

Alderman Leonard – Since Alderman Grant is the liaison to the County and this is a county issue, I support this.

Consensus – Alderman Grant to serve as liaison on the ONWASA Board with Mayor McDermon as alternate.

Open Forum

1. Mr. Meyer, 2224 New Rive Inlet Road, # 138, asked Alderman Leonard what percentage of the town is in the Federal versus CBRA area.

Alderman Leonard – It is about 60/30. There are 11.4 total miles of shoreline. About 6.9 miles is in CBRA.

Mr. Meyer – This change will be an enormous benefit to a good share of our town, correct?

Alderman Leonard – Yes it will. We talk a lot about the insurance aspect NFIP (flood insurance) and that relative to the fact that you cannot have a federally backed mortgage or use your VA in CBRA. When it comes to funding for storm relief for the beach, we can sometimes get funding for our CBRA beaches, but it is much more difficult than it is for our beaches not in CBRA.

2. Laura Olszewski – Alderman Leonard, what was the name of the person you met with?

Alderman Leonard – Her name is Annick Miller and she is a senior professional staff member on the House subcommittee on Water, Wildlife and Fisheries.

3. Joe Sowers – What is the construction going on at the Pluris site and why would ONWASA be taking over Pluris? How many acres is Pluris required to have? Environmentally, are we doing the right thing?

Mayor McDermon – ONWASA needed to increase capacity and Pluris who already services North Topsail Beach and surrounding areas wanted to sell. The eighty acres you reference is separate from this and it is being sold as commercial development space.

Alderman Grant – The restrictions we are seeing is on the ONWASA side. They told us they had twelve over twelve growth, which is unheard of. They are drilling wells and looking for other alternatives.

Mayor McDermon – The decision was already made by the ONWASA Board. It is not our decision.

Attorney report

None

Mayor report

Mayor McDermon – It is nice to see everybody out and online today. Thank you for coming. I echo what Alderman Leonard put into a resolution and thanks to the entire staff and all they do not just for that storm.

Aldermen report

Alderman Pletl – I echo Mayor McDermon. When storms come up, we are grateful they are small ones that provide good training for the staff. We are still at the beginning of storm season, so do not let your guard down. Nesting season concluded at the end of August. We are still in hatching season for the sea turtles so please keep your ocean front lights off. We had sixty-three nests, Surf City had twenty-five and Topsail Beach had twenty nests.

Alderman Leonard – I appreciate everyone coming out. To staff a job well done with this last storm. It was a good dry run. The first of the month I lost Derrick Williams, my next-door neighbor. He was a hardworking county man. An honest and fine gentleman and I will miss him.

Mayor Pro Tem Benson – I echo what has been said about the great support that the Town Manager put in preparing for the storm. I thank the staff as some of them had to be here at 5 am to man stations to be prepared for the storm. A shout out to the staff for their extraordinary efforts.

Alderman Fontana – I sound like a broken record if you all know what records are. I thank Alice (manager) as well. One thing she told me that reflects the attitude of her and the staff was when I asked her if she had gotten any sleep and she responded no, she can sleep later but right now she needs to be here. Hurricane season is only half over so do not let your guard down. Hurricane Lee may head right towards us if you extrapolate the cone. Please adhere to the requests of the Town. Be prepared and not complacent.

Alderman Grant – I echo the other comments. There is a lot of misinformation around the town about finances. Look at the information that is on our website to get the truth. I have put together a power point and I am going to be meeting with different homeowners associations or individuals and will post it online. We have over seventy million dollars in projects that occurred since 2015 and about forty million in projects that are occurring in the last three or four years on the beach. We have obtained over twelve million dollars in grants and or outside funds that did not cost the town anything. We have a fire truck loan at zero percent. We have paid off seven million dollars of the Phase Five loan so we are in a much better fiscal position than we have ever been in. We refinanced that loan as a special obligation bond and saved hundreds of

thousands of dollars. We have a thirty-year beach plan under development, a Beach, Inlet, Sound Advisory Committee formed, we have CBRA progress, we established just in the last couple of years a Capital Project Fund to make sure we can build a fire house. We have funded a bike lane. Three or four years ago, we could not even have done the beach projects we've have talked about because every project is a reimbursable project which means you have to have the cash up front. This Town did not have the money up front. We have the single largest expenditure of one item right now, that is two million dollars to pay off the Phase Five loan. Once we get past that, we will be able to take care of building the fire house and doing those capital projects. Forty to fifty percent of the Town's budget is going to go into the Capital Fund and the Beach fund (35%). Town Manager Derian and her team have made a lot of progress in putting this Town in a position where we can actually pay for things. We do not want to be borrowing money right now at eight or nine percent. Kudos to the manager and her team and the aldermen for pushing these things. I am really frustrated because of the misinformation. The property tax change is because Onslow County does a four-year revaluation and home values went up. Only about forty percent of the property taxes you pay come to the Town, the rest goes to Onslow County. WE have also had success with Onslow County. We just received a check from the County for a little under \$500,000 going to our Capital Project Fund plus \$150,000 they are giving us every year to help pay off the loan for our beach projects,

Closed session

Motion – Alderman Leonard motioned to go into closed session at 1:10 pm as per NCGS 143-318.11(a) (3) consultation with the attorney; seconded by Mayor Pro Tem Benson; unanimously approved.

Return to open session

Motion – Alderman Grant motioned to return to open session at 1:45 pm; seconded by Alderman Leonard; unanimously approved.

Mayor McDermon stated no action was taken in Closed Session.

Motion – Alderman Pletl motioned to adjourn at 1:47 pm; seconded by Alderman Leonard; unanimously approved.

Joann McDermon, Mayor

ATTEST _____
Nancy Avery, Interim Town Clerk



BOARD OF ALDERMEN MEMORANDUM

TO: MAYOR MCDERMON AND ALDERMEN

FROM: Caitlin Elliott, Finance Officer

SUBJECT: Monthly Financial Report

DATE: September 25, 2023

The following events occurred during September 2023 in the Finance Department:

- The Town's auditors, Thompson, Price, Scott & Adams out of Wilmington, came in mid-September for the in-house portion of our annual audit. Everything is on schedule to be submitted to the LGC by the October 31st deadline.
- During the month of August, the Town collected \$89,740.68 in interest within the North Carolina Capital Management Trust account.
- A Budget to Actual report is contained in this month's packet as well as a graph for the fiscal year. A separate Budget to Actual report is provided for Fund 31, the Capital Project Fund for the beach renourishment project.
- We received \$70,070 in paid parking revenues for the month of August. This month, the majority of revenues were again made up of daily passes. For comparison, August of 2022 we collected \$66,417.
- For property taxes this month, we have received \$352,463 from Onslow County. The increase in revenues is due to the new 2023 tax bills that have been recently distributed. August's Motor Vehicle taxes have been deposited for \$5,956.80.

- This month, we have processed approximately \$134,682 in accounts payable. The check register is enclosed for review. Please be aware that there is one remaining check run for the month of September.
- So far in September, we have collected \$391,017.14 for Occupancy Taxes from short-term rentals during the month of August. A detailed report is attached. For revenue comparison, during the same period last year we collected \$377,782.
- Lastly, we received \$391,739.76 for Sales and Use Tax, for collections during July. Last year, for revenue comparison, we collected \$302,974.81 for the same period. We also received our quarterly Utility Franchise Tax in the amount of \$73,023.77.

If anyone has any questions, concerns, or needs additional information, please do not hesitate to ask!

Respectfully submitted,



Caitlin Elliott
Finance Officer

Budget vs Actual

NORTH TOPSAIL BEACH
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Period Ending 6/30/2024

10 GENERAL FUND							
Description	Budget	Encumbrance	MTD	YTD	Variance	Percent	
Revenues							
10-301-00 AD VALOREM TAX - Current Year	3,982,875	0.00	0.00	363,986.57	(3,618,888.43)	9%	
10-301-01 AD VALOREM TAX - Prior Years	50,000	0.00	0.00	16,359.12	(33,640.88)	33%	
10-301-02 AD VALOREM TAX - MOTV	70,000	0.00	0.00	15,306.40	(54,693.60)	22%	
10-317-00 AD VALOREM TAX Penalties	3,000	0.00	0.00	269.58	(2,730.42)	9%	
10-329-00 INTEREST	100,000	0.00	0.00	130,738.10	30,738.10	131%	
10-335-00 MISCELLANEOUS	5,000	0.00	0.00	13,604.50	8,604.50	272%	
10-336-07 SALE OF TOWN MERCHANDISE	5,000	0.00	0.00	1,709.83	(3,290.17)	34%	
10-337-00 UTILITIES FRANCHISE TAX	330,000	0.00	0.00	73,023.77	(256,976.23)	22%	
10-341-00 BEER & WINE TAX	3,400	0.00	0.00	0.00	(3,400.00)		
10-343-00 POWELL BILL ALLOCATIONS	30,000	0.00	0.00	0.00	(30,000.00)		
10-345-00 LOCAL OPTION SALES TAX	1,957,725	0.00	0.00	765,397.60	(1,192,327.40)	39%	
10-345-01 SALES & USE TAX RETURN	0	0.00	0.00	115.50	115.50		
10-347-02 SOLID WASTE DISP TAX	750	0.00	0.00	207.91	(542.09)	28%	
10-350-00 RECREATION -RENTAL FEES	2,000	0.00	0.00	2,118.00	118.00	106%	
10-350-01 PAID PARKING REVENUE	112,125	0.00	0.00	77,506.81	(34,618.19)	69%	
10-351-01 OFFICER CITATIONS & COURT	2,500	0.00	0.00	671.50	(1,828.50)	27%	
10-352-01 FIRE INSPECTIONS & VIOLATION FEES	500	0.00	0.00	0.00	(500.00)		
10-352-02 CODE ENFORCEMENT FINES	2,000	0.00	0.00	2,600.00	600.00	130%	
10-352-03 PLANNING DEPT. FEES	6,000	0.00	0.00	0.00	(6,000.00)		
10-355-00 BUILDING PERMITS	85,000	0.00	0.00	22,467.85	(62,532.15)	26%	
10-355-01 MECHANICAL PERMITS	15,000	0.00	0.00	2,830.00	(12,170.00)	19%	
10-355-02 ELECTRICAL PERMITS	18,000	0.00	0.00	3,780.00	(14,220.00)	21%	
10-355-03 PLUMBING PERMITS	2,500	0.00	0.00	840.00	(1,660.00)	34%	
10-355-04 INSULATION PERMITS	500	0.00	0.00	0.00	(500.00)		
10-355-05 HOMEOWNERS RECOVERY FEE	300	0.00	0.00	(36.00)	(336.00)	-12%	
10-355-06 TECHNOLOGY FEE	7,500	0.00	0.00	1,701.68	(5,798.32)	23%	
10-355-07 REINSPECTION FEE/FINES	3,000	0.00	0.00	1,025.00	(1,975.00)	34%	

Budget vs Actual

NORTH TOPSAIL BEACH
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Period Ending 6/30/2024

10 GENERAL FUND							
Description	Budget	Encumbrance	MTD	YTD	Variance	Percent	
10-355-09 CCR FEES	0	0.00	0.00	450.00	450.00		
10-357-08 ZONING PERMITS	20,000	0.00	0.00	17,700.00	(2,300.00)	89%	
10-359-00 REFUSE COLLECTION FEES	514,524	0.00	0.00	128,924.16	(385,600.20)	25%	
10-359-50 VACANT LOT SWF	10,000	0.00	0.00	625.00	(9,375.00)	6%	
10-359-51 LOST CART REPLACEMENT	2,000	0.00	0.00	320.00	(1,680.00)	16%	
10-359-52 ADD'L CART RECYCLING	2,500	0.00	0.00	400.00	(2,100.00)	16%	
10-367-01 SALES TAX REFUNDS	20,000	0.00	0.00	0.00	(20,000.00)		
10-368-01 GRASS MOWING REIMB	6,993	0.00	0.00	0.00	(6,993.00)		
10-383-00 SALE OF FIXED ASSETS	20,000	0.00	0.00	8,000.00	(12,000.00)	40%	
10-399-02 T/I OTHER FUNDS	200,383	0.00	0.00	0.00	(200,383.42)		
Revenues Totals:	7,591,076	0.00	0.00	1,652,642.88	(5,938,432.90)	22%	
Expenses							
10-410-02 SALARIES	36,000	0.00	0.00	9,000.00	27,000.00	25%	
10-410-05 FICA (7.65%)	2,754	0.00	0.00	688.50	2,065.50	25%	
10-410-14 TRAVEL & TRAINING	2,000	0.00	0.00	0.00	2,000.00		
10-410-33 DEPARTMENTAL SUPPLIES	1,500	0.00	0.00	0.00	1,500.00		
10-410-43 AUDITOR FEES	15,500	0.00	0.00	9,750.00	5,750.00	63%	
10-410-45 TAX COLLECTION FEES	68,000	0.00	0.00	2,113.67	65,886.33	3%	
10-410-47 PROFESSIONAL SERVICES	125,000	0.00	0.00	6,503.93	118,496.07	5%	
10-410-50 DONATIONS OTHER AGENCIES	6,000	0.00	0.00	0.00	6,000.00		
10-410-53 DUES & SUBSCRIPTIONS	2,750	0.00	0.00	153.00	2,597.00	6%	
10-410-57 MISCELLANEOUS	500	0.00	0.00	0.00	500.00		
10-410-58 TAX REFUNDS	2,000	0.00	0.00	0.00	2,000.00		
10-410-95 BOARD STIPEND	3,600	0.00	0.00	900.00	2,700.00	25%	
GOVERNING BODY Totals:	265,604	0.00	0.00	29,109.10	236,494.90	11%	
10-420-02 SALARIES	508,586	0.00	0.00	73,979.94	434,606.52	15%	
10-420-05 FICA (7.65%)	37,095	0.00	0.00	5,642.16	31,452.69	15%	
10-420-06 GROUP INSURANCE	60,859	0.00	0.00	9,047.59	51,811.41	15%	
10-420-07 ORBIT RETIREMENT (12.23%)	62,843	0.00	0.00	9,587.80	53,255.24	15%	

Budget vs Actual

NORTH TOPSAIL BEACH
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Period Ending 6/30/2024

10 GENERAL FUND							
Description	Budget	Encumbrance	MTD	YTD	Variance	Percent	
10-420-08 401K (3%)	14,547	0.00	0.00	2,002.44	12,544.56	14%	
10-420-09 TOWN INSURANCE HRA	46,500	0.00	0.00	17,781.64	28,718.36	38%	
10-420-10 EMPLOYEE TRAINING	6,000	0.00	0.00	0.00	6,000.00		
10-420-11 POSTAGE	2,500	0.00	0.00	825.65	1,674.35	33%	
10-420-12 MANAGER EXPENSE ACCT	1,000	0.00	0.00	0.00	1,000.00		
10-420-13 TUITION REIMBURSEMENT	5,000	0.00	0.00	0.00	5,000.00		
10-420-15 BANK CHARGES	2,000	0.00	0.00	349.15	1,650.85	17%	
10-420-16 M & R EQUIPMENT	500	0.00	0.00	0.00	500.00		
10-420-17 M & R VEHICLE	1,500	0.00	0.00	77.20	1,422.80	5%	
10-420-18 CONSUMABLES	5,000	0.00	0.00	0.00	5,000.00		
10-420-26 ADVERTISING	1,500	0.00	0.00	297.80	1,202.20	20%	
10-420-31 GAS, OIL & TIRES	2,200	0.00	0.00	101.22	2,098.78	5%	
10-420-32 OFFICE SUPPLIES	0	0.00	0.00	93.99	(93.99)		
10-420-33 DEPARTMENT SUPPLIES	6,000	0.00	0.00	657.66	5,342.34	11%	
10-420-34 TOWN APPAREL & MERCH EXPENSE	3,000	0.00	0.00	209.95	2,790.05	7%	
10-420-45 CONTRACTED SERVICES	54,000	0.00	0.00	9,168.16	44,831.84	17%	
10-420-53 DUES & SUBSCRIPTIONS	9,600	0.00	0.00	3,643.00	5,957.00	38%	
10-420-57 MISCELLANEOUS	500	0.00	0.00	30.00	470.00	6%	
10-420-58 EMPLOYEE ENGAGEMENT	10,000	0.00	0.00	78.83	9,921.17	1%	
10-420-74 CAPITAL OUTLAY	10,000	0.00	0.00	0.00	10,000.00		
10-420-76 EQUIPMENT LEASE PAYMENTS	12,000	0.00	0.00	2,212.10	9,787.90	18%	
ADMINISTRATION Totals:	862,730	0.00	0.00	135,786.28	726,944.07	16%	
10-430-57 ELECTION EXPENSES	5,000	0.00	0.00	0.00	5,000.00		
ELECTIONS Totals:	5,000	0.00	0.00	0.00	5,000.00		
10-480-02 SALARIES	76,000	0.00	0.00	14,479.90	61,520.10	19%	
10-480-05 FICA (7.65%)	5,814	0.00	0.00	1,104.45	4,709.55	19%	
10-480-06 GROUP INSURANCE	9,000	0.00	0.00	2,256.15	6,743.85	25%	
10-480-07 ORBIT RETIREMENT (12.96%)	9,850	0.00	0.00	1,876.60	7,973.00	19%	

Budget vs Actual

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Period Ending 6/30/2024

10 GENERAL FUND							
Description	Budget	Encumbrance	MTD	YTD	Variance	Percent	
10-480-08 401K (3%)	2,280	0.00	0.00	434.40	1,845.60	19%	
10-480-10 EMPLOYEE TRAINING	2,500	0.00	0.00	0.00	2,500.00		
10-480-16 M & R EQUIPMENT	6,000	0.00	0.00	1,534.35	4,465.65	26%	
10-480-33 DEPARTMENT SUPPLIES	1,000	0.00	0.00	501.05	498.95	50%	
10-480-53 DUES & SUBSCRIPTIONS	44,165	0.00	0.00	22,689.00	21,476.40	51%	
10-480-57 MISCELLANEOUS	500	0.00	0.00	0.00	500.00		
10-480-76 EQUIPMENT LEASE PAYMENTS (Computers)	17,000	0.00	0.00	0.00	17,000.00		
IT DEPARTMENT Totals:	174,109	0.00	0.00	44,875.90	129,233.10	26%	
10-490-02 SALARIES	161,000	0.00	0.00	21,947.11	139,052.89	14%	
10-490-03 PART-TIME SALARIES	0	0.00	0.00	489.00	(489.00)		
10-490-05 FICA (7.65%)	12,317	0.00	0.00	1,716.36	10,600.14	14%	
10-490-06 GROUP INSURANCE	18,000	0.00	0.00	2,292.18	15,707.82	13%	
10-490-07 ORBIT RETIREMENT (12.23%)	23,717	0.00	0.00	2,844.37	20,872.43	12%	
10-490-08 401K (3%)	5,490	0.00	0.00	658.40	4,831.60	12%	
10-490-10 EMPLOYEE TRAINING	3,000	0.00	0.00	0.00	3,000.00		
10-490-16 M & R EQUIPMENT	500	0.00	0.00	0.00	500.00		
10-490-17 M & R VEHICLES	1,000	0.00	0.00	275.00	725.00	28%	
10-490-31 GAS, OIL, & TIRES	2,200	0.00	0.00	46.37	2,153.63	2%	
10-490-45 CONTRACTED SERVICES	6,000	0.00	0.00	6,000.00	0.00	100%	
10-490-53 DUES & SUBSCRIPTIONS	1,650	0.00	0.00	199.00	1,451.00	12%	
10-490-57 MISCELLANEOUS	250	0.00	0.00	100.00	150.00	40%	
10-490-58 CRS FLOOD ACTIVITY	1,400	0.00	0.00	0.00	1,400.00		
PLANNING/ZONING/CAMA Totals:	236,523	0.00	0.00	36,567.79	199,955.51	15%	
10-491-02 SALARIES	143,000	0.00	0.00	32,606.66	110,393.34	23%	
10-491-05 FICA (7.65%)	10,940	0.00	0.00	2,503.27	8,436.23	23%	
10-491-06 GROUP INSURANCE	18,000	0.00	0.00	4,542.87	13,457.13	25%	
10-491-07 ORBIT RETIREMENT (12.23%)	18,533	0.00	0.00	4,301.75	14,231.05	23%	
10-491-08 401K (3%)	4,290	0.00	0.00	995.78	3,294.22	23%	

Budget vs Actual

NORTH TOPSAIL BEACH

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Period Ending 6/30/2024

10 GENERAL FUND							
Description	Budget	Encumbrance	MTD	YTD	Variance	Percent	
10-491-10 EMPLOYEE TRAINING	4,500	0.00	0.00	0.00	4,500.00		
10-491-17 M & R VEHICLES	1,200	0.00	0.00	0.00	1,200.00		
10-491-31 GAS, OIL & TIRES	3,300	0.00	0.00	473.54	2,826.46	14%	
10-491-33 DEPARTMENTAL SUPPLIES	0	0.00	0.00	(481.65)	481.65		
10-491-45 CONTRACTED SERVICES	10,000	0.00	0.00	6,855.00	3,145.00	69%	
10-491-53 DUES & SUBSCRIPTIONS	1,555	0.00	0.00	185.00	1,370.00	12%	
10-491-54 DEMOLITION	30,000	0.00	0.00	0.00	30,000.00		
10-491-57 MISCELLANEOUS	500	0.00	0.00	0.00	500.00		
INSPECTIONS Totals:	245,817	0.00	0.00	51,982.22	193,835.08	21%	
10-500-11 PHONES	30,000	0.00	0.00	6,072.40	23,927.60	20%	
10-500-13 UTILITIES	65,300	0.00	0.00	10,676.87	54,623.13	16%	
10-500-15 M & R BUILDINGS/GROUNDS	65,000	0.00	0.00	8,350.52	56,649.48	13%	
10-500-17 LANDSCAPING EXPENSE	9,000	0.00	0.00	0.00	9,000.00		
10-500-33 BUILDING SUPPLIES	6,500	0.00	0.00	1,733.28	4,766.72	27%	
10-500-35 FURNITURE	15,000	0.00	0.00	441.73	14,558.27	3%	
10-500-43 CLEANING SERVICES	15,000	0.00	0.00	2,000.00	13,000.00	13%	
10-500-45 PEST CONTROL	2,000	0.00	0.00	276.00	1,724.00	14%	
10-500-57 TOWN SIGN M & R	5,500	0.00	0.00	0.00	5,500.00		
10-500-58 WEB EOC SERVICE	1,500	0.00	0.00	0.00	1,500.00		
10-500-74 CAPITAL OUTLAY	150,000	17,520.00	0.00	0.00	132,480.00	12%	
10-500-76 LEASE PAYMENTS	24,000	0.00	0.00	12,000.00	12,000.00	50%	
PUBLIC BLDGS Totals:	388,800	17,520.00	0.00	41,550.80	329,729.20	15%	
10-501-09 WORKER'S COMPENSATION	57,750	0.00	0.00	42,266.40	15,483.60	73%	
10-501-13 PROPERTY LIABILITY & BONDS	135,450	0.00	0.00	70,462.00	64,988.00	52%	
10-501-17 VFIS INSURANCE	23,625	0.00	0.00	22,453.00	1,172.00	95%	
10-501-53 CYBER INSURANCE	15,000	0.00	0.00	13,626.77	1,373.23	91%	
10-501-54 FLOOD INSURANCE	45,000	0.00	0.00	3,419.00	41,581.00	8%	
INSURANCE Totals:	276,825	0.00	0.00	152,227.17	124,597.83	55%	
10-509-02 PSA SALARY	15,905	0.00	0.00	3,670.02	12,234.98	23%	

Budget vs Actual

NORTH TOPSAIL BEACH
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Period Ending 6/30/2024

10 GENERAL FUND							
Description	Budget	Encumbrance	MTD	YTD	Variance	Percent	
10-509-05 FICA (7.65%)	1,220	0.00	0.00	280.74	939.26	23%	
PSA - RETIRED POLICE OFFICERS Totals:	17,125	0.00	0.00	3,950.76	13,174.24	23%	
10-510-02 SALARIES	776,000	0.00	0.00	170,825.06	605,174.94	22%	
10-510-03 PART-TIME SALARIES	6,900	0.00	0.00	2,664.00	4,236.00	39%	
10-510-04 OVERTIME	35,000	0.00	0.00	12,389.02	22,610.98	35%	
10-510-05 FICA (7.65%)	62,569	0.00	0.00	14,484.76	48,084.59	23%	
10-510-06 GROUP INSURANCE	117,000	0.00	0.00	30,174.85	86,825.15	26%	
10-510-07 ORBIT RETIREMENT (13.04%)	108,600	0.00	0.00	25,969.49	82,630.51	24%	
10-510-08 401K (5%)	38,000	0.00	0.00	8,979.63	29,020.37	24%	
10-510-09 BEACH PATROL EXPENSE	15,000	0.00	0.00	3,791.38	11,208.62	25%	
10-510-10 EMPLOYEE TRAINING	10,000	0.00	0.00	715.09	9,284.91	7%	
10-510-16 M & R EQUIPMENT	3,500	0.00	0.00	0.00	3,500.00		
10-510-17 M & R VEHICLES	10,000	0.00	0.00	4,724.05	5,275.95	47%	
10-510-31 GAS,OIL & TIRES	60,500	0.00	0.00	11,470.51	49,029.49	19%	
10-510-32 OFFICE SUPPLIES	1,000	0.00	0.00	0.00	1,000.00		
10-510-33 DEPARTMENTAL SUPPLIES	5,050	0.00	0.00	0.00	5,050.00		
10-510-36 UNIFORMS	12,000	0.00	0.00	749.40	11,250.60	6%	
10-510-37 BALLISTIC VEST GRANT EXPENSE	4,570	0.00	0.00	0.00	4,570.00		
10-510-47 PROFESSIONAL SERVICES	4,160	0.00	0.00	120.00	4,040.00	3%	
10-510-53 DUES & SUBSCRIPTIONS	23,421	0.00	0.00	12,421.02	10,999.98	53%	
10-510-57 K-9 EXPENSES	3,000	0.00	0.00	0.00	3,000.00		
10-510-73 NON-CAPITAL OUTLAY	29,500	0.00	0.00	0.00	29,500.00		
10-510-74 CAPITAL OUTLAY	59,100	0.00	0.00	61,179.07	(2,079.07)	104%	
10-510-76 TAXES & TITLES	4,000	0.00	0.00	1,289.37	2,710.63	32%	
POLICE Totals:	1,388,870	0.00	0.00	361,946.70	1,026,923.65	26%	
10-545-02 SALARIES	227,500	0.00	0.00	45,501.84	181,998.16	20%	
10-545-04 OVERTIME	6,000	0.00	0.00	2,625.79	3,374.21	44%	

Budget vs Actual

NORTH TOPSAIL BEACH

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10 GENERAL FUND							
Description	Budget	Encumbrance	MTD	YTD	Variance	Percent	
10-545-05 FICA (7.65%)	17,863	0.00	0.00	3,678.70	14,184.05	21%	
10-545-06 GROUP INSURANCE	44,500	0.00	0.00	10,517.69	33,982.31	24%	
10-545-07 ORBIT RETIREMENT (12.23%)	30,262	0.00	0.00	6,237.31	24,024.29	21%	
10-545-08 401K (3%)	7,005	0.00	0.00	1,443.81	5,561.19	21%	
10-545-14 EMPLOYEE TRAINING	2,500	0.00	0.00	0.00	2,500.00		
10-545-16 M & R EQUIPMENT	10,000	0.00	0.00	(276.18)	10,276.18	-3%	
10-545-17 M & R VEHICLES	15,000	0.00	0.00	605.75	14,394.25	4%	
10-545-31 GAS, OIL & TIRES	22,000	0.00	0.00	3,012.15	18,987.85	14%	
10-545-32 OFFICE SUPPLIES	500	0.00	0.00	0.00	500.00		
10-545-33 DEPARTMENTAL SUPPLIES & EQUIP	5,000	0.00	0.00	2,205.57	2,794.43	44%	
10-545-34 MOSQUITO CONTROL EXPENSE	5,000	0.00	0.00	0.00	5,000.00		
10-545-36 UNIFORMS	1,500	0.00	0.00	0.00	1,500.00		
10-545-37 RENTAL EQUIPMENT	6,000	0.00	0.00	0.00	6,000.00		
10-545-57 MISCELLANEOUS	100	0.00	0.00	0.00	100.00		
10-545-73 NON-CAPITAL OUTLAY	9,000	0.00	0.00	0.00	9,000.00		
10-545-74 CAPITAL OUTLAY	159,330	0.00	0.00	0.00	159,330.00		
10-545-76 TAXES & TITLES	12,000	0.00	0.00	0.00	12,000.00		
PUBLIC WORKS Totals:	581,059	0.00	0.00	75,552.43	505,506.92	13%	
10-560-13 STREET LIGHT EXPENSE	30,000	0.00	0.00	0.00	30,000.00		
10-560-15 M & R PUBLIC PARKING	25,000	0.00	0.00	0.00	25,000.00		
10-560-33 DEPARTMENTAL SUPPLIES	4,000	0.00	0.00	0.00	4,000.00		
10-560-43 TOWN ENTRANCE SIGNS	10,000	0.00	0.00	0.00	10,000.00		
10-560-72 STORMWATER	20,000	0.00	0.00	0.00	20,000.00		
10-560-73 STREET PAVING & REPAIR	40,000	0.00	0.00	0.00	40,000.00		
STREETS Totals:	129,000	0.00	0.00	0.00	129,000.00		
10-580-45 SANITATION CONTRACTS	413,969	0.00	0.00	69,995.02	343,974.34	17%	
10-580-46 TIPPING FEES	70,555	0.00	0.00	24,807.54	45,747.46	35%	
10-580-47 RECYCLING	30,000	0.00	0.00	0.00	30,000.00		

Budget vs Actual

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SANITATION Totals:	514,524	0.00	0.00	94,802.56	419,721.80	18%
10-620-12 SNOWFLAKES	12,000	0.00	0.00	0.00	12,000.00	
10-620-14 PARK WELL	1,500	0.00	0.00	0.00	1,500.00	
10-620-15 PARK MAINTENANCE	20,000	0.00	0.00	274.79	19,725.21	1%
10-620-17 PARK LANDSCAPING	15,000	0.00	0.00	0.00	15,000.00	
10-620-18 M & R BIKE PATH	1,500	0.00	0.00	0.00	1,500.00	
10-620-19 M & R DOCK/BOARDWALK	90,000	0.00	0.00	0.00	90,000.00	
10-620-27 SPECIAL EVENTS	10,000	0.00	0.00	6,013.52	3,986.48	60%
10-620-33 PARK SUPPLIES	7,200	0.00	0.00	1,086.45	6,113.55	15%
RECREATION Totals:	157,200	0.00	0.00	7,374.76	149,825.24	5%
10-690-02 SALARIES	896,500	0.00	0.00	191,456.38	705,043.62	21%
10-690-03 PART-TIME SALARIES	88,192	0.00	0.00	0.00	88,192.00	
10-690-04 OVERTIME	40,000	0.00	0.00	12,279.20	27,720.80	31%
10-690-05 FICA (7.65%)	78,392	0.00	0.00	15,384.76	63,006.74	20%
10-690-06 GROUP INSURANCE	151,000	0.00	0.00	27,950.89	123,049.11	19%
10-690-07 ORBIT RETIREMENT (12.23%)	121,694	0.00	0.00	26,404.15	95,290.25	22%
10-690-08 401K (3%)	28,170	0.00	0.00	6,081.86	22,088.14	22%
10-690-10 EMPLOYEE TRAINING	5,500	0.00	0.00	336.88	5,163.12	6%
10-690-16 M & R EQUIPMENT	22,000	0.00	0.00	0.00	22,000.00	
10-690-17 M & R VEHICLES	19,000	0.00	0.00	574.52	18,425.48	3%
10-690-31 GAS, OIL & TIRES	22,000	0.00	0.00	5,467.71	16,532.29	25%
10-690-32 OFFICE SUPPLIES	2,000	0.00	0.00	0.00	2,000.00	
10-690-33 DEPARTMENTAL SUPPLIES	46,000	0.00	0.00	1,406.90	44,593.10	3%
10-690-34 FIRE FIGHTER PHYSICALS	6,000	0.00	0.00	0.00	6,000.00	
10-690-36 UNIFORMS	8,500	0.00	0.00	0.00	8,500.00	
10-690-47 PROFESSIONAL SERVICES	4,000	0.00	0.00	76.00	3,924.00	2%
10-690-53 DUES & SUBSCRIPTIONS	8,500	0.00	0.00	2,446.00	6,054.00	29%
10-690-57 MISCELLANEOUS	300	0.00	0.00	0.00	300.00	
10-690-73 COMUNICATIONS EQUIP	6,000	0.00	0.00	0.00	6,000.00	
10-690-74 CAPITAL OUTLAY	55,000	48,567.19	0.00	0.00	6,432.81	88%
10-690-76 TAXES & TITLES	4,000	0.00	0.00	0.00	4,000.00	

Budget vs Actual

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FIRE DEPARTMENT Totals:	1,612,748	48,567.19	0.00	289,865.25	1,274,315.46	21%
10-695-91 PLANNING BOARD EXPENSE	1,000	0.00	0.00	0.00	1,000.00	
10-695-92 BOARD OF ADJUSTMENT EXPENSE	1,000	0.00	0.00	9.58	990.42	1%
COMMITTEES Totals:	2,000	0.00	0.00	9.58	1,990.42	0%
10-998-04 TRANSFER OUT - CAP IMPROVEMENT FUND	200,383	0.00	0.00	0.00	200,383.42	
Totals:	200,383	0.00	0.00	0.00	200,383.42	
10-999-01 CONTINGENCY	532,756	0.00	0.00	0.00	532,756.45	
CONTINGENCY Totals:	532,756	0.00	0.00	0.00	532,756.45	
Expenses Totals:	7,591,076	66,087.19	0.00	1,325,601.30	6,199,387.29	18%
10 GENERAL FUND Revenues Over/(Under) Expenses:			0.00	327,041.58		

Budget vs Actual

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12 CAPITAL IMPROVEMENT FUND							
Description	Budget	Encumbrance	MTD	YTD	Variance	Percent	
Revenues							
12-301-00 AD VALOREM TAX (.07)	1,072,313	0.00	0.00	97,994.07	(974,318.43)	9%	
12-301-03 ONSLOW COUNTY FIRE TAX	0	0.00	0.00	474,968.45	474,968.45		
12-383-00 SALE OF FIXED ASSETS	471,000	0.00	0.00	0.00	(471,000.00)		
12-390-00 TRANSFER IN - FROM GENERAL FUND	200,383	0.00	0.00	0.00	(200,383.42)		
Revenues Totals:	1,743,696	0.00	0.00	572,962.52	(1,170,733.40)	33%	
Expenses							
12-750-01 FIRE DEPARTMENT	930,563	0.00	0.00	0.00	930,562.50		
12-750-02 FIRE TRUCK	153,188	0.00	0.00	0.00	153,187.50		
12-750-03 BIKE PATH PROJECT	100,000	0.00	0.00	0.00	100,000.00		
12-750-11 FUTURE CAPITAL IMPROVEMENTS	559,946	0.00	0.00	0.00	559,945.92		
Totals:	1,743,696	0.00	0.00	0.00	1,743,695.92		
Expenses Totals:	1,743,696	0.00	0.00	0.00	1,743,695.92		
12 CAPITAL IMPROVEMENT FUND	Revenues Over/(Under) Expenses:		0.00	572,962.52			

Budget vs Actual

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30 SHORELINE PROTECTION

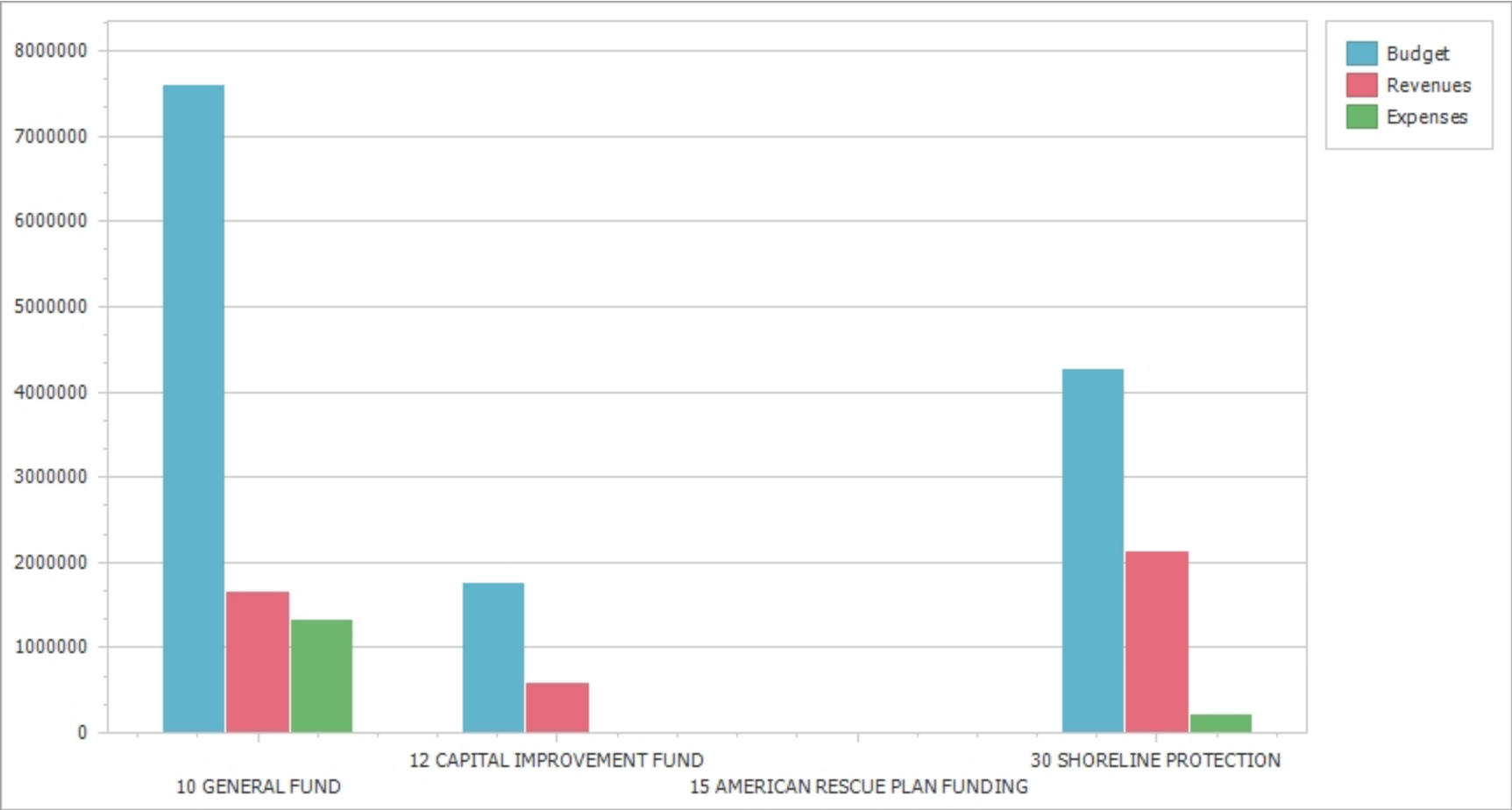
Description	Budget	Encumbrance	MTD	YTD	Variance	Percent
Revenues						
30-301-00 ACCOMMODATION TAX	1,650,000	0.00	0.00	1,447,772.17	(202,227.83)	88%
30-301-05 AD VALOREM TAX - Beach	1,531,875	0.00	0.00	139,948.46	(1,391,926.54)	9%
30-329-00 INTEREST INCOME	25,000	0.00	0.00	44,315.94	19,315.94	177%
30-336-00 SEA OATS PROGRAM	25,000	0.00	0.00	0.00	(25,000.00)	
30-345-00 LOCAL OPTION SALES TAX	686,567	0.00	0.00	261,981.72	(424,584.93)	38%
30-350-01 PAID PARKING REVENUE	336,375	0.00	0.00	232,520.44	(103,854.56)	69%
Revenues Totals:	4,254,817	0.00	0.00	2,126,538.73	(2,128,277.92)	50%
Expenses						
30-710-08 LEASE PAYMENTS	48,000	0.00	0.00	0.00	48,000.00	
30-710-10 BEACH LOBBYIST CONTRACT	60,000	0.00	0.00	15,621.52	44,378.48	26%
30-710-12 BEACH/ACCESS MAINTENANCE	50,000	0.00	0.00	11,236.72	38,763.28	22%
30-710-14 BEACH MEETINGS / CONFERENCES	20,000	0.00	0.00	3,100.00	16,900.00	16%
30-710-15 M & R DUNE/CROSSWALK	8,000	0.00	0.00	0.00	8,000.00	
30-710-45 CONTRACTED SERVICES	10,000	0.00	0.00	0.00	10,000.00	
30-710-59 SEA OATS PROGRAM	50,000	0.00	0.00	0.00	50,000.00	
Totals:	246,000	0.00	0.00	29,958.24	216,041.76	12%
30-720-07 NEW RIVER EIS PROJECT	280,000	0.00	0.00	43,587.50	236,412.50	16%
30-720-08 CONTRACTS, PLANS, SPECS	200,000	0.00	0.00	49,055.00	150,945.00	25%
30-720-10 VITEX	216,000	0.00	0.00	0.00	216,000.00	
30-720-50 2022B SOB PAYMENT	2,006,204	0.00	0.00	0.00	2,006,204.00	
30-720-57 2022C FEMA SOB FEES	0	0.00	0.00	88,994.89	(88,994.89)	
30-720-60 30 YEAR BEACH PLAN	30,000	0.00	0.00	0.00	30,000.00	
30-720-64 Sandbag Repair Project	200,000	0.00	0.00	0.00	200,000.00	
30-720-68 Future Projects Fund	1,076,613	0.00	0.00	0.00	1,076,612.65	
BEACH REN. / DUNE STAB. Totals:	4,008,817	0.00	0.00	181,637.39	3,827,179.26	5%
Expenses Totals:	4,254,817	0.00	0.00	211,595.63	4,043,221.02	5%

Budget vs Actual

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30 SHORELINE PROTECTION	Revenues Over/(Under) Expenses:	0.00	1,914,943.10
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Budget vs Actual

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31 CAPITAL PROJECT BEACH MAINTENANCE

Description	Budget	Encumbrance	MTD	YTD	Variance	Percent
Revenues						
31-330-00 LOAN PROCEEDS	0	0.00	0.00	10,857,303.66	10,857,303.66	
31-348-08 FEMA REIMBURSEMENT	17,599,184	0.00	0.00	8,493,442.31	(9,105,741.69)	48%
31-368-00 NCDEQ GRANT FUNDS	10,500,000	0.00	0.00	7,875,000.00	(2,625,000.00)	75%
31-399-01 T/I FROM BEACH FUND	1,528,134	0.00	0.00	1,528,133.90	0.00	100%
Revenues Totals:	29,627,318	0.00	0.00	28,753,879.87	(873,438.03)	97%
Expenses						
31-440-00 2022A DEBT SERVICE	0	0.00	0.00	8,493,442.31	(8,493,442.31)	
31-450-01 ENGINEERING & CONSTRUCTION PHASE SUPPORT	9,000	0.00	0.00	3,996.00	5,004.00	44%
31-450-02 CONSTRUCTION MANAGEMENT & ADMINISTRATION	210,000	0.00	0.00	364,678.25	(154,678.25)	174%
31-450-03 LABORATORY ANALYSIS	44,400	0.00	0.00	6,020.00	38,380.00	14%
31-450-04 REGULATORY COORDINATION & CLOSEOUT	10,000	0.00	0.00	8,882.50	1,117.50	89%
31-450-05 MOBILIZATION & DEMOBILIZATION	180,000	0.00	0.00	180,000.00	0.00	100%
31-450-06 HAUL & PLACEMENT OF BEACH FILL	8,378,110	0.00	0.00	9,141,735.55	(763,625.55)	109%
31-450-07 PAYMENT & PERFORMANCE BONDS	45,000	0.00	0.00	45,000.00	0.00	100%
31-450-08 PROFESSIONAL FEES	123,490	0.00	0.00	562,915.14	(439,425.14)	456%
31-450-09 TRANCHE 2 CONSTRUCTION	8,621,653	0.00	0.00	3,520,613.37	5,101,039.27	41%
31-450-10 TRANCHE 2 ENGINEERING	585,000	0.00	0.00	212,313.27	372,686.73	36%
31-450-11 TRANCHE 2 CONTINGENCY	920,665	0.00	0.00	595.00	920,070.26	0%
31-460-00 TRANCHE 3 PROJECT	10,500,000	0.00	0.00	1,690.00	10,498,310.00	0%
Totals:	29,627,318	0.00	0.00	22,541,881.39	7,085,436.51	76%
Expenses Totals:	29,627,318	0.00	0.00	22,541,881.39	7,085,436.51	76%
31 CAPITAL PROJECT BEACH MAINTENANCE	Revenues Over/(Under) Expenses:		0.00	6,211,998.48		

GL Account History Summary

NORTH TOPSAIL BEACH

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Account Range: 30-301-00 ACCOMMODATION TAX - 30-301-00 ACCOMMODATION TAX

Date Range: 9/1/2023 - 9/25/2023

GL Account - 30-301-00 ACCOMMODATION TAX					
Date	Description	Source	Debits	Credits	Date
Fiscal Period - FY 23-24		Beg Balance	\$0.00	\$3,612,620.55	
09/06/2023	OCC TAX	GL GJ	\$0.00	\$1,146.41	09/07/2023
09/07/2023	OCC TAX	GL GJ	\$0.00	\$198.62	09/14/2023
09/08/2023	OCC TAX	GL GJ	\$0.00	\$637.13	09/14/2023
09/08/2023	OCC TAX	GL GJ	\$0.00	\$35,763.67	09/14/2023
09/11/2023	OCC TAX	GL GJ	\$0.00	\$74.57	09/14/2023
09/12/2023	OCC TAX	GL GJ	\$0.00	\$138,188.69	09/14/2023
09/12/2023	OCC TAX	GL GJ	\$0.00	\$192.15	09/14/2023
09/14/2023	OCC TAX	GL GJ	\$0.00	\$107,573.38	09/15/2023
09/15/2023	OCC TAX	GL GJ	\$0.00	\$64,928.20	09/19/2023
09/15/2023	OCC TAX	GL GJ	\$0.00	\$29,458.51	09/15/2023
09/15/2023	OCC TAX	GL GJ	\$0.00	\$1,043.67	09/18/2023
09/18/2023	OCC TAX	GL GJ	\$0.00	\$638.70	09/19/2023
09/18/2023	OCC TAX	GL GJ	\$0.00	\$458.89	09/19/2023
09/19/2023	OCC TAX	GL GJ	\$0.00	\$1,062.36	09/20/2023
09/20/2023	OCC TAX	GL GJ	\$0.00	\$1,426.07	09/22/2023
09/21/2023	OCC TAX	GL GJ	\$0.00	\$209.85	09/22/2023
09/22/2023	OCC TAX	GL GJ	\$0.00	\$8,016.27	09/22/2023
Transaction Totals			\$0.00	\$391,017.14	
**	End Balance		\$0.00	\$391,017.14	**

Check Listing

Date From: 9/1/2023 Date To: 9/25/2023

Vendor Range: A PLUS WAREHOUSE EQUIPMENT & SUPPLY - ZOCKLEIN & ASSOCIATES

NORTH TOPSAIL BEACH

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Check Number	Bank	Vendor	Date	Amount
47241	1	APPLIED TECHNOLOGY & MNGMT	09/07/2023	<u>\$4,042.00</u>
47242	1	BOARDWALK SCREEN PRINTING& EMBROIDERY	09/07/2023	<u>\$107.00</u>
47243	1	BONITA L BRAY	09/07/2023	<u>\$1,275.00</u>
47244	1	CAPE FEAR COUNCIL OF GOVERNMENTS	09/07/2023	<u>\$487.00</u>
47245	1	CROSSLEY MCINTOSH COLLIER	09/07/2023	<u>\$2,047.16</u>
47246	1	CW IT SUPPORT, INC.	09/07/2023	<u>\$947.70</u>
47247	1	JACKSONVILLE DAILY NEWS	09/07/2023	<u>\$197.80</u>
47248	1	LOWE'S HOME CENTERS	09/07/2023	<u>\$609.41</u>
47249	1	NANCY ANN AVERY	09/07/2023	<u>\$3,035.00</u>
47250	1	NC STATE BUREAU	09/07/2023	<u>\$38.00</u>
47251	1	O'REILLY AUTOMOTIVE INC.	09/07/2023	<u>\$1,049.80</u>
47252	1	ONSLOW COUNTY SOLID WASTE DEPT	09/07/2023	<u>\$9,841.62</u>
47253	1	OTIS ELEVATOR COMPANY	09/07/2023	<u>\$107.00</u>
47254	1	SELECTIVE INSURANCE	09/07/2023	<u>\$3,419.00</u>
47255	1	THOMPSON, PRICE, SCOTT, ADAMS & CO, P.A.	09/07/2023	<u>\$6,500.00</u>
47256	1	TRUIST BANK	09/07/2023	<u>\$2,531.31</u>
47257	1	VERIZON WIRELESS	09/07/2023	<u>\$805.98</u>
47258	1	DODSON PEST CONTROL	09/14/2023	<u>\$127.00</u>
47259	1	GFL ENVIRONMENTAL	09/14/2023	<u>\$34,857.17</u>
47260	1	GLASS TINTING BY SPF	09/14/2023	<u>\$294.25</u>
47261	1	JONES ONSLOW ELECTRIC COMPANY	09/14/2023	<u>\$2,537.81</u>
47262	1	ONSLOW WATER & SEWER AUTHORITY	09/14/2023	<u>\$285.28</u>
47263	1	TI COASTAL SERVICES, INC.	09/14/2023	<u>\$4,000.00</u>
47264	1	TOWN OF SURF CITY	09/14/2023	<u>\$5,208.05</u>
47265	1	AT&T MOBILITY	09/21/2023	<u>\$1,447.33</u>
47266	1	AXON ENTERPRISE, INC.	09/21/2023	<u>\$7,363.82</u>
47267	1	DIAL CORDY	09/21/2023	<u>\$34,587.50</u>
47268	1	GREATAMERICA FINANCIAL SERVS	09/21/2023	<u>\$791.82</u>
47269	1	NC ASSOCIATION OF MUNICIPAL CLERKS	09/21/2023	<u>\$180.00</u>
47270	1	NC BEACH INLET & WATERWAY ASSO	09/21/2023	<u>\$2,000.00</u>
47271	1	PEACHY CLEAN	09/21/2023	<u>\$250.00</u>
47272	1	PLURIS, LLC	09/21/2023	<u>\$307.84</u>

Check Listing

Date From: 9/1/2023 Date To: 9/25/2023

Vendor Range: A PLUS WAREHOUSE EQUIPMENT & SUPPLY - ZOCKLEIN & ASSOCIATES

NORTH TOPSAIL BEACH

09/25/2023 11:54 AM

Page: 2 of 2

Check Number	Bank	Vendor	Date	Amount
47273	1	THE FMRT GROUP	09/21/2023	<u>\$70.00</u>
47274	1	THOMPSON, PRICE, SCOTT, ADAMS & CO, P.A.	09/21/2023	<u>\$3,250.00</u>
47275	1	VERIZON WIRELESS	09/21/2023	<u>\$83.90</u>
35	Checks Totaling -			\$134,681.72

Totals By Fund

	Checks	Voids	Total
10	\$84,844.17		\$84,844.17
30	\$45,795.55		\$45,795.55
31	\$4,042.00		\$4,042.00
Totals:	\$134,681.72		\$134,681.72

Town of North Topsail Beach Fire Department

North Topsail Beach, NC

This report was generated on 9/26/2023 4:13:20 PM



Incident Count for All Calls (All Statuses) for Agency for Date Range

Start Date: 09/01/2023 | End Date: 09/30/2023

AGENCY	# INCIDENTS
Town of North Topsail Beach Fire Department	41

This report includes all Incomplete, Complete and Reviewed Incidents for all incident types, NOT just Reviewed Incidents.

Section VIII, ItemB.



Permits Issued List

From Date: 08/23/2023

To Date: 09/22/2023

Permit Type	Sub Type	Permit#	Address	Issue Date	Permit Fee
Addition Permit	Single Family	AP22-000008	106 TOPSAIL RD	08/23/2023	200.00
Addition Permit	Single Family	AP23-000006	509 TRADE WINDS DR	08/23/2023	200.00
Addition Permit	Single Family	AP23-000008	4132 ISLAND DR	08/24/2023	500.00
Addition Permit Total	Single Family Total			3	900.00
Addition Permit Total				3	900.00
Beach Access Application	Beach Access Application	BAA23-000022	566 NEW RIVER INLET RD	08/28/2023	0.00
Beach Access Application	Beach Access Application	BAA23-000024	44 PORPOISE PL	09/11/2023	0.00
Beach Access Application Total	Beach Access Application Total			2	0.00
Beach Access Application Total				2	0.00
Dock/Bulkhead/Retaining Wall Permit	Dock	DBR23-000009	17 SAILVIEW DR	09/18/2023	400.00
Dock/Bulkhead/Retaining Wall Permit Total	Dock Total			1	400.00
Dock/Bulkhead/Retaining Wall Permit	Retaining Wall	DBR23-000013	44 PORPOISE PL	09/11/2023	657.30
Dock/Bulkhead/Retaining Wall Permit Total	Retaining Wall Total			1	657.30
Dock/Bulkhead/Retaining Wall Permit Total				2	1,057.30
Driveway Permit	Driveway Permit	DVW23-000045	7102 11TH AVE	09/21/2023	0.00
Driveway Permit	Driveway Permit	DVW23-000033	4254 ISLAND DR	09/22/2023	0.00
Driveway Permit	Driveway Permit	DVW23-000047	1012 NEW RIVER INLET RD	09/12/2023	0.00
Driveway Permit	Driveway Permit	DVW23-000037	3619 ISLAND DR	08/30/2023	0.00
Driveway Permit	Driveway Permit	DVW23-000027	3 OSPREY CIR	08/23/2023	50.00
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Driveway Permit	Driveway Permit	DVW23-000044	610 NEW RIVER INLET RD	09/22/2023	0.00
Driveway Permit Total	Driveway Permit Total			6	50.00
Driveway Permit Total				6	50.00
Electrical Permit	Commercial	E22-000348	2181 NEW RIVER INLET RD	09/15/2023	200.00
Electrical Permit Total	Commercial Total			1	200.00
Electrical Permit	Residential	E23-000179	610 NEW RIVER INLET RD	09/22/2023	0.00
Electrical Permit	Residential	E23-000164	126 N PERMUDA WYND DR	09/15/2023	0.00
Electrical Permit	Residential	E23-000158	2331 NEW RIVER INLET RD	09/15/2023	0.00
Electrical Permit	Residential	E23-000160	1435 NEW RIVER INLET RD	09/18/2023	0.00
Electrical Permit	Residential	E23-000162	1439 NEW RIVER INLET RD	09/18/2023	0.00
Electrical Permit	Residential	E23-000163	1443 NEW RIVER INLET RD	09/18/2023	0.00
Electrical Permit	Residential	E23-000090	1427 NEW RIVER INLET RD	09/19/2023	0.00
Electrical Permit	Residential	E23-000112	4254 ISLAND DR	09/22/2023	0.00
Electrical Permit	Residential	E23-000172	7102 11TH AVE	09/21/2023	0.00
Electrical Permit	Residential	E23-000189	108 OCEANVIEW LN	09/20/2023	147.00
Electrical Permit	Residential	E23-000091	1431 NEW RIVER INLET RD	09/19/2023	0.00
Electrical Permit	Residential	E23-000181	4 HUNTER HEATH DR	09/18/2023	75.00
Electrical Permit	Residential	E23-000138	1322 NEW RIVER INLET RD	08/24/2023	0.00
Electrical Permit	Residential	E23-000126	4132 ISLAND DR	08/24/2023	0.00
Electrical Permit	Residential	E23-000142	3619 ISLAND DR	08/30/2023	0.00
Electrical Permit	Residential	E23-000108	611 OCEAN DR	08/29/2023	0.00
Electrical Permit	Residential	E23-000166	4270 ISLAND DR	08/29/2023	0.00
Electrical Permit	Residential	E23-000177	499 TOPSAIL RD	08/29/2023	75.00
Electrical Permit	Residential	E23-000156	1921 NEW RIVER INLET RD	08/29/2023	0.00
Electrical Permit	Residential	E23-000180	1012 NEW RIVER INLET RD	09/12/2023	0.00
Electrical Permit	Residential	E23-000185	1168 NEW RIVER INLET RD	09/14/2023	75.00
Electrical Permit	Residential	E23-000182	2 SAILVIEW DR	09/12/2023	0.00
Electrical Permit	Residential	E23-000120	22 PORPOISE PL	09/12/2023	0.00

Electrical Permit	Residential	E22-000273	3600 ISLAND DR	09/11/2023	0.00
Electrical Permit	Residential	E23-000161	566 NEW RIVER INLET RD	09/11/2023	0.00
Electrical Permit Total	Residential Total			25	372.00
Electrical Permit Total				26	572.00
Fence Permit	Residential	FNC23-000021	210 MASON CT	08/24/2023	50.00
Fence Permit Total	Residential Total			1	50.00
Fence Permit Total				1	50.00
Fuel Gas Permit	Residential	FG23-000029	566 NEW RIVER INLET RD	09/11/2023	0.00
Fuel Gas Permit	Residential	FG23-000032	1012 NEW RIVER INLET RD	09/12/2023	0.00
Fuel Gas Permit	Residential	FG23-000031	610 NEW RIVER INLET RD	09/22/2023	0.00
Fuel Gas Permit Total	Residential Total			3	0.00
Fuel Gas Permit Total				3	0.00
House Moving Permit	House Moving Permit	H23-000002	7102 11TH AVE	09/21/2023	0.00
House Moving Permit	House Moving Permit	H23-000004	2345 ISLAND DR 2345-1 in GIS	09/19/2023	65.00
House Moving Permit	House Moving Permit	H23-000003	2345 Island DR ("2351 Island Dr")	09/14/2023	65.00
House Moving Permit Total	House Moving Permit Total			3	130.00
House Moving Permit Total				3	130.00
Insulation Permit	Residential	I23-000023	4254 ISLAND DR	09/22/2023	0.00
Insulation Permit	Residential	I23-000043	126 N PERMUDA WYND DR	09/19/2023	75.00
Insulation Permit	Residential	I23-000035	1443 NEW RIVER INLET RD	09/18/2023	0.00
Insulation Permit	Residential	I23-000034	1439 NEW RIVER INLET RD	09/18/2023	0.00
Insulation Permit	Residential	I23-000033	1435 NEW RIVER INLET RD	09/18/2023	0.00
Insulation Permit	Residential	I23-000041	1012 NEW RIVER INLET RD	09/12/2023	0.00
Insulation Permit	Residential	I23-000026	4132 ISLAND DR	08/24/2023	0.00
Insulation Permit	Residential	I23-000029	3619 ISLAND DR	08/30/2023	0.00
Insulation Permit	Residential	I23-000036	7102 11TH AVE	09/21/2023	0.00
Insulation Permit	Residential	I23-000040	610 NEW RIVER INLET RD	09/22/2023	0.00
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Insulation Permit Total	Residential Total			10	75.00
Insulation Permit Total				10	75.00
Mechanical Permit	Residential	M23-000083	4254 ISLAND DR	09/22/2023	0.00
Mechanical Permit	Residential	M23-000142	1435 NEW RIVER INLET RD	09/18/2023	0.00
Mechanical Permit	Residential	M23-000145	1439 NEW RIVER INLET RD	09/18/2023	0.00
Mechanical Permit	Residential	M23-000146	1443 NEW RIVER INLET RD	09/18/2023	0.00
Mechanical Permit	Residential	M23-000038	1431 NEW RIVER INLET RD	09/19/2023	0.00
Mechanical Permit	Residential	M23-000037	1427 NEW RIVER INLET RD	09/19/2023	0.00
Mechanical Permit	Residential	M23-000119	3619 ISLAND DR	08/30/2023	0.00
Mechanical Permit	Residential	M23-000150	3944 ISLAND DR	09/05/2023	75.00
Mechanical Permit	Residential	M23-000095	4132 ISLAND DR	08/24/2023	0.00
Mechanical Permit	Residential	M23-000138	200 MASON CT	08/23/2023	75.00
Mechanical Permit	Residential	M23-000156	1012 NEW RIVER INLET RD	09/12/2023	0.00
Mechanical Permit	Residential	M23-000158	2000 NEW RIVER INLET RD U1G3	09/12/2023	75.00
Mechanical Permit	Residential	M23-000153	3826 ISLAND DR	09/11/2023	0.00
Mechanical Permit	Residential	M23-000159	616 HAMPTON COLONY CIR	09/11/2023	75.00
Mechanical Permit	Residential	M23-000155	610 NEW RIVER INLET RD	09/22/2023	0.00
Mechanical Permit	Residential	M23-000149	7102 11TH AVE	09/21/2023	0.00
Mechanical Permit Total	Residential Total			16	300.00
Mechanical Permit Total				16	300.00
New Construction Permit	Single Family	C23-000034	610 NEW RIVER INLET RD	09/22/2023	2,440.98

New Construction Permit	Single Family	C23-000021	4254 ISLAND DR	09/22/2023	2,349.63
New Construction Permit	Single Family	C23-000003	234 MAKEPEACE ST	09/20/2023	2,108.91
New Construction Permit	Single Family	C23-000032	7102 11TH AVE	09/21/2023	889.78
New Construction Permit	Single Family	C23-000030	1439 NEW RIVER INLET RD	09/18/2023	1,576.04
New Construction Permit	Single Family	C23-000031	1443 NEW RIVER INLET RD	09/18/2023	1,576.04
New Construction Permit	Single Family	C23-000029	1435 NEW RIVER INLET RD	09/18/2023	1,576.04
New Construction Permit	Single Family	C22-000020	44 PORPOISE PL	09/11/2023	2,331.25
New Construction Permit	Single Family	C23-000035	1012 NEW RIVER INLET RD	09/12/2023	1,810.98
New Construction Permit	Single Family	C23-000026	3619 ISLAND DR	08/30/2023	1,400.16
New Construction Permit Total	Single Family Total			10	18,059.81
New Construction Permit Total				10	18,059.81
Plumbing Permit	Residential	P23-000053	7102 11TH AVE	09/21/2023	0.00
Plumbing Permit	Residential	P23-000038	4254 ISLAND DR	09/22/2023	0.00
Plumbing Permit	Residential	P23-000048	1435 NEW RIVER INLET RD	09/18/2023	0.00
Plumbing Permit	Residential	P23-000052	616 HAMPTON COLONY CIR	09/15/2023	200.00
Plumbing Permit	Residential	P23-000051	126 N PERMUDA WYND DR	09/15/2023	0.00
Plumbing Permit	Residential	P23-000049	1439 NEW RIVER INLET RD	09/18/2023	0.00
Plumbing Permit	Residential	P23-000050	1443 NEW RIVER INLET RD	09/18/2023	0.00
Plumbing Permit	Residential	P23-000044	3619 ISLAND DR	08/30/2023	0.00
Plumbing Permit	Residential	P23-000042	4132 ISLAND DR	08/24/2023	0.00
Plumbing Permit	Residential	P23-000054	1168 NEW RIVER INLET RD	08/24/2023	75.00
Plumbing Permit	Residential	P23-000058	1012 NEW RIVER INLET RD	09/12/2023	0.00
Plumbing Permit	Residential	P23-000057	610 NEW RIVER INLET RD	09/22/2023	0.00
Plumbing Permit Total	Residential Total			12	275.00

Plumbing Permit Total				12	275.00
Renovation Permit	Commercial	B23-000012	2000 NEW RIVER INLET RD B1 B2 B3	09/12/2023	4,725.00
Renovation Permit Total	Commercial Total			1	4,725.00
Renovation Permit	Single Family	B23-000010	126 N PERMUDA WYND DR	09/15/2023	300.00
Renovation Permit	Single Family	B23-000011	3826 ISLAND DR	09/11/2023	150.00
Renovation Permit Total	Single Family Total			2	450.00
Renovation Permit Total				3	5,175.00
Simple Build Permit	Multi-Unit	SB23-000077	2331 NEW RIVER INLET RD	09/15/2023	275.00
Simple Build Permit Total	Multi-Unit Total			1	275.00
Simple Build Permit	Single Family	SB23-000053	4021 ISLAND DR Lot 27O Atlantic	09/11/2023	200.00
Simple Build Permit	Single Family	SB23-000075	566 NEW RIVER INLET RD	08/28/2023	400.00
Simple Build Permit	Single Family	SB23-000067	1322 NEW RIVER INLET RD	08/24/2023	0.00
Simple Build Permit	Single Family	SB23-000069	1921 NEW RIVER INLET RD	08/29/2023	275.00
Simple Build Permit Total	Single Family Total			4	875.00
Simple Build Permit Total				5	1,150.00
Swimming Pool Permit	Residential	SP23-000027	1322 NEW RIVER INLET RD	08/24/2023	380.00
Swimming Pool Permit	Residential	SP23-000030	4270 ISLAND DR	08/29/2023	305.00
Swimming Pool Permit	Residential	SP23-000029	566 NEW RIVER INLET RD	09/11/2023	380.00
Swimming Pool Permit	Residential	SP23-000032	2 SAILVIEW DR	09/12/2023	305.00
Swimming Pool Permit	Residential	SP23-000020	22 PORPOISE PL	09/12/2023	305.00
Swimming Pool Permit Total	Residential Total			5	1,675.00
Swimming Pool Permit Total				5	1,675.00
Zoning and Floodplain Development Permit	Commercial	ZFP22-000222	2181 NEW RIVER INLET RD	09/15/2023	0.00
Zoning and Floodplain Development Permit Total	Commercial Total			1	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000162	616 HAMPTON COLONY CIR	09/15/2023	0.00

Zoning and Floodplain Development Permit	Residential	ZFP23-000152	2331 NEW RIVER INLET RD	09/15/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000153	1435 NEW RIVER INLET RD	09/18/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000116	17 SAILVIEW DR	09/18/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000158	1443 NEW RIVER INLET RD	09/18/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000157	1439 NEW RIVER INLET RD	09/18/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000164	610 NEW RIVER INLET RD	09/22/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000109	4254 ISLAND DR	09/22/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000166	7102 11TH AVE	09/21/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000005	234 MAKEPEACE ST	09/20/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000175	2 SAILVIEW DR	09/12/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000118	22 PORPOISE PL	09/12/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000155	566 NEW RIVER INLET RD	09/11/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000095	4021 ISLAND DR Lot 27O Atlantic	09/11/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000173	103 OLD VILLAGE LN	09/11/2023	125.00
Zoning and Floodplain Development Permit	Residential	ZFP22-000057	44 PORPOISE PL	09/11/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000171	1012 NEW RIVER INLET RD	09/12/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000135	1322 NEW RIVER INLET RD	08/24/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000111	509 TRADE WINDS DR	08/23/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP22-000182	106 TOPSAIL RD	08/23/2023	0.00

Zoning and Floodplain Development Permit	Residential	ZFP23-000103	4132 ISLAND DR	08/24/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000139	1921 NEW RIVER INLET RD	08/29/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000161	4270 ISLAND DR	08/29/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000149	566 NEW RIVER INLET RD	08/28/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000138	3619 ISLAND DR	08/30/2023	0.00
Zoning and Floodplain Development Permit	Residential	ZFP23-000066	44 PORPOISE PL	09/11/2023	0.00
Zoning and Floodplain Development Permit Total	Residential Total			26	125.00
Zoning and Floodplain Development Permit Total				27	125.00
All Permits Total				134	29,594.11

P+Z Permits Issued List

From: 08/23/2023

To: 09/26/2023

Permit#	Issue Date	Address	Property#	Legal Description	Property Owner	Contractor	Building Final	CO Issued	Cost	Receipt#	Estimated Value	Recovery Fund	Technology Fee
ZFP22-000182	08/23/2023	106 TOPSAIL RD	809-19	L1 S1 B3 OLD SETTLERS BEACH	BAKER TIMOTHY H	Coastal Property Repair - Tony Lopez			125.00		12000.00	0.00	0.00
ZFP23-000111	08/23/2023	509 TRADE WINDS DR	779B-34	L28 GALLEON BAY RECOMB	THOMAS TIMOTHY LUTHER & VICKIE GARNER	Topsail Moonlight Management LLC - Joann McDermon			125.00		20000.00	0.00	0.00
ZFP23-000135	08/24/2023	1322 NEW RIVER INLET RD	779C-7	L7 GARY GRAY DIV OCEANSI	E&A REAL ESTATE 1324 NEW RIVER LLC &	self -			125.00		10000.00	0.00	0.00
ZFP23-000103	08/24/2023	4132 ISLAND DR	769-7.1	L2 WHITEWOOD DUNES	PEGRAM PETE & TERRY	Sterling Custom Construction, LLC - Jeremy S Bishop			125.00		700000.00	0.00	0.00
ZFP23-000149	08/28/2023	566 NEW RIVER INLET RD	775B-60	L5 OCEAN CLUB VILLAGE	DUNBAR FRED A & MICHELLE S	Channel Marker Builders LLC - Thomas J Smith			125.00		20000.00	0.00	0.00
ZFP23-000161	08/29/2023	4270 ISLAND DR	768A-162	L24 S3 OCEAN RIDGE VILLAGE	CAPITAL ASSET TOPSAIL DEVELOPMENT LLC	Capital Asset Topsail Development, LLC - Christopher E Spivey			125.00		10000.00	0.00	0.00
ZFP23-000139	08/29/2023	1921 NEW RIVER INLET RD	779D-18	L18 B3 BAYVIEW	VANN GARY N & SUZANNE E	Affordable Elevator - Dan Cartwright			125.00		10500.00	0.00	0.00
ZFP23-000138	08/30/2023	3619 ISLAND DR	814-13.14	L1B DOUGLAS & LISA JACKSON	WELLMANS CONSTRUCTION INC	Wellman's Construction, Inc. - David W Wellman			125.00		296520.00	0.00	0.00
ZFP23-000066	09/11/2023	44 PORPOISE PL	778D-112	L44 DOLPHIN SHORES	TRACHTENBERG SCOTT ALAN	Fulford Construction Group LLC - Christina Fulford			125.00		15000.00	0.00	0.00
ZFP23-000155	09/11/2023	566 NEW RIVER INLET RD	775B-60	L5 OCEAN CLUB VILLAGE	DUNBAR FRED A & MICHELLE S	Topsail Dreamscapes LLC - Thomas J Smith			125.00		80000.00	0.00	0.00
ZFP23-000173	09/11/2023	103 OLD VILLAGE LN	806-104	L6 S2 VILLAGE OF STUMP SOUND	KAUGHER THOMAS W &	Capital Asset Topsail Development, LLC - Christopher E Spivey			125.00	450	500000.00	0.00	0.00
ZFP23-000095	09/11/2023	4021 ISLAND DR Lot 270 Atlantic	769-4.1	TR2 & TR3 HUNTER HEATH TRUST	ROGERS BAY CAMPGROUND CO OWNERS	self -			125.00		2500.00	0.00	0.00
ZFP22-	09/11/2023	44 PORPOISE	778D-112	L44 DOLPHIN SHORES	TRACHTENBERG SCOTT ALAN	Fulford Construction Group LLC -			125.00		950000.00	0.00	0.00

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						Christina Fulford							
ZFP23-000171	09/12/2023	1012 NEW RIVER INLET RD	774-47.8	NEW LOT B GARY F. GRAY & WIFE SUSAN L. GRAY	GRAY GARY F & SUSAN L	RG Properties, LLC - Ryan Gray			125.00		589000.00	0.00	0.00
ZFP23-000175	09/12/2023	2 SAILVIEW DR	775C-36.15	L2 S2 CAPE ISLAND	L & R HAVEN LLC	Prestige Building Group LLC - Michael Sr J Howington			125.00		70000.00	0.00	0.00
ZFP23-000118	09/12/2023	22 PORPOISE PL	778D-91	L23 DOLPHIN SHORES	NORTH TOPSAIL RENTALS LLC	Barnhill Properties LLC - Christian K Barnhill			125.00		25000.00	0.00	0.00
ZFP22-000222	09/15/2023	2181 NEW RIVER INLET RD	778C-169	L23 WM&KATIE SMITH DIV	CARRIGAN FAMILY FOUNDATION LTD	Hampstead Electrical Contractors Inc. - Thomas Lewallen			125.00		3700.00	0.00	0.00
ZFP23-000152	09/15/2023	2331 NEW RIVER INLET RD	778C-131	L2B S3 BH NORTH TOPSAIL SHORES	BAKER ANTHONY R & DIANE G	LIFT IT USA - Jim Craig			125.00		12750.00	0.00	0.00
ZFP23-000162	09/15/2023	616 HAMPTON COLONY CIR	768A-129.1	PT L22 HAMPTON COLONY	CLARKE ALAN S & JEFFREY A BROWN	North State Gardens, Inc. - MATTHEW B ERWIN			125.00		24000.00	0.00	0.00
ZFP23-000116	09/18/2023	17 SAILVIEW DR	775C-45	L17 S1 CAPE ISLAND	HAMBY BILLY R	self -			125.00		50000.00	0.00	0.00
ZFP23-000153	09/18/2023	1435 NEW RIVER INLET RD	779A-43	L3 LA COSTA BAY	CAPITAL ASSET ABL DEVELOPMENT I LLC	Capital Asset Topsail Development, LLC - Christopher E Spivey			125.00		800000.00	0.00	0.00
ZFP23-000157	09/18/2023	1439 NEW RIVER INLET RD	779A-44	L4 LA COSTA BAY	CAPITAL ASSET ABL DEVELOPMENT I LLC	Capital Asset Topsail Development, LLC - Christopher E Spivey			125.00		800000.00	0.00	0.00
ZFP23-000158	09/18/2023	1443 NEW RIVER INLET RD	779A-45	L5 LA COSTA BAY	CAPITAL ASSET ABL DEVELOPMENT I LLC	Capital Asset Topsail Development, LLC - Christopher E Spivey			125.00		800000.00	0.00	0.00
ZFP23-000005	09/20/2023	234 MAKEPEACE ST	803-74	L10 S7 WINTER HAVEN	EML 234 MAKEPEACE LLC &	Christian Hart Custom Homes. Inc. - Kyle Gaskill			125.00		965000.00	0.00	0.00
ZFP23-000166	09/21/2023	7102 11TH AVE	812-138	L9 S4 BB SEAHAVEN BEACH	KIRBY STEVE L & ANN N	NDS, Inc. - Russell D Prince			125.00		75000.00	0.00	0.00
ZFP23-000109	09/22/2023	4254 ISLAND DR	768A-159	L21 S3 OCEAN RIDGE VILLAGE	THOMPSON DONALD C ESTATE &	Capital Asset Topsail Development, LLC - Christopher E Spivey			125.00		750000.00	0.00	0.00
ZFP23-000164	09/22/2023	610 NEW RIVER INLET	775B-3	L3 SEA DUNES VILLAGE	MERRILL SCOTT & DEBORAH ICE	Maebilt Construction LLC. -			125.00		1200000.00	0.00	0.00

ZFP23-000110	09/25/2023	4260 ISLAND DR	768A-160	L22 S3 OCEAN RIDGE VILLAGE	THOMPSON DONALD C ESTATE &	Capital Asset Topsail Development, LLC - Christopher E Spivey			125.00		750000.00	0.00	0.00
ZFP23-000130	09/25/2023	2665 ISLAND DR	806-29.5	L5 B W CHESTNUT L3 4&5	SCALZO GARY T JR & TONJA	Channel Marker Builders LLC - Thomas J Smith			125.00		676825.00	0.00	0.00
DVW23-000027	08/23/2023	3 OSPREY CIR	775B-103	L3 S2 CRYSTAL SHORES	CASANAS JULIO JR & NANCY E	CASANAS JULIO JR & NANCY E			50.00	434	13000.00	0.00	0.00
DVW23-000037	08/30/2023	3619 ISLAND DR	814-13.14	L1B DOUGLAS & LISA JACKSON	WELLMANS CONSTRUCTION INC	Wellman's Construction, Inc. - David W Wellman			50.00		296520.00	0.00	0.00
DVW23-000047	09/12/2023	1012 NEW RIVER INLET RD	774-47.8	NEW LOT B GARY F. GRAY & WIFE SUSAN L. GRAY	GRAY GARY F & SUSAN L	RG Properties, LLC - Ryan Gray			50.00		4000.00	0.00	0.00
DVW23-000045	09/21/2023	7102 11TH AVE	812-138	L9 S4 BB SEAHAVEN BEACH	KIRBY STEVE L & ANN N	NDS, Inc. - Russell D Prince			50.00		3500.00	0.00	0.00
DVW23-000033	09/22/2023	4254 ISLAND DR	768A-159	L21 S3 OCEAN RIDGE VILLAGE	THOMPSON DONALD C ESTATE &	Capital Asset Topsail Development, LLC - Christopher E Spivey			50.00		20000.00	0.00	0.00
DVW23-000044	09/22/2023	610 NEW RIVER INLET RD	775B-3	L3 SEA DUNES VILLAGE	MERRILL SCOTT & DEBORAH ICE	Maebilt Construction, LLC - Paul Dorazio			50.00		7500.00	0.00	0.00
DVW23-000034	09/25/2023	4260 ISLAND DR	768A-160	L22 S3 OCEAN RIDGE VILLAGE	THOMPSON DONALD C ESTATE &	Capital Asset Topsail Development, LLC - Christopher E Spivey			50.00		20000.00	0.00	0.00
DVW23-000040	09/25/2023	2665 ISLAND DR	806-29.5	L5 B W CHESTNUT L3 4&5	SCALZO GARY T JR & TONJA	Channel Marker Builders LLC - Thomas J Smith			50.00		902434.00	0.00	0.00
FNC23-000021	08/24/2023	210 MASON CT	775B-83	L28 OCEAN CLUB VILLAGE	KESLER TIEA & RICHARD LONGAMORE JR	Hampstead fence -			50.00	438	10000.00	0.00	0.00

Town of North Topsail Beach

Service



Integrity

Police Department

Chief William K. Younginer

Department Report for August 1, 2023 - August 30, 2023

Arrests	
DUI	2
Narcotics	2
Simple Assault	1
Traffic	7

Citations	
State Citations	7
Town Citations	3
Warning Citations	12

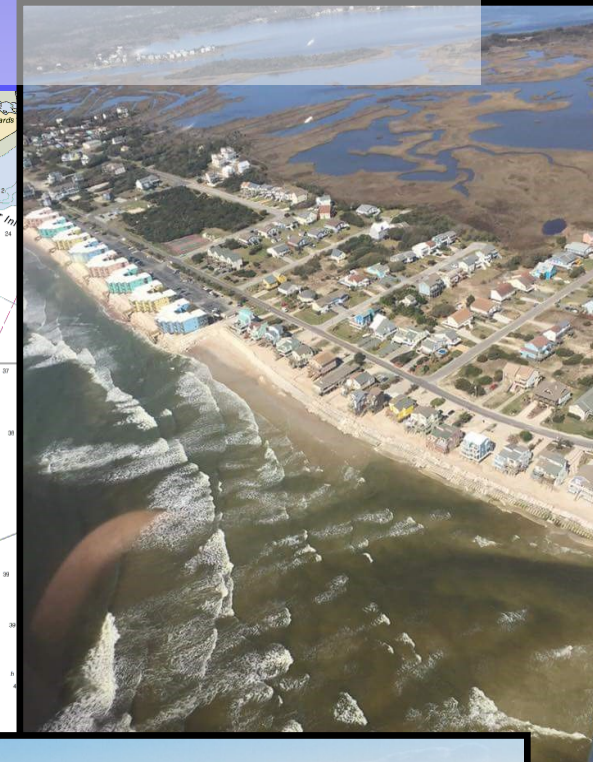
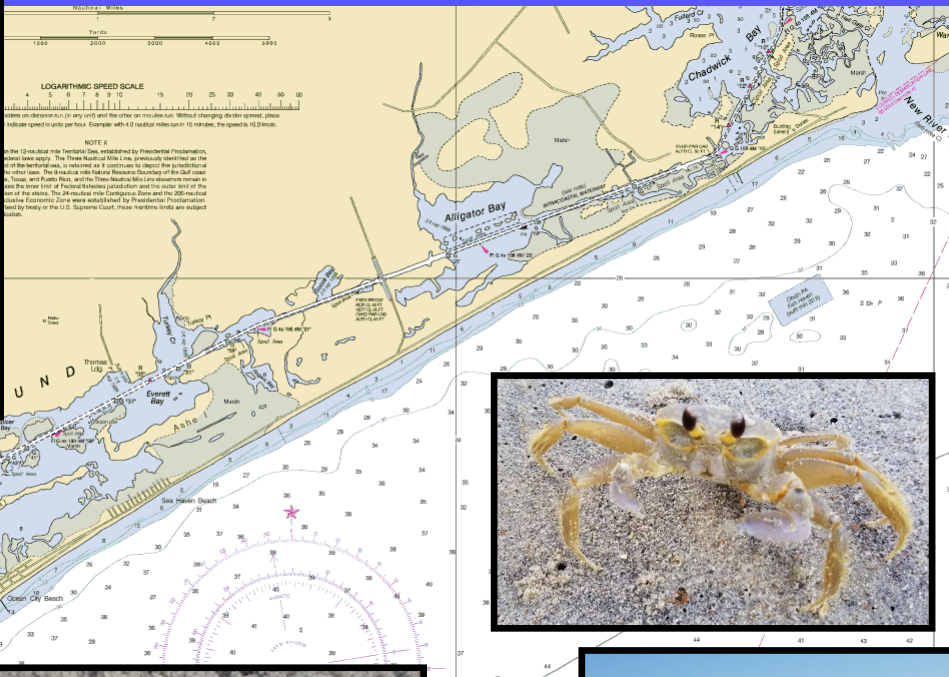
Summary	
Total Calls for Service	232
Total Citations Issued	22
Total Reports	96
Total Security Checks	1146

Assist Other Agencies	
E. M. S.	11
N.T.B. F.D.	24
O.C.S.	21
S.C.P.D.	1

Calls For Service	
Accidents	9
Alarm Calls	9
Animal	4
Attended Death	1
B&E	3
Cit / Mot / Ped Assists	75
Communicating Threats	1
Disturbances	10
Domestic Disturbances	8
Fondling	1
911 Hang Up	5
Hit & Run	1
Identity Theft	1
Impersonating a Police Officer	1
Larceny	6
Misc. Calls	8
Missing Person	1
Property Damage	1
Simple Assault	3
Suspicious Activity	13
Trespassing	3
Water Incident/Rescue	10
Welfare	1
Wire Fraud	1

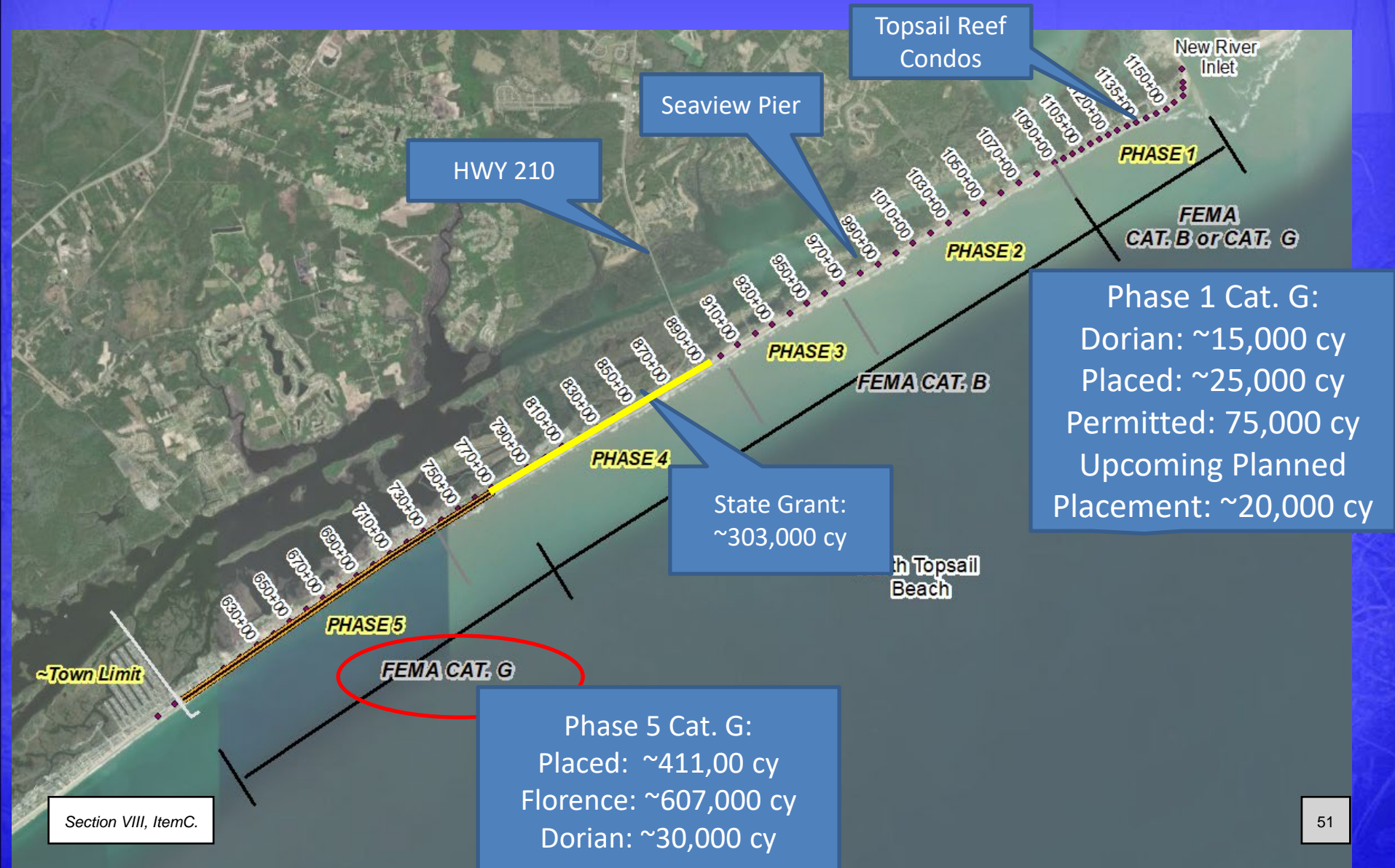
North Topsail Beach Coastal Update

October 2023



Ongoing and Upcoming Projects Overview

State Grant, Dorian and Florence FEMA Category G

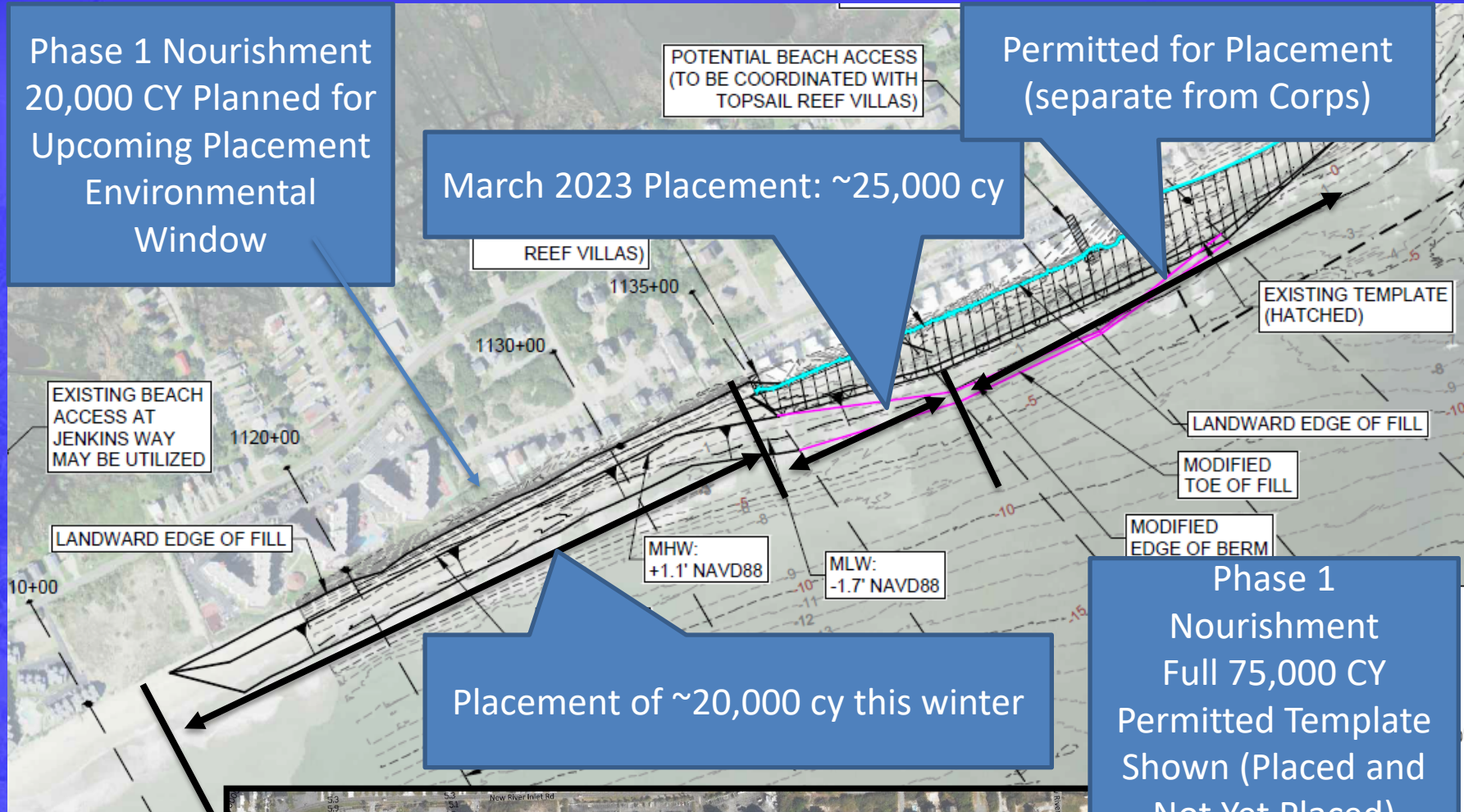


Phase 1 Beach (not Dune) Truck Haul Nourishment

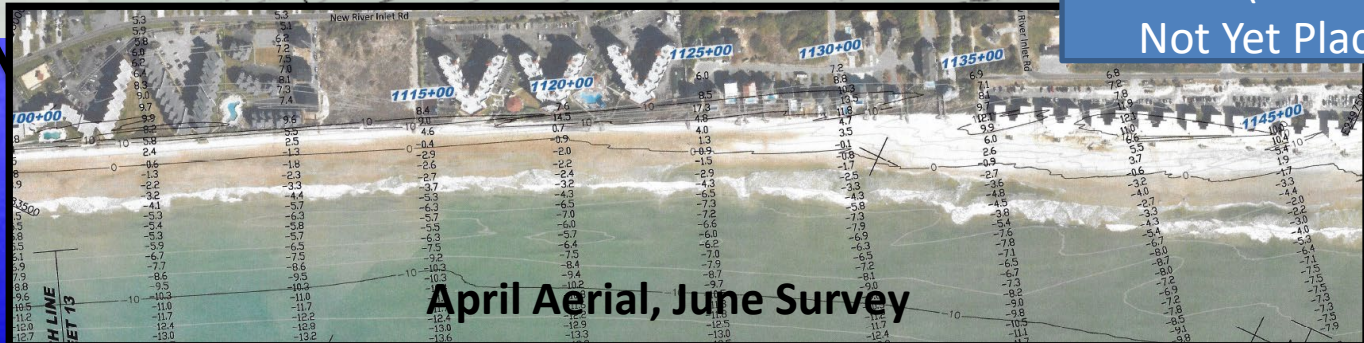
Phase 1 Nourishment
20,000 CY Planned for
Upcoming Placement
Environmental
Window

March 2023 Placement: ~25,000 cy

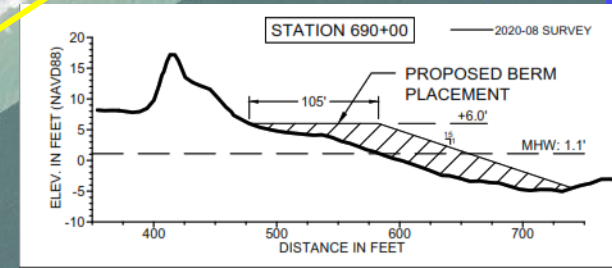
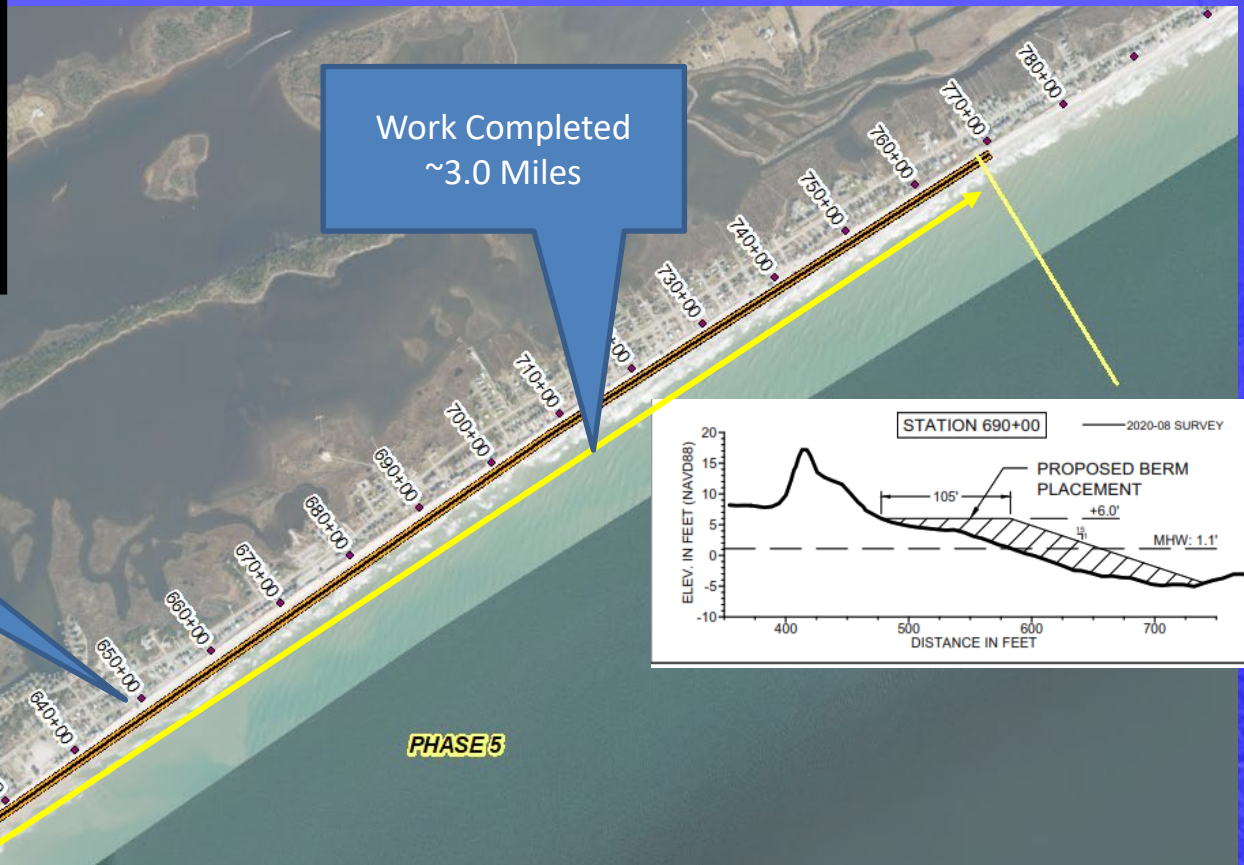
Permitted for Placement
(separate from Corps)



Section VIII, ItemC.



Ongoing Florence & Dorian Nourishment in Phase 5 Beach (not Dune) Nourishment. ~3.0 Miles of New Beach Completed

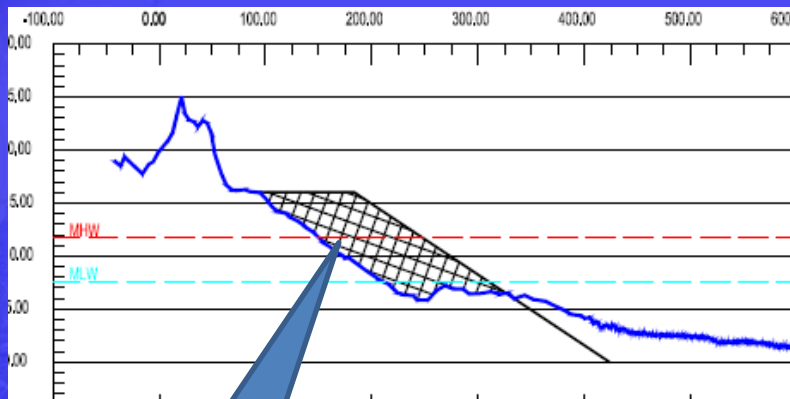


Access at Gray
Street and
Working South

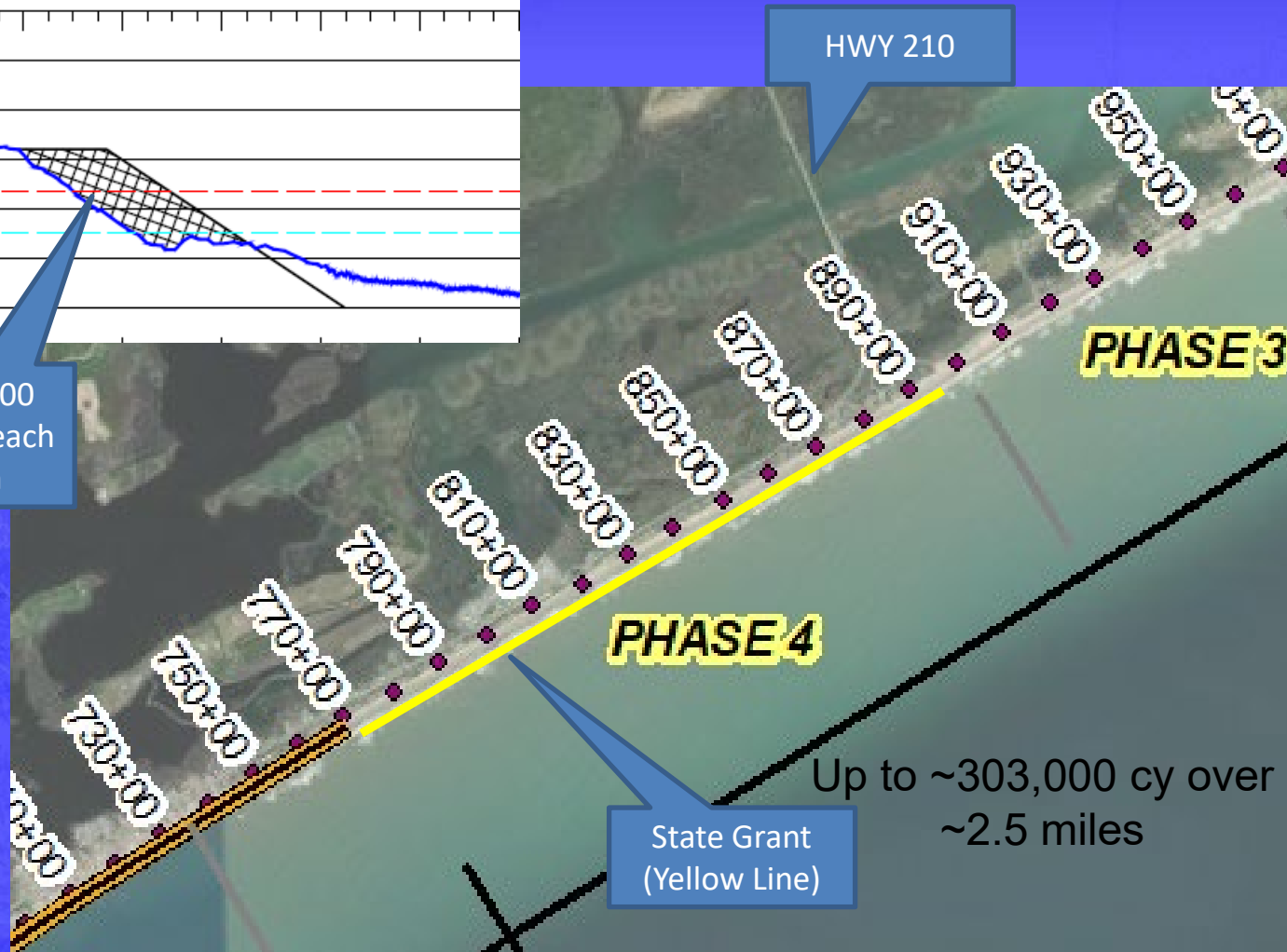
Remaining Work

Town
Section VIII, ItemC.

Successful State Grant in Phase 4. Beach (not Dune) Nourishment



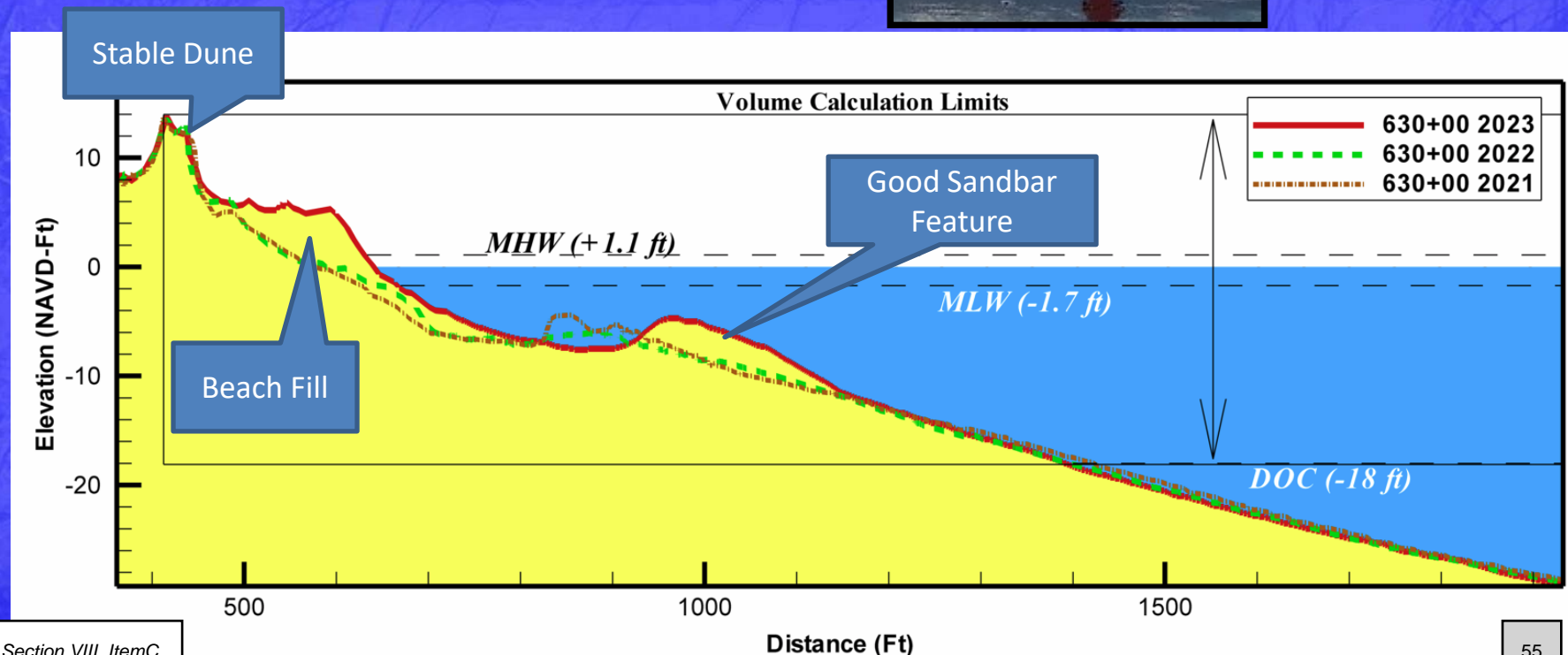
~80 to 100
Feet of Beach
Width



Project Timing vs Project Production

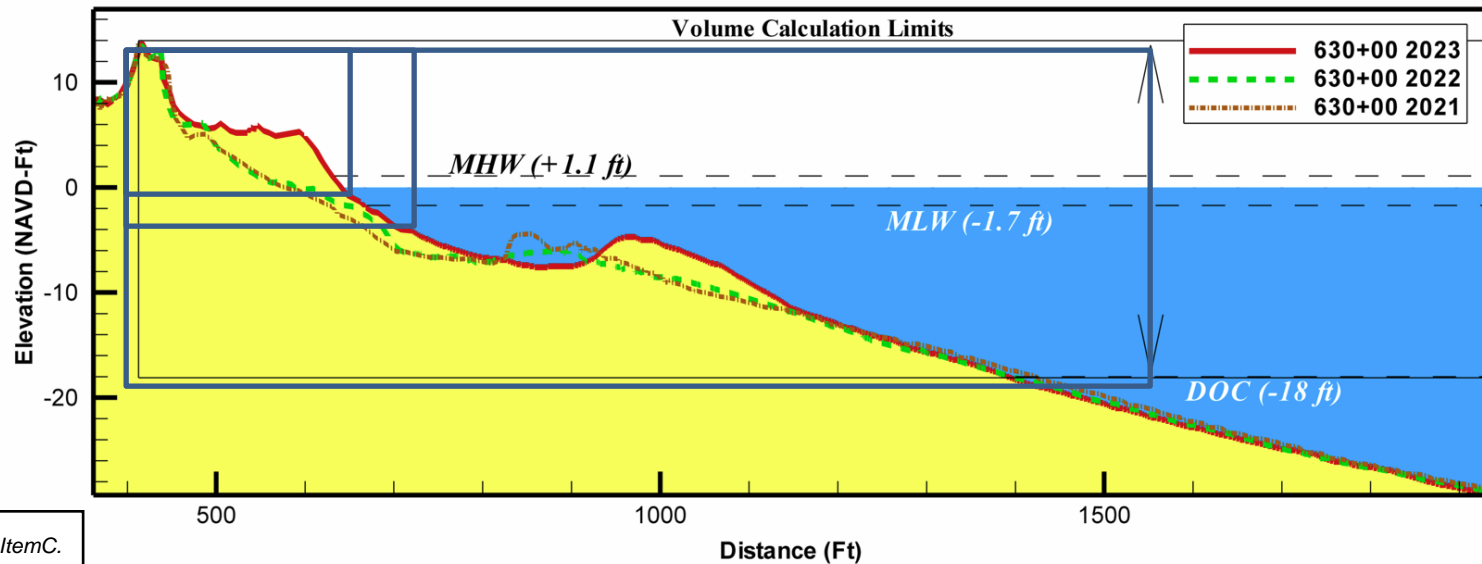
Annual Monitoring Results

- Volume Change
- Shoreline Change
- Occurs annually in ~June/July (before the heart of hurricane season)
- Nourishment Planning
- FEMA Eligibility and Document Pre-Storm Conditions (if needed)
- Survey is Town Wide from Dune out to ~500 Yards Offshore



	Annual Monitoring Gain/Loss (CY)		
Volume Limits:	Dune to Depth-Of-Closure (~300 yards offshore)	Dune to MLW	Dune to MHW
PHASE 1	+120,481	+56,267	+36,947
PHASE 2	-23,352	-8,380	-3,866
PHASE 3	-28,884	-27,494	-22,790
PHASE 4	+100,335	+45,771	+11,008
PHASE 5	+255,868	+164,282	+114,411
Total	+424,448	+230,446	+135,709

	Annual MHW Change (ft)
PHASE 1	+24.8
PHASE 2	+10.9
PHASE 3	+0.2
PHASE 4	+8.5
PHASE 5	+36.8
TOTAL	+19.1



Town Beach Projects Updates

- Annual Monitoring Completed in June. Beach wide overall gain of ~424,000 cy over the last year (largely due to nourishment efforts).
- Phase 1 - ~20,000 cy planned for placement this winter.
- New River Inlet Management Master Plan EIS: Draft EIS under development.
- State Grant Nourishment - ~303,000 cy in Phase 4 and connects with Phase 5 Truck Haul.
- Phase 5 Beach Nourishment – Placed ~411,000 cy. Remaining volume (~226,000 cy).
- Working with NTB Finance Officer and DEC Associates regarding funding for FEMA and State funded projects
- Permitting Coordination (all projects)



BOARD OF ALDERMEN
CONSENT AGENDA ITEM

ISSUE: MOTV Tax Refund

DEPARTMENT: Finance

PRESENTED BY: Caitlin Elliott, Finance Officer

DATE: September 25, 2023

BACKGROUND: Received notice from the Onslow County Tax Office regarding the following MOTV Tax Refund for the following resident:

- Katie Jones McGarry \$31.42

Total: \$31.42

ATTACHMENT(S): Onslow County MOTV Tax Report

RECOMMENDATION: Approve refund as recommended

ACTION NEEDED: Yes

SUGGESTED MOTION: *"I, _____, make a motion for the Finance Department to proceed with processing the following tax refund(s) as reported."*

FUNDS: 10

FOLLOW UP: Finance Officer

primary_owner	Address_1	Address_3	Refund_Type	Bill_Num
MCGARRY, KATIE JONES	7600 8TH AVE	N TOPSAIL BEACH, NC 28460	Proration	71623454

PlateNum	Refund_Description	Refund_Reason	RefundAmount
KHB6435	Refund Generated due to proration on Bill #0071623454-2022	Tag Surrender	(\$31.42)



BOARD OF ALDERMEN
AGENDA ITEM
OCTOBER 4, 2023

ISSUE: Budget Amendment 2023-24.5

PRESENTED BY: Caitlin Elliott, Finance Officer

DEPARTMENT: Public Buildings Department

BACKGROUND: The Town received the final payment application from Atlantic Contracting and Design for the Town Hall renovation project. There were outstanding items that the contractor was working on that the Town was following up on to ensure all items were done satisfactory and completed per the scope of work.

ATTACHMENTS: Payment Application #12, Budget Amendment 2023-24.5

RECOMMENDATION: Approve Amendment as recommended

ACTION NEEDED: Yes

SUGGESTED MOTION: *"I, _____, make a motion to approve Budget Amendment 2023-24.5 as presented."*

FUNDS: 10

FOLLOW UP: Finance Officer

APPLICATION FOR PAYMENT

CAP702

Page: 1 of 6

To:

Town of North Topsail Beach
1000 NC Hwy 210
Sneads Ferry, NC 28460

PROJECT:

32
North Topsail Town Hall
2008 Loggerhead Court
North Topsail Beach, NC 28460

From Contractor:

Atlantic Contracting & Design Inc
7 Doris Ave. East
Jacksonville, NC 28540

VIA ARCHITECT:

Stewart-Cooper-Newell Architects PA
719 East Second Avenue
Gastonia, North Carolina 28054

CONTRACT FOR:

Application No.:	Application Date:	Period To:	Contract Date:
12	AUG 15, 2023	AUG 15, 2023	FEB 15, 2021
Project Nos:			
Distribution List:	<input type="checkbox"/> Owner	<input type="checkbox"/> Construction Mgr	
	<input type="checkbox"/> Architect	<input type="checkbox"/> Field	
	<input type="checkbox"/> Contractor	<input type="checkbox"/> Other	

Contractor's Application for Payment

Application is made for payment as shown below, with attached Continuation Sheet.

1. Original Contract Amount: \$ 1,177,200.00
2. Net of Change Orders: \$ 0.00
3. Net Amount of Contract: \$ 1,177,200.00
4. Total Completed & Stored to Date: \$ 1,147,451.27
5. Retainage Summary:
 - a. 0.00 % of Completed Work \$ 0.00
 - b. 0.00 % of Stored Material \$ 0.00
 - Total Retainage: \$ 0.00
6. Total Completed Less Retainage: \$ 1,147,451.27
7. Less Previous Applications: \$ 1,092,084.74

8. Current Payment Due, This Application: \$ 55,366.53

9. Contract Balance (Including Retainage): \$ 29,748.73

CHANGE ORDER Activity	Additions	Subtractions
Total previously approved:	0.00	0.00
Total approved this Month:	0.00	0.00
Sub Totals:	0.00	0.00
NET of Change Orders:	0.00	

CONTRACTOR'S CERTIFICATION:

The Contractor's signature here certifies that, to the best of their knowledge, this document accurately reflects the work completed in this Application for Payment. The Contractor also certifies that all payments have been made for the work on previous Applications for Payment and also that the Current Payment is Due.

(Authorizing Signature) Robert M. Persum
Atlantic Contracting & Design Inc

Date: AUG 15, 2023

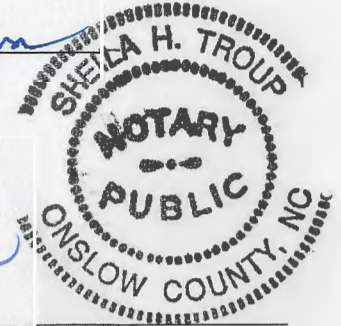
State Authorized: North Carolina

County of: Onslow

Subscribed and sworn to before
me this 15 day of August, 2023

Notary Public: Sheila H. Troup

My Commission expires: 11/9/2027



ARCHITECT'S CERTIFICATION:

The Architect's signature here certifies that, based on their own observations, the Contract Documents and the information contained herein, this document accurately reflects the work completed in this Application for Payment. The Architect also certifies the Contractor is entitled to the amount certified for payment.

AMOUNT CERTIFIED:

(Architects Signature) Date: _____

This Certificate is not negotiable. The Amount Certified is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

TOWN OF NORTH TOPSAIL BEACH
2008 Loggerhead Court
North Topsail Beach, NC 28460

FISCAL YEAR 2023-2024

AMENDMENT TO THE BUDGET ORDINANCE

BA 2023-24.5

BE IT ORDAINED by the Governing Board for the Town of North Topsail Beach, North Carolina that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2024:

Section 1: To amend the General Fund appropriations with increases as follows:

<u>DEPARTMENT NO:</u>	<u>ACCOUNT</u>	
500	PUBLIC BUILDINGS	\$ 55,366.53
Total Expenditures		<u><u>\$ 55,366.53</u></u>

This amendment will result in an increase to the following departments:

PUBLIC BUILDINGS

The purpose of this budget amendment is to appropriate funds for the final payment application for the Town Hall renovation project.

Section 2: To amend the General Fund estimated expenditures with decreases as follows:

999	CONTINGENCY	\$ 55,366.53
Total Revenues		<u><u>\$ 55,366.53</u></u>

The Finance Officer has performed a thorough analysis of the Revenues and has determined that the following changes are recommended to ensure a balanced statement for Fiscal Year 2023-2024.

Section 3: Copies of the budget ordinance amendment shall be furnished to the Town Clerk, the Council, the Budget Officer, and the Finance Officer for their direction.

Adopted this 4th day of October 2023.

Motion made by _____, 2nd by _____

VOTE: ___ FOR ___ AGAINST ___ ABSENT

DAVID M BENSON, MAYOR PRO TEM

CAITLIN ELLIOTT, FINANCE OFFICER

ORIGINAL BUDGET	7/1/2023	\$	7,591,075.78	
Budget Amendment 1 & 2	7/5/2023	\$	-	Fund 10 Dept to Dept Amendment
Budget Amendment 3	8/2/2023	\$	100.00	
Budget Amendment 5	10/4/2023	\$	-	Fund 10 Dept to Dept Amendment

Joann M. McDermon, Mayor
Mike Benson, Mayor Pro Tem



Alice Derian, ICMA-CM
Town Manager

Aldermen:
Fred Fontana
Richard Grant
Tom Leonard
Connie Pletl

Nancy Avery
Interim Town Clerk

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF NORTH TOPSAIL BEACH
UPDATING STANDARDS FOR PROTECTING WETLANDS PURSUANT TO SENATE
BILL 582 AND PROVIDING FOR CERTAIN ENFORCEMENT PENALTIES FOR
UNPERMITTED DISTURBANCE

Ordinance 23-03

WHEREAS, N.C. Session Law 2023-63 created new definitions for Wetlands that apply throughout North Carolina; and

WHEREAS, the Planning Board has reviewed the proposed standards and recommended approval of this ordinance; and

WHEREAS, the Board of Aldermen has found this ordinance to be consistent with the Town's adopted CAMA Land Use Plan; and

WHEREAS, the Board of Aldermen acknowledges the importance of wetlands in reducing flood risk; and

WHEREAS, the Board of Aldermen affirms that open space management practices are consistent with the goals of reducing hazard losses, such as the preservation of Wetlands or other flood-prone areas in their natural state in perpetuity; and

WHEREAS, the Board of Aldermen has determined that it is in the public interest to update standards for protecting Wetlands in the Unified Development Ordinance consistent with North Carolina Senate Bill 582 and in compliance with the N.C. General Statutes 160D.

NOW THEREFORE BE IT ORDAINED by the Board of Aldermen for the Town of North Topsail Beach that the Unified Development Ordinance shall be amended with the addition of the following language:

§10.07.05 INSTALL AND MAINTAIN EFFECTIVE SEDIMENTATION AND EROSION
CONTROL MEASURES

- (A) All unconsolidated material resulting from associated grading and landscaping shall be retained on site by effective sedimentation and erosion control measures.
- (B) Disturbed areas shall be vegetated and stabilized (planted and mulched) within 14 days of construction completion.

- (C) It shall be the responsibility of the property owner to ensure the installation and maintenance of effective sedimentation and erosion control measures and to stabilize disturbed areas within 14 days of construction completion.
- (D) Failure to install and maintain effective sedimentation and erosion control measures during construction or stabilize disturbed areas after construction are in violation of this ordinance shall be subject to a fine in accordance with the Planning and Zoning Fee Schedule for Code Enforcement Civil Citations, as adopted by the Board of Aldermen.

§10.07.06 WETLAND PROTECTION.

- (A) Any Wetlands damaged during construction, or damage occurring as a result of such construction, or excavated in violation of this ordinance shall be restored to its original state using similar materials and stabilizing vegetation.
- (B) It shall be the responsibility of the property owner to guarantee the protection of all identified Wetlands and not allow the natural wetland hydrology of the lot to be altered beyond that which has been authorized in the permit.
- (C) Wetland grass planting or wetland reforestation shall be the ultimate responsibility of the property owner.
- (D) Any Wetlands, as defined in Chapter 11, in the required natural area that has been damaged or excavated in violation of this ordinance shall be subject to a fine in accordance with the Planning and Zoning Fee Schedule for Code Enforcement Civil Citations for this section, as adopted by the Board of Aldermen and restored within 7 days of notice.
- (E) Failure to repair damage to Wetlands and vegetation after 7 days shall constitute a separate violation for each day that such failure continues after written notification pursuant to §2.17.01.

§ 11.01.12 DEFINITIONS

WETLANDS are waters defined to be Wetlands as determined by the North Carolina Department of Environmental Quality and/or the United States Army Corps of Engineers. Wetlands shall also include all waters defined as Wetlands by NC Session law 2023-63/NC Senate Bill 582, as may be amended from time to time.

Effective this 4th day of October 2023.

Joann McDermon, Mayor

ATTEST: _____
Nancy Avery, Interim Town Clerk

Agenda Item: Proposed Text Amendments to Wetland Regulations and Enforcement (cont.)
Public Hearing
Presented by: Deborah J. Hill MPA AICP CFM CZO
Date: October 4, 2023 (Continued from September 6, 2023)

UPDATE: On September 6, 2023, the Board of Aldermen conducted a public hearing to receive input on proposed text amendments to the Unified Development Ordinance to include:

- §10.07.05 Install and maintain effective sedimentation and erosion control measures;
- §10.07.06 Wetland protection; and
- §11.01.12 Definitions. Wetlands.

The consensus of the Board was to increase the citation to \$10,000 in the Fee Schedule provided in Attachment 5. The Board continued their discussion of wetlands to October 4, directing the Town Attorney and Planning Director provide a clarified definition of wetlands, which is provided in Attachment 4.

BACKGROUND: The Planning Director works with NC Division of Coastal Management and the U.S. Army Corps of Engineers in processing subdivision, zoning and floodplain applications, as well as responding to violations of local, state and federal regulations. Most wetland disturbance has resulted from lot-clearing without a permit or excavation not consistent with a permit. Violations are referred to the the appropriate jurisdictional authority, with mandated remediation, typically without fines.

LOCAL WETLAND REGULATIONS AND PERMITTING REQUIREMENTS

UNIFIED DEVELOPMENT ORDINANCE: Flood Damage Prevention

Coastal wetlands dampen the impact of storm surge and reduce flood risk. The Floodplain Administrator is responsible for reviewing all proposed development within special flood hazard areas to assure that all necessary local, state and federal permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by federal or state law, including § 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. § 1334.

An application for a floodplain development permit requires a plot plan drawn to scale which shall include, but shall not be limited to, zoning district, setbacks, percentage impervious surface, building height, area of environmental concern, CAMA setbacks, wetland delineation and the following specific details of the proposed floodplain development:

The nature, location, dimensions and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities and other development; copies of all other local, state and federal permits required prior to floodplain development permit issuance (wetlands, endangered species, erosion and sedimentation control, CAMA, riparian buffers, mining, etc.).

The floodplain administrator advises the permittee if additional federal or state permits (wetlands, endangered species, erosion and sedimentation control, CAMA, riparian buffers, mining, etc.) are required, and assures that copies of such permits are provided and maintained on file with the floodplain development permit.

4. ZFP22-000165 - Indicate proposed percentage impervious surface on site plan, as measured from NORMAL HIGH WATER LINE, TO BE UPDATED AND VERIFIED BY DCM.
5. ZFP22-000165 - Indicate OUTSTANDING RESOURCE WATER (ORW) Area of Environmental Concern (AEC) on site plan.
6. ZFP22-000165 - Indicate CAMA setbacks on site plan.
7. ZFP22-000165 - Provide current wetland delineation by bearings and distance and date confirmed by USACE on site plan. Reference to wetland delineation on MB 43 P 235 is 20 years old and no longer valid. An AJD is only valid for 5 years from the date of issuance.
8. ZFP22-000165 - Indicate statement that the entire lot is within the SPECIAL FLOOD HAZARD AREA on site plan.

Figure 1. Example Zoning/Floodplain application review, requiring updated wetland delineation by bearings and distance and confirmation by USACE.

UNIFIED DEVELOPMENT ORDINANCE: Zoning

Open space management practices are consistent with the goals of reducing hazard losses, such as the preservation of wetlands or other flood-prone areas in their natural state in perpetuity. In addition to the Conservation District, the purpose of R-A (residential-agricultural) zoning district is to set aside and protect those lands which are primarily suited for agriculture, forestry, wetlands and agricultural-related uses. Ashe Island is an example.

UNIFIED DEVELOPMENT ORDINANCE: Subdivision

All subdivision applications must indicate any wetlands on the sketch plan or site plan. All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by federal or state law, including § 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. § 1334.

CAMA LAND USE PLAN

The current CAMA Land Use Plan states, “North Topsail Beach accepts state and federal law regarding land uses and development in AEC’s (Areas of Environmental Concern), including all NCAC 7H standards. By reference, all applicable state and federal regulations are incorporated into this document. No policies exceed the

use standards and permitting requirements found in Subchapter 7H, State Guidelines for Areas of Environmental Concern.”

STATE LAW

Coastal Area Management Act (CAMA) regulations (attachments 1, 2) do not permit development in 401 wetlands except water dependent structures . The effects of Session Law 2023-63 Senate Bill 582 - which was passed, vetoed by Governor Cooper and recently overridden June 27, 2023, are not expected to alter DCM’s approach within the town’s jurisdiction, as coastal wetlands are part of the Estuarian Area of Environmental Concern.

FEDERAL LAW

The U.S. Army Corps of Engineers (USACE or the Corps) regulates activities in waterways and wetlands under the authority of several Federal laws. Permits issued by the Corps authorize various types of development projects in wetlands and other waters of the United States. On September 1, 2023, the Corps was expected to respond to the ruling May 25, 2023, by the U.S. Supreme Court (SCOTUS) in Sackett v. Environmental Protection Agency (EPA). No change in regulatory approach in North Topsail Beach is anticipated.

ACTION REQUIRED: The Board of Aldermen directed the Planning Board to review wetland regulations and submit a proposal for increased wetland protection and enforcement.

ACTION TAKEN At their regular meeting on August 10, 2023, the Planning Board discussed wetland regulations with Mr. Mickey Sugg, Chief of the Wilmington Regulatory Field Office for the U.S. Army Corps of Engineers, Mr. Robb Mairs, Local Permit Officer (LPO) Minor Permits Coordinator for the North Carolina Division of Coastal Management of the North Carolina Department of Environmental Quality and Deb Hill, Planning Director.

Mrs. Susan Meyer made a motion that the Board of Aldermen conducts a public hearing on September 6, 2023, and adopts attachments 4 (“An Ordinance Amending the Unified Development Ordinance of the Town Of North Topsail Beach, North Carolina by Updating Standards for Protecting Wetlands Pursuant to North Carolina Senate Bill 582 and Providing for Certain Enforcement Penalties for Unpermitted Disturbance”) and 5 (“Amendment to Town of North Topsail Beach FY 2023-2024 Fee Schedule Planning & Zoning Fees”). The motion was seconded by Mr. Scott Morse and passed unanimously, 5-0.

ATTACHMENTS

1. 15A NCAC 07H .0205 Coastal Wetlands
2. 15A NCAC 07H .0208 Use Standards
3. Session Law 2023-63 Senate Bill 582, Section 15 Clarify Definition Of Wetlands
4. An Ordinance Amending the Unified Development Ordinance of the Town Of North Topsail Beach, North Carolina by Updating Standards for Protecting Wetlands Pursuant to North Carolina Senate Bill 582 and Providing for Certain Enforcement Penalties for Unpermitted Disturbance. (draft)
5. Amendment to Town of North Topsail Beach FY 2023-2024 Fee Schedule Planning & Zoning Fees
6. Notice of Public Hearing (published August 19th and 26th, 2023, Jacksonville Daily News; jdnews.com; “sunshine list” (Mon 8/14/2023 10:29 AM), and Town Hall message board.
7. Tyler Newman email September 6, 2023 10:50 AM; 12:47 PM

15A NCAC 07H .0205 COASTAL WETLANDS

(a) Definition. "Coastal Wetlands" are defined as any salt marsh or other marsh subject to regular or occasional flooding by tides, including wind tides, that reach the marshland areas through natural or artificial watercourses, provided this does not include hurricane or tropical storm tides. Regular or occasional flooding shall be established through field indicators, including the observation of tidal water on the site, changes in elevation, presence of periwinkle (*Littoraria* spp.), presence of crab burrows, staining, or wrack lines. Coastal wetlands may contain one or more of the following marsh plant species:

- (1) Cord Grass (*Spartina alterniflora*);
- (2) Black Needlerush (*Juncus roemerianus*);
- (3) Glasswort (*Salicornia* spp.);
- (4) Salt Grass (*Distichlis spicata*);
- (5) Sea Lavender (*Limonium* spp.);
- (6) Bulrush (*Scirpus* spp.);
- (7) Saw Grass (*Cladium jamaicense*);
- (8) Cat-tail (*Typha* spp.);
- (9) Salt Meadow Grass (*Spartina patens*); or
- (10) Salt Reed Grass (*Spartina cynosuroides*).

The coastal wetlands AEC includes any contiguous lands designated by the Secretary of DEQ pursuant to G.S. 113-230(a).

(b) Significance. The unique productivity of the estuarine and ocean system is supported by detritus (decayed plant material) and nutrients that are exported from the coastal wetlands. Without the wetlands, the high productivity levels and complex food chains typically found in the estuaries could not be maintained. Additionally, coastal wetlands serve as barriers against flood damage and control erosion between the estuary and the uplands.

(c) Management Objective. It is the objective of the Coastal Resources Commission to conserve and manage coastal wetlands so as to safeguard and perpetuate their biological, social, economic and aesthetic values, and to coordinate and establish a management system capable of conserving and utilizing coastal wetlands as a natural resource necessary to the functioning of the entire estuarine system.

(d) Use Standards. Suitable land uses are those consistent with the management objective in this Rule. First priority of use shall be allocated to the conservation of existing coastal wetlands. Secondary priority of coastal wetland use shall be given to those types of development activities that require water access and cannot function elsewhere.

Unacceptable land uses include restaurants, businesses, residences, apartments, motels, hotels, trailer parks, parking lots, private roads, highways, and factories. Acceptable land uses include utility easements, fishing piers, docks, wildlife habitat management activities, and agricultural uses such as farming and forestry drainage as permitted under North Carolina's Dredge and Fill Law, G.S. 113-229, or applicable local, state, and federal laws.

In every instance, the particular location, use, and design characteristics shall be in accord with the general use standards for coastal wetlands, estuarine waters, and public trust areas described in Rule .0208 of this Section.

(e) Alteration of Coastal Wetlands. Alteration of coastal wetlands includes mowing or cutting of coastal wetlands vegetation whether by mechanized equipment or manual means. Alteration of coastal wetlands by federal or state resource management agencies as a part of planned resource management activities is exempt from the requirements of this Paragraph. Alteration of coastal wetlands shall be governed according to the following provisions:

- (1) Alteration of coastal wetlands shall be exempt from the permit requirements of the Coastal Area Management Act (CAMA) when conducted in accordance with the following criteria:
 - (A) Coastal wetlands may be mowed or cut to a height of no less than two feet, as measured from the coastal wetland substrate, at any time and at any frequency throughout the year;
 - (B) Coastal wetlands may be mowed or cut to a height of no less than six inches, as measured from the coastal wetland substrate, once between each December 1 and March 31;
 - (C) Alteration of the substrate is not allowed;
 - (D) All cuttings or clippings shall remain in place as they fall;
 - (E) Coastal wetlands may be mowed or cut to a height of no less than six inches, as measured from the coastal wetland substrate, to create an access path four feet wide or less on waterfront lots without a pier access; and
 - (F) Coastal wetlands may be mowed or cut by utility companies as necessary to maintain utility easements.
- (2) Coastal wetland alteration not meeting the exemption criteria of this Rule shall require a CAMA permit. CAMA permit applications for coastal wetland alterations are subject to review by the North Carolina Wildlife Commission, North Carolina Division of Marine Fisheries, U.S. Fish and

Wildlife Service, and National Marine Fisheries Service in order to determine whether or not the proposed activity will have a significant adverse impact on the habitat or fisheries resources.

History Note: Authority G.S. 113A-107; 113A-113(b)(1); 113A-124;
Eff. September 9, 1977;
Amended Eff. September 1, 2016; November 1, 2009; August 1, 1998; October 1, 1993; May 1, 1990; January 24, 1978;
Readopted Eff. July 1, 2020.

15A NCAC 07H .0208 USE STANDARDS

(a) General Use Standards

- (1) Uses that are not water dependent shall not be permitted in coastal wetlands, estuarine waters, and public trust areas. Restaurants, residences, apartments, motels, hotels, trailer parks, private roads, factories, and parking lots are examples of uses that are not water dependent. Uses that are water dependent include: utility crossings, wind energy facilities, docks, wharves, boat ramps, dredging, bridges and bridge approaches, revetments, bulkheads, culverts, groins, navigational aids, mooring pilings, navigational channels, access channels and drainage ditches;
- (2) Before being granted a permit, the CRC or local permitting authority shall find that the applicant has complied with the following standards:
 - (A) The location, design, and need for development, as well as the construction activities involved shall be consistent with the management objective of the Estuarine and Ocean System AEC (Rule .0203 of this subchapter) and shall be sited and designed to avoid significant adverse impacts upon the productivity and biologic integrity of coastal wetlands, shellfish beds, submerged aquatic vegetation as defined by the Marine Fisheries Commission, and spawning and nursery areas;
 - (B) Development shall comply with State and federal water and air quality rules, statutes and regulations;
 - (C) Development shall not cause irreversible damage to documented archaeological or historic resources as identified by the N.C. Department of Cultural resources;
 - (D) Development shall not increase siltation;
 - (E) Development shall not create stagnant water bodies;
 - (F) Development shall be timed to avoid significant adverse impacts on life cycles of estuarine and ocean resources; and
 - (G) Development shall not jeopardize the use of the waters for navigation or for other public trust rights in public trust areas including estuarine waters.
- (3) When the proposed development is in conflict with the general or specific use standards set forth in this Rule, the CRC may approve the development if the applicant can demonstrate that the activity associated with the proposed project will have public benefits as identified in the findings and goals of the Coastal Area Management Act, that the public benefits outweigh the long range adverse effects of the project, that there is no reasonable alternate site available for the project, and that all reasonable means and measures to mitigate adverse impacts of the project have been incorporated into the project design and shall be implemented at the applicant's expense. Measures taken to mitigate or minimize adverse impacts shall include actions that:
 - (A) minimize or avoid adverse impacts by limiting the magnitude or degree of the action;
 - (B) restore the affected environment; or
 - (C) compensate for the adverse impacts by replacing or providing substitute resources.
- (4) "Primary nursery areas" are defined as those areas in the estuarine and ocean system where initial post larval development of finfish and crustaceans takes place. They are usually located in the uppermost sections of a system where populations are uniformly early juvenile stages. Primary nursery areas are designated and described by the N.C. Marine Fisheries Commission (MFC) and by the N.C. Wildlife Resources Commission (WRC) at 15A NCAC 03R .0103;
- (5) "Outstanding Resource Waters" (ORW) are defined as those estuarine waters and public trust areas classified by the N.C. Environmental Management Commission (EMC). In those estuarine waters and public trust areas classified as ORW by the EMC no permit required by the Coastal Area Management Act shall be approved for any project which would be inconsistent with applicable use standards adopted by the CRC, EMC, or MFC for estuarine waters, public trust areas, or coastal wetlands. For development activities not covered by specific use standards, no permit shall be issued if the activity would, based on site specific information, degrade the water quality or outstanding resource values; and
- (6) Beds of "submerged aquatic vegetation" (SAV) are defined as those habitats in public trust and estuarine waters vegetated with one or more species of submergent vegetation. These vegetation beds occur in both subtidal and intertidal zones and may occur in isolated patches or cover extensive areas. In either case, the bed is defined by the Marine Fisheries Commission. Any rules relating to SAVs shall not apply to non-development control activities authorized by the Aquatic Weed Control Act of 1991 (G.S. 113A-220 et seq.).

(b) Specific Use Standards

- (1) Navigation channels, canals, and boat basins shall be aligned or located so as to avoid primary nursery areas, shellfish beds, beds of submerged aquatic vegetation as defined by the MFC, or areas of coastal wetlands except as otherwise allowed within this Subchapter. Navigation channels, canals and boat basins shall also comply with the following standards:
 - (A) Navigation channels and canals may be allowed through fringes of regularly and irregularly flooded coastal wetlands if the loss of wetlands will have no significant adverse impacts on fishery resources, water quality or adjacent wetlands, and if there is no reasonable alternative that would avoid the wetland losses;
 - (B) All dredged material shall be confined landward of regularly and irregularly flooded coastal wetlands and stabilized to prevent entry of sediments into the adjacent water bodies or coastal wetlands;
 - (C) Dredged material from maintenance of channels and canals through irregularly flooded wetlands shall be placed on non-wetland areas, remnant spoil piles, or disposed of by a method having no significant, long-term wetland impacts. Under no circumstances shall dredged material be placed on regularly flooded wetlands. New dredged material disposal areas shall not be located in the buffer area as outlined in 15A NCAC 07H .0209(d)(10);
 - (D) Widths of excavated canals and channels shall be the minimum required to meet the applicant's needs but not impair water circulation;
 - (E) Boat basin design shall maximize water exchange by having the widest possible opening and the shortest practical entrance canal. Depths of boat basins shall decrease from the waterward end inland;
 - (F) Any canal or boat basin shall be excavated no deeper than the depth of the connecting waters;
 - (G) Construction of finger canal systems are not allowed. Canals shall be either straight or meandering with no right angle corners;
 - (H) Canals shall be designed so as not to create an erosion hazard to adjoining property. Design may include shoreline stabilization, vegetative stabilization, or setbacks based on soil characteristics; and
 - (I) Maintenance excavation in canals, channels and boat basins within primary nursery areas and areas of submerged aquatic vegetation as defined by the MFC shall be avoided. However, when essential to maintain a traditional and established use, maintenance excavation may be approved if the applicant meets all of the following criteria:
 - (i) The applicant demonstrates and documents that a water-dependent need exists for the excavation;
 - (ii) There exists a previously permitted channel that was constructed or maintained under permits issued by the State or Federal government. If a natural channel was in use, or if a human-made channel was constructed before permitting was necessary, there shall be evidence that the channel was continuously used for a specific purpose;
 - (iii) Excavated material can be removed and placed in a disposal area in accordance with Part (b)(1)(B) of this Rule without impacting adjacent nursery areas and submerged aquatic vegetation as defined by the MFC; and
 - (iv) The original depth and width of a human-made or natural channel shall not be increased to allow a new or expanded use of the channel.
- (2) Hydraulic Dredging
 - (A) The terminal end of the dredge pipeline shall be positioned at a distance sufficient to preclude erosion of the containment dike and a maximum distance from spillways to allow settlement of suspended solids;
 - (B) Dredged material shall be either confined on high ground by retaining structures or deposited on beaches for purposes of renourishment if the material is suitable in accordance with the rules in this Subchapter, except as provided in Part (G) of this Subparagraph;
 - (C) Confinement of excavated materials shall be landward of all coastal wetlands and shall employ soil stabilization measures to prevent entry of sediments into the adjacent water bodies or coastal wetlands;

- (D) Effluent from diked areas receiving disposal from hydraulic dredging operations shall be contained by pipe, trough, or similar device to a point waterward of emergent vegetation or, where local conditions require, below normal low water or normal water level;
 - (E) When possible, effluent from diked disposal areas shall be returned to the area being dredged;
 - (F) A water control structure shall be installed at the intake end of the effluent pipe;
 - (G) Publicly funded projects shall be considered by review agencies on a case-by-case basis with respect to dredging methods and dredged material disposal in accordance with Subparagraph (a)(3) of this Rule; and
 - (H) Dredged material from closed shellfish waters and effluent from diked disposal areas used when dredging in closed shellfish waters shall be returned to the closed shellfish waters.
- (3) Drainage Ditches
- (A) Drainage ditches located through any coastal wetland shall not exceed six feet wide by four feet deep (from ground surface) unless the applicant shows that larger ditches are necessary;
 - (B) Dredged material derived from the construction or maintenance of drainage ditches through regularly flooded marsh shall be placed landward of these marsh areas in a manner that will insure that entry of sediment into the water or marsh will not occur. Dredged material derived from the construction or maintenance of drainage ditches through irregularly flooded marshes shall be placed on non-wetlands wherever feasible. Non-wetland areas include relic disposal sites;
 - (C) Excavation of new ditches through high ground shall take place landward of an earthen plug or other methods to minimize siltation to adjacent water bodies; and
 - (D) Drainage ditches shall not have a significant adverse impact on primary nursery areas, productive shellfish beds, submerged aquatic vegetation as defined by the MFC, or other estuarine habitat. Drainage ditches shall be designed so as to minimize the effects of freshwater inflows, sediment, and the introduction of nutrients to receiving waters. Settling basins, water gates and retention structures are examples of design alternatives that may be used to minimize sediment introduction.
- (4) Nonagricultural Drainage
- (A) Drainage ditches shall be designed so that restrictions in the volume or diversions of flow are minimized to both surface and ground water;
 - (B) Drainage ditches shall provide for the passage of migratory organisms by allowing free passage of water of sufficient depth; and
 - (C) Drainage ditches shall not create stagnant water pools or changes in the velocity of flow.
- (5) Marinas. "Marinas" are defined as any publicly or privately owned dock, basin or wet boat storage facility constructed to accommodate more than 10 boats and providing any of the following services: permanent or transient docking spaces, dry storage, fueling facilities, haulout facilities, and repair service. Excluded from this definition are boat ramp facilities allowing access only, temporary docking, and none of the preceding services. Expansion of existing facilities shall comply with the standards of this Subparagraph for all development other than maintenance and repair necessary to maintain previous service levels. Marinas shall comply with the following standards:
- (A) Marinas shall be sited in non-wetland areas or in deep waters (areas not requiring dredging) and shall not disturb shellfish resources, submerged aquatic vegetation as defined by the MFC, or wetland habitats, except for dredging necessary for access to high-ground sites. The following four alternatives for siting marinas are listed in order of preference for the least damaging alternative; marina projects shall be designed to have the highest of these four priorities that is deemed feasible by the permit letting agency:
 - (i) an upland basin site requiring no alteration of wetland or estuarine habitat and providing flushing by tidal or wind generated water circulation or basin design characteristics;
 - (ii) an upland basin site requiring dredging for access when the necessary dredging and operation of the marina will not result in significant adverse impacts to

- existing fishery, shellfish, or wetland resources and the basin design shall provide flushing by tidal or wind generated water circulation;
 - (iii) an open water site located outside a primary nursery area which utilizes piers or docks rather than channels or canals to reach deeper water; and
 - (iv) an open water marina requiring excavation of no intertidal habitat, and no dredging greater than the depth of the connecting channel.
- (B) Marinas that require dredging shall not be located in primary nursery areas nor in areas which require dredging through primary nursery areas for access. Maintenance dredging in primary nursery areas for existing marinas shall comply with the standards set out in Part (b)(1)(I) of this Rule;
 - (C) To minimize coverage of public trust areas by docks and moored vessels, dry storage marinas shall be used where feasible;
 - (D) Marinas to be developed in waters subject to public trust rights (other than those created by dredging upland basins or canals) for the purpose of providing docking for residential developments shall be allowed no more than 27 square feet of public trust areas for every one linear foot of shoreline adjacent to these public trust areas for construction of docks and mooring facilities. The 27 square feet allocation does not apply to fairway areas between parallel piers or any portion of the pier used only for access from land to the docking spaces;
 - (E) To protect water quality in shellfishing areas, marinas shall not be located within areas where shellfish harvesting for human consumption is a significant existing use or adjacent to such areas if shellfish harvest closure is anticipated to result from the location of the marina. In compliance with 33 U.S. Code Section 101(a)(2) of the Clean Water Act and North Carolina Water Quality Standards (15A NCAC 02B .0200) adopted pursuant to that section, shellfish harvesting is a significant existing use if it can be established that shellfish have been regularly harvested for human consumption since November 28, 1975 or that shellfish are propagating and surviving in a biologically suitable habitat and are available and suitable for harvesting for the purpose of human consumption. The Division of Coastal Management shall consult with the Division of Marine Fisheries regarding the significance of shellfish harvest as an existing use and the magnitude of the quantities of shellfish that have been harvested or are available for harvest in the area where harvest will be affected by the development;
 - (F) Marinas shall not be located without written consent from the leaseholders or owners of submerged lands that have been leased from the state or deeded by the State;
 - (G) Marina basins shall be designed to promote flushing through the following design criteria:
 - (i) the basin and channel depths shall gradually increase toward open water and shall never be deeper than the waters to which they connect; and
 - (ii) when possible, an opening shall be provided at opposite ends of the basin to establish flow-through circulation;
 - (H) Marinas shall be designed so that the capability of the waters to be used for navigation or for other public trust rights in estuarine or public trust waters are not jeopardized while allowing the applicant access to deep waters;
 - (I) Marinas shall be located and constructed so as to avoid adverse impacts on navigation throughout all federally maintained channels and their boundaries as designated by the US Army Corps of Engineers. This includes permanent or temporary mooring sites; speed or traffic reductions; or any other device, either physical or regulatory, that may cause a federally maintained channel to be restricted;
 - (J) Open water marinas shall not be enclosed within breakwaters that preclude circulation sufficient to maintain water quality;
 - (K) Marinas that require dredging shall provide areas in accordance with Part (b)(1)(B) of this Rule to accommodate disposal needs for future maintenance dredging, including the ability to remove the dredged material from the marina site;
 - (L) Marina design shall comply with all applicable EMC requirements (15A NCAC 02B .0200) for management of stormwater runoff. Stormwater management systems shall not be located within the 30-foot buffer area outlined in 15A NCAC 07H .0209(d);

- (M) Marinas shall post a notice prohibiting the discharge of any waste from boat toilets and listing the availability of local pump-out services;
 - (N) Boat maintenance areas shall be designed so that all scraping, sandblasting, and painting will be done over dry land with collection and containment devices that prevent entry of waste materials into adjacent waters;
 - (O) All marinas shall comply with all applicable standards for docks and piers, shoreline stabilization, dredging and dredged material disposal of this Rule;
 - (P) All applications for marinas shall be reviewed by the Division of Coastal Management to determine their potential impact to coastal resources and compliance with applicable standards of this Rule. Such review shall also consider the cumulative impacts of marina development in accordance with G.S. 113A-120(a)(10); and
 - (Q) Replacement of existing marinas to maintain previous service levels shall be allowed provided that the development complies with the standards for marina development within this Section.
- (6) Piers and Docking Facilities.
- (A) Piers shall not exceed six feet in width. Piers greater than six feet in width shall be permitted only if the greater width is necessary for safe use, to improve public access, or to support a water dependent use that cannot otherwise occur;
 - (B) The total square footage of shaded impact for docks and mooring facilities (excluding the pier) allowed shall be eight square feet per linear foot of shoreline with a maximum of 2,000 square feet. In calculating the shaded impact, uncovered open water slips shall not be counted in the total. Projects requiring dimensions greater than those stated in this Rule shall be permitted only if the greater dimensions are necessary for safe use, to improve public access, or to support a water dependent use that cannot otherwise occur. Size restrictions shall not apply to marinas;
 - (C) Piers and docking facilities over coastal wetlands shall be no wider than six feet and shall be elevated at least three feet above any coastal wetland substrate as measured from the bottom of the decking;
 - (D) A boathouse shall not exceed 400 square feet except to accommodate a documented need for a larger boathouse and shall have sides extending no farther than one-half the height of the walls as measured from the Normal Water Level or Normal High Water and covering only the top half of the walls. Measurements of square footage shall be taken of the greatest exterior dimensions. Boathouses shall not be allowed on lots with less than 75 linear feet of shoreline, except that structural boat covers utilizing a frame-supported fabric covering may be permitted on properties with less than 75 linear feet of shoreline when using screened fabric for side walls. Size restrictions do not apply to marinas;
 - (E) The total area enclosed by an individual boat lift shall not exceed 400 square feet except to accommodate a documented need for a larger boat lift;
 - (F) Piers and docking facilities shall be single story. They may be roofed but shall not be designed to allow second story use;
 - (G) Pier and docking facility length shall be limited by:
 - (i) not extending beyond the established pier or docking facility length along the same shoreline for similar use. This restriction does not apply to piers 100 feet or less in length unless necessary to avoid unreasonable interference with navigation or other uses of the waters by the public;
 - (ii) not extending into the channel portion of the water body; and
 - (iii) not extending more than one-fourth the width of a natural water body, or human-made canal or basin. Measurements to determine widths of the water body, canals, or basins shall be made from the waterward edge of any coastal wetland vegetation that borders the water body. The one-fourth length limitation does not apply in areas where the U.S. Army Corps of Engineers, or a local government in consultation with the Corps of Engineers, has established an official pier-head line. The one-fourth length limitation shall not apply when the proposed pier is located between longer piers or docking facilities within 200 feet of the applicant's property. However, the proposed pier or docking facility shall not be

- longer than the pier head line established by the adjacent piers or docking facilities, nor longer than one-third the width of the water body.
- (H) Piers or docking facilities longer than 400 feet shall be permitted only if the proposed length gives access to deeper water at a rate of at least 1 foot each 100 foot increment of length longer than 400 feet, or, if the additional length is necessary to span some obstruction to navigation. Measurements to determine lengths shall be made from the waterward edge of any coastal wetland vegetation that borders the water body;
 - (I) Piers and docking facilities shall not interfere with the access to any riparian property and shall have a minimum setback of 15 feet between any part of the pier or docking facility and the adjacent property owner's areas of riparian access. The line of division of areas of riparian access shall be established by drawing a line along the channel or deep water in front of the properties, then drawing a line perpendicular to the line of the channel so that it intersects with the shore at the point the upland property line meets the water's edge. The minimum setback provided in the rule may be waived by the written agreement of the adjacent riparian owner(s) or when two adjoining riparian owners are co-applicants. If the adjacent property is sold before construction of the pier or docking facility commences, the applicant shall obtain a written agreement with the new owner waiving the minimum setback and submit it to the permitting agency prior to initiating any development of the pier. Application of this Rule may be aided by reference to the approved diagram in 15A NCAC 07H .1205(t) illustrating the rule as applied to various shoreline configurations. When shoreline configuration is such that a perpendicular alignment cannot be achieved, the pier shall be aligned to meet the intent of this Rule to the maximum extent practicable as determined by the Director of the Division of Coastal Management; and
 - (J) Applicants for authorization to construct a pier or docking facility shall provide notice of the permit application to the owner of any part of a shellfish franchise or lease over which the proposed dock or pier would extend. The applicant shall allow the lease holder the opportunity to mark a navigation route from the pier to the edge of the lease.
- (7) Bulkheads
- (A) Bulkhead alignment, for the purpose of shoreline stabilization, shall approximate the location of normal high water or normal water level;
 - (B) Bulkheads shall be constructed landward of coastal wetlands in order to avoid significant adverse impacts to the resources;
 - (C) Bulkhead backfill material shall be obtained from an upland source approved by the Division of Coastal Management pursuant to this Section, or if the bulkhead is a part of a permitted project involving excavation from a non-upland source, the material so obtained may be contained behind the bulkhead;
 - (D) Bulkheads shall be permitted below normal high water or normal water level only when the following standards are met:
 - (i) the property to be bulkheaded has an identifiable erosion problem, whether it results from natural causes or adjacent bulkheads, or it has unusual geographic or geologic features, e.g. steep grade bank, which will cause the applicant unreasonable hardship under the other provisions of this Rule;
 - (ii) the bulkhead alignment extends no further below normal high water or normal water level than necessary to allow recovery of the area eroded in the year prior to the date of application, to align with adjacent bulkheads, or to mitigate the unreasonable hardship resulting from the unusual geographic or geologic features;
 - (iii) the bulkhead alignment will not adversely impact public trust rights or the property of adjacent riparian owners;
 - (iv) the need for a bulkhead below normal high water or normal water level is documented by the Division of Coastal Management; and
 - (v) the property to be bulkheaded is in a non-oceanfront area.
 - (E) Where possible, sloping rip-rap, gabions, or vegetation shall be used rather than bulkheads.
- (8) Beach Nourishment

- (A) Beach creation or maintenance may be allowed to enhance water related recreational facilities for public, commercial, and private use consistent with the following:
 - (i) Beaches may be created or maintained in areas where they have historically been found due to natural processes;
 - (ii) Material placed in the water and along the shoreline shall be clean sand and free from pollutants. Grain size shall be equal to that found naturally at the site;
 - (iii) Beach creation shall not be allowed in primary nursery areas, nor in any areas where siltation from the site would pose a threat to shellfish beds;
 - (iv) Material shall not be placed on any coastal wetlands or submerged aquatic vegetation as defined by MFC;
 - (v) Material shall not be placed on any submerged bottom with significant shellfish resources as identified by the Division of Marine Fisheries during the permit review; and
 - (vi) Beach construction shall not create the potential for filling adjacent navigation channels, canals or boat basins.
 - (B) Placing unconfined sand material in the water and along the shoreline shall not be allowed as a method of shoreline erosion control;
 - (C) Material from dredging projects may be used for beach nourishment if:
 - (i) it is first handled in a manner consistent with dredged material disposal as set forth in this Rule;
 - (ii) it is allowed to dry prior to being placed on the beach; and
 - (iii) only that material of acceptable grain size as set forth in Subpart (b)(8)(A)(ii) of this Rule is removed from the disposal site for placement on the beach. Material shall not be placed directly on the beach by dredge or dragline during maintenance excavation.
 - (D) Beach construction shall comply with State and federal water quality standards;
 - (E) The renewal of permits for beach nourishment projects shall require an evaluation by the Division of Coastal Management of any adverse impacts of the original work; and
 - (F) Permits issued for beach nourishment shall be limited to authorizing beach nourishment only one time.
- (9) Groins
- (A) Groins shall not extend more than 25 feet waterward of the normal high water or normal water level unless a longer structure is justified by site specific conditions and by an individual who meets any North Carolina occupational licensing requirements for the type of structure being proposed and approved during the application process;
 - (B) Groins shall be set back a minimum of 15 feet from the adjoining riparian lines. The setback for rock groins shall be measured from the toe of the structure. This setback may be waived by written agreement of the adjacent riparian owner(s) or when two adjoining riparian owners are co-applicants. Should the adjacent property be sold before construction of the groin commences, the applicant shall obtain a written agreement with the new owner waiving the minimum setback and submit it to the permitting agency prior to initiating any development of the groin;
 - (C) Groins shall pose no threat to navigation;
 - (D) The height of groins shall not exceed one foot above normal high water or normal water level;
 - (E) No more than two structures shall be allowed per 100 feet of shoreline unless the applicant provides evidence that more structures are needed for shoreline stabilization.
 - (F) "L" and "T" sections shall not be allowed at the end of groins; and
 - (G) Riprap material used for groin construction shall be free from loose dirt or any other pollutant and of a size sufficient to prevent its movement from the site by wave and current action.
- (10) "Freestanding Moorings".
- (A) A "freestanding mooring" is any means to attach a ship, boat, vessel, floating structure or other water craft to a stationary underwater device, mooring buoy, buoyed anchor, or piling as long as the piling is not associated with an existing or proposed pier, dock, or boathouse;

- (B) Freestanding moorings shall be permitted only:
 - (i) to riparian property owners within their riparian corridors; or
 - (ii) to any applicant proposing to locate a mooring buoy consistent with a water use plan that is included in either the local zoning or land use plan.
 - (C) All mooring fields shall provide an area for access to any mooring(s) and other land based operations that shall include wastewater pumpout, trash disposal and vehicle parking;
 - (D) To protect water quality of shellfishing areas, mooring fields shall not be located within areas where shellfish harvesting for human consumption is a significant existing use or adjacent to such areas if shellfish harvest closure is anticipated to result from the location of the mooring field. In compliance with Section 101(a)(2) of the Federal Water Pollution Control Act, 33 U.S.C. 1251 (a)(2), and North Carolina Water Quality Standards adopted pursuant to that section, shellfish harvesting is a significant existing use if it can be established that shellfish have been regularly harvested for human consumption since November 28, 1975 or that shellfish are propagating and surviving in a biologically suitable habitat and are available and suitable for harvesting for the purpose of human consumption. The Division of Marine Fisheries shall be consulted regarding the significance of shellfish harvest as an existing use and the magnitude of the quantities of shellfish that have been harvested or are available for harvest in the area where harvest will be affected by the development;
 - (E) Moorings shall not be located without written consent from the leaseholders or owners of submerged lands that have been leased from the state or deeded by the State;
 - (F) Moorings shall be located and constructed so as to avoid adverse impacts on navigation throughout all federally maintained channels. This includes permanent or temporary mooring sites, speed or traffic reductions, or any other device, either physical or regulatory, which may cause a federally maintained channel to be restricted;
 - (G) Open water moorings shall not be enclosed within breakwaters that preclude circulation and degrade water quality in violation of EMC standards;
 - (H) Moorings and the associated land based operation design shall comply with all applicable EMC requirements for management of stormwater runoff;
 - (I) Mooring fields shall have posted in view of patrons a notice prohibiting the discharge of any waste from boat toilets or any other discharge and listing the availability of local pump-out services and waste disposal;
 - (J) Freestanding moorings associated with commercial shipping, public service, or temporary construction or salvage operations may be permitted without a public sponsor;
 - (K) Freestanding mooring buoys and piles shall be evaluated based upon the arc of the swing including the length of the vessel to be moored. Moorings and the attached vessel shall not interfere with the access of any riparian owner nor shall it block riparian access to channels or deep water, which allows riparian access. Freestanding moorings shall not interfere with the ability of any riparian owner to place a pier for access;
 - (L) Freestanding moorings shall not be established in submerged cable or pipe crossing areas or in a manner that interferes with the operations of an access through any bridge;
 - (M) Freestanding moorings shall be marked or colored in compliance with U.S. Coast Guard and the WRC requirements and the required marking maintained for the life of the mooring(s); and
 - (N) The type of material used to create a mooring must be free of pollutants and of a design and type of material so as to not present a hazard to navigation or public safety.
- (11) Filling of Canals, Basins and Ditches - Notwithstanding the general use standards for estuarine systems as set out in Paragraph (a) of this Rule, filling canals, basins and ditches shall be allowed if all of the following conditions are met:
- (A) the area to be filled was not created by excavating lands which were below the normal high water or normal water level;
 - (B) if the area was created from wetlands, the elevation of the proposed filling does not exceed the elevation of said wetlands so that wetland function will be restored;

- (C) the filling will not adversely impact any designated primary nursery area, shellfish bed, submerged aquatic vegetation as defined by the MFC, coastal wetlands, public trust right or public trust usage; and
 - (D) the filling will not adversely affect the value and enjoyment of property of any riparian owner.
- (12) "Submerged Lands Mining"
- (A) Development Standards. Mining of submerged lands shall meet all the following standards:
 - (i) The biological productivity and biological significance of mine sites, or borrow sites used for sediment extraction, shall be evaluated for significant adverse impacts and a protection strategy for these natural functions and values provided with the State approval request or permit application;
 - (ii) Natural reefs, coral outcrops, artificial reefs, seaweed communities, and significant benthic communities identified by the Division of Marine Fisheries or the WRC shall be avoided;
 - (iii) Mining shall avoid significant archaeological resources as defined in Rule .0509 of this Subchapter; shipwrecks identified by the Department of Cultural Resources; and unique geological features that require protection from uncontrolled or incompatible development as identified by the Division of Energy, Mineral, and Land Resources pursuant to G.S. 113A-113(b)(4)(g);
 - (iv) Mining activities shall not be conducted on or within 500 meters of significant biological communities identified by the Division of Marine Fisheries or the WRC, such as high relief hard bottom areas. "High relief" is defined for this Part as relief greater than or equal to one-half meter per five meters of horizontal distance;
 - (v) Mining activities shall be timed to minimize impacts on the life cycles of estuarine or ocean resources; and
 - (vi) Mining activities shall not affect potable groundwater supplies, wildlife, freshwater, estuarine, or marine fisheries.
 - (B) Permit Conditions. Permits for submerged lands mining may be conditioned on the applicant amending the mining proposal to include measures necessary to ensure compliance with the provisions of the Mining Act and the rules for development set out in this Subchapter. Permit conditions shall also include:
 - (i) Monitoring by the applicant to ensure compliance with all applicable development standards; and
 - (ii) A determination of the necessity and feasibility of restoration shall be made by the Division of Coastal Management as part of the permit or consistency review process. Restoration shall be necessary where it will facilitate recovery of the pre-development ecosystem. Restoration shall be considered feasible unless, after consideration of all practicable restoration alternatives, the Division of Coastal Management determines that the adverse effects of restoration outweigh the benefits of the restoration on estuarine or ocean resources. If restoration is determined to be necessary and feasible, then the applicant shall submit a restoration plan to the Division of Coastal Management prior to the issuance of the permit.
 - (C) Dredging activities for the purposes of mining natural resources shall be consistent with the development standards set out in this Rule;
 - (D) Mitigation. Where mining cannot be conducted consistent with the development standards set out in this Rule, the applicant may request mitigation approval under 15A NCAC 07M .0700; and
 - (E) Public Benefits Exception. Projects that conflict with the standards in this Subparagraph, but provide a public benefit, may be approved pursuant to the standards set out in Subparagraph (a)(3) of this Rule.
- (13) "Wind Energy Facilities"
- (A) An applicant for the development and operation of a wind energy facility shall provide:

- (i) an evaluation of the proposed noise impacts of the turbines to be associated with the proposed facility;
 - (ii) an evaluation of shadow flicker impacts for the turbines to be associated with the proposed facility;
 - (iii) an evaluation of avian and bat impacts of the proposed facility;
 - (iv) an evaluation of viewshed impacts of the proposed facility;
 - (v) an evaluation of potential user conflicts associated with development in the proposed project area; and
 - (vi) a plan regarding the action to be taken upon decommissioning and removal of the wind energy facility. The plan shall include estimates of monetary costs, time frame of removal and the proposed site condition after decommissioning.
- (B) Development Standards. Development of wind energy facilities shall meet the following standards in addition to adhering to the requirements outlined in Part (a)(13)(A) of this Rule:
- (i) Natural reefs, coral outcrops, artificial reefs, seaweed communities, and significant benthic communities identified by the Division of Marine Fisheries or the WRC shall be avoided;
 - (ii) Development shall not be sited on or within 500 meters of significant biological communities identified by the Division of Marine Fisheries or the WRC, such as high relief hard bottom areas. High relief is defined for this standard as relief greater than or equal to one-half meter per five meters of horizontal distance;
 - (iii) Development shall not cause irreversible damage to documented archeological resources including shipwrecks identified by the Department of Cultural Resources and unique geological features that require protection from uncontrolled or incompatible development as identified by the Division of Energy, Mineral, and Land Resources pursuant to G.S. 113A-113(b)(4)(g);
 - (iv) Development activities shall be timed to avoid significant adverse impacts on the life cycles of estuarine or ocean resources, or wildlife;
 - (v) Development or operation of a wind energy facility shall not jeopardize the use of the surrounding waters for navigation or for other public trust rights in public trust areas or estuarine waters; and
 - (vi) Development or operation of a wind energy facility shall not interfere with air navigation routes, air traffic control areas, military training routes or special use airspace and shall comply with standards adopted by the Federal Aviation Administration and codified under 14 CFR Part 77.13.
- (C) Permit Conditions. Permits for wind energy facilities may be conditioned on the applicant amending the proposal to include measures necessary to ensure compliance with the standards for development set out in this Rule. Permit conditions may include monitoring to ensure compliance with all applicable development standards; and
- (D) Public Benefits Exception. Projects that conflict with these standards, but provide a public benefit, may be approved pursuant to the standards set out in Subparagraph (a)(3) of this Rule.

History Note: Authority G.S. 113A-107(b); 113A-108; 113A-113(b); 113A-124; Eff. September 9, 1977; Amended Eff. February 1, 1996; April 1, 1993; February 1, 1993; November 30, 1992; RRC Objection due to ambiguity Eff. March 21, 1996; Amended Eff. August 1, 2012(see S.L. 2012-143, s.1(f)); February 1, 2011; August 1, 2010; June 1, 2010; August 1, 1998; May 1, 1996; Readopted Eff. July 1, 2020; Amended Eff. August 1, 2022.

CLARIFY DEFINITION OF WETLANDS

SECTION 15.(a) Definitions. – For purposes of this section and its implementation, "Wetlands Definition" means 15A NCAC 02B .0202 (Definitions).

SECTION 15.(b) Wetlands Definition Rule. – Until the effective date of the revised permanent rule that the Environmental Management Commission (Commission) is required to adopt pursuant to subsection (d) of this section, the Commission shall implement the Wetlands Definition Rule as provided in subsection (c) of this section.

SECTION 15.(c) Implementation. – Wetlands classified as waters of the State are restricted to waters of the United States as defined by 33 C.F.R. § 328.3 and 40 C.F.R. § 230.3. Wetlands do not include prior converted cropland as defined in the National Food Security Act Manual, Fifth Edition, which is hereby incorporated by reference, not including subsequent amendments and editions.

SECTION 15.(d) Additional Rulemaking Authority. – The Commission shall adopt a rule to amend the Wetlands Definition Rule consistent with subsection (c) of this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this section shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in G.S. 150B-21.3(b2).

SECTION 15.(e) Sunset. – This section expires when permanent rules adopted as required by subsection (d) of this section become effective.

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
OF THE TOWN OF NORTH TOPSAIL BEACH, NORTH CAROLINA BY
UPDATING STANDARDS FOR PROTECTING WETLANDS PURSUANT TO SENATE
BILL 582 AND PROVIDING FOR CERTAIN ENFORCEMENT PENALTIES FOR
UNPERMITTED DISTURBANCE**

Ordinance 23-__

WHEREAS, N.C. Session Law 2023-63 created new definitions for Wetlands that apply throughout North Carolina; and

WHEREAS, the Planning Board has reviewed the proposed standards and recommended approval of this ordinance; and

WHEREAS, the Board of Aldermen has found this ordinance to be consistent with the Town's adopted CAMA Land Use Plan; and

WHEREAS, the Board of Aldermen acknowledges the importance of Wetlands in reducing flood risk; and

WHEREAS, the Board of Aldermen affirms that open space management practices are consistent with the goals of reducing hazard losses, such as the preservation of Wetlands or other flood-prone areas in their natural state in perpetuity; and

WHEREAS, the Board of Aldermen has determined that is in public interest to update standards for protecting Wetlands in the Unified Development Ordinance consistent with North Carolina Senate Bill 582 and in compliance with the N.C. General Statutes 160D.

NOW THEREFORE BE IT ORDAINED by the Board of Aldermen for the Town of North Topsail Beach, North Carolina that the Unified Development Ordinance shall be amended as follows:

PART I. That Subsection of the Unified Development Ordinance be amended with the addition of the following:

§10.07.05 INSTALL AND MAINTAIN EFFECTIVE SEDIMENTATION AND EROSION CONTROL MEASURES

All unconsolidated material resulting from associated grading and landscaping shall be retained on site by effective sedimentation and erosion control measures.

Disturbed areas shall be vegetated and stabilized (planted and mulched) within 14 days of construction completion.

It shall be the responsibility of the property owner to ensure the installation and maintenance of effective sedimentation and erosion control measures and to stabilize disturbed areas within 14 days of construction completion.

Failure to install and maintain effective sedimentation and erosion control measures during construction or stabilize disturbed areas after construction are in violation of this ordinance shall be subject to a fine in accordance with the Planning and Zoning Fee Schedule for Code Enforcement Civil Citations, as adopted by the Board of Aldermen.

§10.07.06 WETLAND PROTECTION.

- (A) Any Wetlands, as defined in Chapter 11, damaged during construction, or damage occurring as a result of such construction, or excavated in violation of this ordinance shall be restored to its original state using similar materials and stabilizing vegetation.
- (B) It shall be the responsibility of the property owner to guarantee the protection of all identified Wetlands and not allow the natural wetland hydrology of the lot to be altered beyond that which has been authorized in the permit.
- (C) Wetland grass planting or wetland reforestation shall be the ultimate responsibility of the property owner.
- (D) Any Wetlands, as defined in Chapter 11, in the required natural area that has been damaged or excavated in violation of this ordinance shall be subject to a fine in accordance with the the Planning and Zoning Fee Schedule for Code Enforcement Civil Citations for this section, as adopted by the Board of Aldermen and restored within 7 days of notice.
- (E) Failure to repair damage to Wetlands and vegetation after 7 days, shall constitute a separate violation for each day that such failure continues after written notification pursuant to §2.17.01.

§11.01.12 DEFINITIONS.

WETLANDS are waters defined to be Wetlands as determined by the North Carolina Department of Environmental Quality and/or the United States Army Corps of Engineers. Wetlands shall also include all waters defined as Wetlands by NC Session Law 2023-63/NC Senate Bill 582, as may be amended from time to time.

PART II. This ordinance shall be effective upon its adoption.

**Town of North Topsail Beach
FY 2023-2024
Fee Schedule**

PLANNING & ZONING FEES

Fees effective 7-1-2022

Development

Re-inspection Fee	\$75.00 for 1st Re-Inspection; \$100 for 2nd Re-Inspection and \$100 for all other additional Re-Inspections (Applied if Inspection NOT READY or FAILS)
Floodplain Development Permit Fee	\$50.00
Zoning Permit Fee(unless otherwise listed)	\$75.00
Special Requirement Site Plans (includes CUP fee)	\$750.00
Commercial Site Plan Review (includes CUP fee)	\$750.00
NTB Driveway Permit (NCDOT separate fee)	\$50.00
Telecommunications Facility - Co-location	\$400.00
Telecommunications Facility - New	\$2,000.00
Accessory Structures	\$50.00

Quasi-Judicial Public Hearings*

Variance Request	\$350.00
Appeals	\$350.00
Conditional Use Permit/Special Use Permit	\$350.00

Legislative Hearings

Map Amendment (Rezone)	\$500.00
Text Amendment	\$500.00

Other Fees

Home Occupation Permit	\$50.00
Land Disturbance	\$50.00
Signs	\$50.00
Zoning Letter of Compliance	\$100.00
Mobile Food Vendor - ANNUAL	\$500.00
Mobile Food Vendor - Special Event	\$100.00
Pushcart - ANNUAL	\$75.00
Pushcart - Special Event	\$25.00

Re-Inspections	\$75.00 for 1st Re-Inspection; \$100 for 2nd Re-Inspection and \$100 for all other additional Re-Inspections (Applied if Inspection NOT READY or FAILS)
Work Done without Permit	Double permit fee + \$200 fine
Failure to get final inspection prior to expiration of permit	\$100.00

Town of North Topsail Beach

FY 2023-2024

Fee Schedule

Major Subdivision/Planned Unit Developments

Sketch, Preliminary and Final	\$300/\$300/\$150
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Minor Subdivision

Sketch & Final	\$200/\$200
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Exemptions (Review Required)	\$50.00
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Code Enforcement

Civil Citations	First Offense \$50.00 Offense \$100.00 Subsequent Offenses \$200.00 each
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Civil Citations: § 10.07.02 REBUILDING OF DAMAGED DUNES.	First Offense & Subsequent Offenses \$10,000.00.00 each
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Civil Citations: §10.07.06 WETLAND PROTECTION.	First Offense & Subsequent Offenses \$10,000.00.00 each
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* Applicant is responsible for all transcript expenses. In addition to the fee, a \$150 deposit for transcript is required. All cancellations must be received at least 48 hours before the start of the public hearing and refunds are subject to a \$150 cancellation fee.

AFFP

Town of North Topsail Sept 6

Affidavit of Publication

STATE OF NC }
COUNTY OF ONSLOW } SS


Christy Williamson , being duly sworn, says:

That she is Christy Williamson, Advertising Director of the The Daily News, a daily newspaper of general circulation, printed and published in Jacksonville, Onslow County, NC; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following

August 19, 2023, August 26, 2023

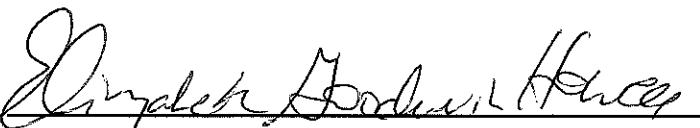
That said newspaper was regularly issued and circulated on those dates.

SIGNED:



Christy Williamson, Advertising Director

Subscribed to and sworn to me this 26th day of August 2023.

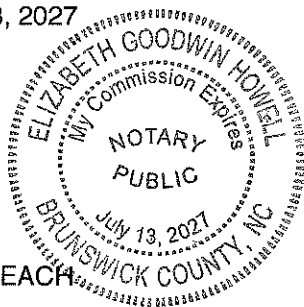


Elizabeth Goodwin Howell, , Onslow County, NC

My commission expires: July 13, 2027

70086577 70749116

DEBORAH HILL
TOWN OF NORTH TOPSAIL BEACH
2008 LOGGERHEAD CT.
NORTH TOPSAIL BEACH, NC 28460



TOWN OF NORTH TOPSAIL BEACH

BOARD OF ALDERMEN

Wednesday, September 6, 2023,
11:00 a.m.

2008 Loggerhead Court, North
Topsail Beach NC 28460

Pursuant to NCGS § 160D-601
and the Town's Unified Develop-
ment Ordinance (UDO) §2.07.01,
notice is hereby given that a regu-
lar meeting of the North Topsail
Beach Board of Aldermen will be
held at 2008 Loggerhead Court,
North Topsail Beach NC on Wed-
nesday, September 6, 2023, 11:00
a.m. Hearings will be conducted to
receive input on:

Proposed Text Amendments to
Wetland Regulations and Enforce-
ment:

Uniform Development Ordinance
§10.07.05 Install and maintain ef-
fective sedimentation and erosion
control measures; §10.07.06 Wet-
land Protection; and §11.01.12
Definitions. Wetlands.

All information pertaining to these
public hearings may be viewed at
the Town Hall by appointment
only Monday through Friday
between the hours of 8:00 am and
5:00 pm.

For more information, please con-
tact:

Deborah J. Hill MPA AICP CFM
CZO, Planning Director
dhill@northtopsailbeachnc.gov
910-328-1349

From: [Deb Hill](#)
To: [Tyler Newman](#); [Alice Derian](#)
Cc: [Cameron Moore](#); [Millis, Chris](#); [Christina Asbury](#); [TIAR](#)
Subject: RE: wetlands
Date: Wednesday, September 6, 2023 12:54:00 PM

It is continued until the next meeting.

Confirmation of wetland delineation on a plat of survey, signed and sealed by a NC licensed surveyor – typically staked by Gene Young/Applied Resource Management, in this area - **is made by Division of Coastal Management (401) and U. S. Army Corps of Engineers (404).**

Deborah J. Hill MPA AICP CFM CZO

Planning Director

Town of North Topsail Beach

2008 Loggerhead Ct.
North Topsail Beach, NC 28460
Town Hall 910.328.1349
Direct 910.581.3008



From: Tyler Newman <tyler@ncbase.org>
Sent: Wednesday, September 6, 2023 12:47 PM
To: Deb Hill <dhill@northtopsailbeachnc.gov>; Alice Derian <aderian@northtopsailbeachnc.gov>
Cc: Cameron Moore <cameron@wilmhba.org>; Millis, Chris <cmillis@nchba.org>; Christina Asbury <christinasellsrealestate@gmail.com>; TIAR <office@topsailrealtors.com>
Subject: Re: wetlands

Assuming that the text amendment passed, how is the town going to implement identification of wetlands?

Tyler Newman
President and CEO
Business Alliance for a Sound Economy
Wilmington, NC
404-484-9045

From: Deb Hill <dhill@northtopsailbeachnc.gov>
Sent: Wednesday, September 6, 2023 12:44:33 PM
To: Tyler Newman <tyler@ncbase.org>; Alice Derian <aderian@northtopsailbeachnc.gov>
Cc: Cameron Moore <cameron@wilmhba.org>; Millis, Chris <cmillis@nchba.org>; Christina Asbury <christinasellsrealestate@gmail.com>; TIAR <office@topsailrealtors.com>
Subject: RE: wetlands

Thank you, but the link provides no access. I received this after I returned from the meeting downstairs.

Deborah J. Hill MPA AICP CFM CZO

Planning Director

Town of North Topsail Beach

2008 Loggerhead Ct.

North Topsail Beach, NC 28460

Town Hall 910.328.1349

Direct 910.581.3008



From: Tyler Newman <tyler@ncbase.org>

Sent: Wednesday, September 6, 2023 10:50 AM

To: Deb Hill <dhill@northtopsailbeachnc.gov>; Alice Derian <aderian@northtopsailbeachnc.gov>

Cc: Cameron Moore <cameron@wilmhba.org>; Millis, Chris <cmillis@nchba.org>; Christina Asbury <christinasellsrealestate@gmail.com>; TIAR <office@topsailrealtors.com>

Subject: wetlands

With the clear understanding that y'all have a meeting in 15 minutes, I wanted to pass along some information from DEQ about wetlands. This link will take you to a document addressed to the EMC Chair, regarding the state's authority on wetlands following recent legislation.

<https://edocs.deq.nc.gov/WaterResources/DocView.aspx?dbid=0&id=2943763&cr=1>

In short, doing anything at the local level is regulatory overreach. The state's definition is pegged to the federal definition—and that is in flux, even with the final rule announced last week.

We strongly encourage the Town not to take action on this item, for a variety of reasons.

Thanks,

Tyler

Tyler Newman

President & CEO

Business Alliance for a Sound Economy

Wilmington, North Carolina

404-484-9045 (c)

Pursuant to North Carolina General Statutes, Chapter 132, email correspondence to and from this address may be considered public record under the North Carolina Public Records Law and may possibly be disclosed to third parties.

Joann M. McDermion, Mayor
Mike Benson, Mayor Pro Tem

Aldermen:
Fred Fontana
Richard Grant
Tom Leonard
Connie Pletl



Alice Derian, ICMA-CM
Town Manager

Nancy Avery
Interim Town Clerk

Board of Aldermen

Agenda

Item:

Date: **10 04 2023**

Issue: Planning Board Committee Report
Mrs. Hanna McCloud, Chair

Department: Planning

Prepared by: Deborah J. Hill MPA AICP CFM CZO

Presentation: No

No meeting was held in September.

There are 2 vacant (alternate positions) on the Planning Board due Pat Stigall (PB/ZBA) moving and Alfred Fontana's appointment to the Board of Aldermen.

RECOMMENDATION:

To approve the updated Planning Board roster to include reappointments **(R)** for Paul Dorazio and Gunnar Matthews to the Planning Board term renewals to 2026, and appointments of **(A)** Susan Meyer as a regular member, taking Alfred Fontana's unexpired term and Stu Harness taking Pat Stigall's unexpired term.

Several members – Hanna McCloud, Paul Dorazio, Scott Morse, Susan Meyer - serve both boards. As additional applications are received, long serving members should select which board they would like to continue on, to allow for greater participation of new applicants.

ATTACHMENT

1. Planning Board Members & Terms

North Topsail Beach Planning Board

+ = New Applicant A = Appoint R = Reappoint

Recommendation for Board of Aldermen approval October 4, 2023

Regular Members

Name	<i>Appointed as Alternate</i>	<i>Appointed as Regular</i>	Term Expires	Years Served
Lisa Brown	8/6/2022	6/1/2022	May 15, 2025	1
R Paul Dorazio Vice Chair	3/2/2002	9/5/2002	May 15, 2026	21
A Susan Meyer	6/1/2022		May 15, 2024	1
Scott Morse	Apr 13, 2017	5/1/ 2021	May 15, 2025	6
R Gunnar Matthews	Jun 5, 2003	7/3/ 2003	May 15, 2026	20
Hanna McCloud Chair	5/4/2009	12/3/2009	May 15, 2024	14
A Stu Harness	6/1/2022		May 15, 2026	1

Alternate Members

VACANT				
VACANT				

Joann M. McDermion, Mayor
Mike Benson, Mayor Pro Tem

Aldermen:
Fred Fontana
Richard Grant
Tom Leonard
Connie Pletl



Alice Derian, ICMA-CM
Town Manager

Nancy Avery
Interim Town Clerk

Board of Aldermen

Agenda

Item:

Date: **10 04 2023**

Issue: Zoning Board of Adjustment Committee Report
Mrs. Hanna McCloud, Chair

Department: Planning

Prepared by: Deborah J. Hill MPA AICP CFM CZO

Presentation: No

No meeting was held in September.

There are 2 vacant (alternate positions) on the Zoning Board of Adjustment due to two members Pat Stigall (PB/ZBA) and Debra Swantek (ZBA) moving.

RECOMMENDATION:

That the Board of Aldermen approve the updated Board of Adjustment roster to include Cameron Kuegel as a regular member to Debra Swantek's unexpired term and Lisa Lee Kozlowski to Pat Stigall's unexpired term.

Several members – Hanna McCloud, Paul Dorazio, Scott Morse, Susan Meyer - serve both boards. As additional applications are received, long serving members should select which board they would like to continue on, to allow for greater participation of new applicants.

ATTACHMENT

1. Zoning Board of Adjustment Members & Terms

North Topsail Beach Zoning Board of Adjustment

+ = New Applicant A = Appoint R = Reappoint

Recommendation for Board of Aldermen approval October 4, 2023

Regular Members

Name	<i>Appointed as Alternate</i>	<i>Appointed as Regular</i>	Term Expires	Years Served
A Lisa Lee Kozlowski	8/6/2020		May 15, 2026	3y
Scott Morse	11/1/2017		May 15, 2025	5y
A Cameron Kuegel	5/2/2018		May 15, 2024	5y
Hanna McCloud Chair	5/3/2012		May 15, 2025	11y
Paul Dorazio Vice Chair	5/3/2012		May 15, 2024	11y

Alternate Members

Susan Meyer	6/1/2022			1y
Stu Harness	6/1/2022			1y
VACANT				
VACANT				

North Topsail Beach
Activities Update
October 2023
Richard Grant

MAJOR ACTIVITIES SUMMARY

- Over \$40 million dollars of beach projects either completed or under contract since 2019/2020 with minimal cost to NTB taxpayers (see later slide)
- Obtained over \$12 million in grants and/or outside funds
- Firetruck loan at 0% interest
- Paid off over \$7 million of Phase 5 USDA loan
 - Refinanced as Special Obligations Bonds (SOBs) saving hundreds of thousands of dollars in interest
- 30 year beach plan under development and BISAC committee formed
- CBRA progress with federal officials
- Capital project fund established and South Firehouse moves to design and construction phases (construction to begin in 2024- bids due fall 2023)
- Bike lane study funded
- Clean Outside Financial Audits

Revenues 23/24 budget

“where does the money come from?”

- Generally four major sources of revenues **excluding grants and awards**
 - Property taxes \$0.43. \$6,933,750 (only one NTB has control over-County is separate).
 - \$0.26 General fund, \$0.10 Beach (Shoreline Protection), \$0.07 Capital Improvement fund
 - Sales taxes \$2,644,292—(split General 74.4% and Beach 25.6%)
 - Accommodation fees \$1,650,000 (rentals)-100% to Beach (Shoreline Protection)
 - These are set by the State not NTB
 - Parking fees \$448,500 (75% beach, 25% general fund)

What are the Town's largest budgeted expenses?

- **Phase 5 Beach Project** formerly USDA loan (refinanced as SOB's) \$2,006,204 (annual payment 4 years remaining)
- **Fire department** \$1,612,748 (does not include capital fund dollars of over \$1 million)
- **Police department** \$1,388,870

Property taxes

why did they increase?

- Every four (4) years Onslow County does an individual property revaluation which becomes basis for assessing taxes—occurred in 2022 but can be appealed
- NTB saw more than a 50% increase in total “value” although this varies by individual property and included “new construction”
 - Property values (including resales) and rentals soared over that period
 - Onslow has an interactive map showing these—eg my house value is in the 114% increase area
- NTB and Onslow actually dropped their “tax rate” - NTB from \$0.46 to \$0.43 and Onslow County from \$0.705 to \$0.655.
 - **NTB receives approximately 40% of the total property taxes paid in total**, and we assume a 99.3% collection on our share (the \$0.43)

Where does the money go?

2023/2024 Budget Revenues and Expenses

Shoreline Protection (beach)

- Revenues \$4,254,816.65 (31% of total revenue)
- Expenses (significant)
 - Phase 5 USDA (refinanced as SOB's) \$2,006,204.00 (47%)
 - Brings total payoff to over \$7 million of original \$15 million since 2021 with another \$2 million paid off this year
 - Future Projects \$1,076,612.65 (25%)
 - New River EIS \$280,000 (commonly referred to as the “groin” project)
 - Sea Oats and Vitex removal \$266,000
 - 30 year beach plan \$30,000
 - Sand bag repair \$200,000

2023/2024 Budget Revenues and expenses

Capital Improvement Fund

- Revenues \$1,743,695.92 (12.5%) –does not include approximately \$500,000 to be received from Onslow County (see later slide)
- Expenses
 - Fire Department \$930,562.50
 - Fire Truck fund \$153,187.50
 - Bike Path project \$100,000
 - Future Capital Improvements \$559,945.92

2023/2024 Budget Revenues and expenses General Fund

- Revenues \$7,591,076 (54%)
- Expenses \$7,591,076 (significant listed below)
 - Fire department \$1,612,748 -22%
 - Police department \$1,388,870 - 18%
 - Planning and inspections \$482,340
 - Public works (buildings, streets, trash rec) \$1,770,583
 - Contingency (storms etc.) \$532,756
 - Admin \$862,730

NTB/Onslow County Partnership

- Cooperative relationship
- Onslow funding (annual)
 - \$0.03 property tax from County property tax collections (approximately \$500,000 per year) for Fire Department
 - \$150,000 grant for Phase 5 loan repayment
- \$10,000 one time grant for Ocean City FY 22/23
- Working together regarding planning including infrastructure

Grants (single)

- North Carolina Phase 4 \$10.5 million matching
 - NTB used FEMA Phase 5 as match **so not cost to town**
 - Creates “engineered beach”
- Cyber security (no match) \$13,527
- FEMA Go, Assistance to Firefighters Grant for 78,571 (Town contribution of 5%, for AirPaks)
- Golden Leaf, Town Hall Grant for \$287,678
- NCDEQ, Large Sediment Sampling Grant for \$14,400
- NCDEQ, Shoreline Protection Funding for \$1,500,000 (no match or contributions)
- GEMS, PD Laptop Replacement Grant for \$23,433 (no match)

Grants/funding (continuing)

- Onslow County fire department (\$0.03 of property tax)
 - Annual around \$500,000 based on NTB property values
- Onslow County—debt assistance
 - \$150,000 per year applied to Phase 5 loan

Beach Projects since 2013 Summary

Data provided by NTB Beach Engineer

	total cost	town cost	%total	%town
Phase 5	41,765,460	16,800,000	60%	69%
Phase 4	11,474,000	446,000	17%	2%
Phase 3	0	0	0%	0%
Phase 2	0	0	0%	0%
Phase 1	11,150,000	7,258,333	16%	30%
Phase 1,2,3,4	3,972,150	0	6%	0%
Phase 1,2	1,020,000	0	1%	0%
	\$69,381,610	\$24,504,333		

Nourishment History since 2013 (including sandbag revetment)

Costs are approximate, volumes are rounded

Date Completed		Shoreline Phase(s)	Volume (cy)	TOTAL COST	Town Cost(doe	FEMA Cost	State Cost
3/1/2013	Channel Realignment 1	1	600,000	\$ 5,600,000	\$ 5,600,000	\$ -	\$ -
2014	Sandbag Revetment (including geotube)	1	50,000	\$ 2,500,000	\$ 1,250,000	\$ -	\$ -
6/1/2015	Phase 5 (2nd Event) USDA loan \$millions of interest not includ	5	1,300,000	\$ 16,800,000	\$ 16,800,000	\$ -	\$ -
4/1/2016	NC Shallow Inlet fund - Cedar Bush Cut	1	130,000	\$ 2,450,000	\$ 408,333	\$ -	\$ 1,633,317
2019/2020	FEMA Truck Dune Haul - Matthew Mitigation	5	168,000	\$ 5,330,460	\$ -	\$ 3,997,845	\$ 1,332,615
2019/2020	Truck Dune Haul - Florence State Project	4	66,000	\$ 2,112,000	\$ 446,000	\$ -	\$ 1,666,000
Spring 2021	FEMA Truck Dune Haul - Florence Mitigation	1,2,3,4	117,000	\$ 3,972,150	\$ -	\$ -	\$ -
Winter 2021	FEMA Truck Dune Haul - Florence Mitigation	1,2	30,000	\$ 1,020,000	\$ -	\$ 765,000	\$ 255,000
Spring 2022	FEMA Truck Engineered Beach Haul - Dorian Mitigation	1	15,000	\$ 600,000	\$ -	\$ 450,000	\$ 150,000
Spring 2022	FEMA Truck Engineered Beach Haul - Florence Mitigation	5	120,000	\$ 3,960,000	\$ -	\$ 2,970,000	\$ 990,000
2022/2023	FEMA Truck Engineered Beach Haul - Florence Mitigation	5	295,000	\$ 9,735,000	\$ -	\$ 7,301,250	\$ 2,433,750
2023/2024	FEMA Truck Engineered Beach Haul - Florence Mitigation	5	180,000	\$ 5,940,000	\$ -	\$ 4,455,000	\$ 1,485,000
2023/2024/2025*	State Grant Truck Haul	4	302,000	\$ 9,362,000	\$ -	\$ -	\$ 9,362,000

*=estimated

Total 3,373,000 \$ 69,381,610 \$ 24,504,333 \$ 19,939,095 \$ 19,307,682

Additional Notes

All projects (exceptPhase5(2nd) are reimbursable, so the carrying costs associated with these projects are not included.
The \$16.8 million dollar USDA Loan for Phase 5 (2nd event) was refinanced in 2022.
While not a "beach project" NTB was succesful in having the USACE 2023 inlet dredging project place approximately 150,000 cy of sand in Phase 1

	total cost	town cost	%total	%town
Phase 5	41,765,460	16,800,000	60%	69%
Phase 4	11,474,000	446,000	17%	2%
Phase 3	0	0	0%	0%
Phase 2	0	0	0%	0%
Phase 1	11,150,000	7,258,333	16%	30%
Phase 1,2,3,4	3,972,150	0	6%	0%
Phase 1,2	1,020,000	0	1%	0%
	\$69,381,610	\$24,504,333		

USACE SLIDE PHASE 5 PROJECT

“why NTB could not participate—it cost more than we could afford and costs kept rising”

- Slide summary as part of Army Corps presentation
- Amounts excluded from USACE financing (see difference between worst case and best case) must be “pre funded” by NTB-cash to be paid prior to project start
- Worst case is actual case for NTB as reflects excluded amounts-see last footnote
 - Approximately \$19 million “prefunding” required per USACE
 - State of North Carolina will not contribute to “worst case” excluded areas meaning NTB absorbs full cost
 - First phase total cost at \$19 million plus approximate \$20 million in borrowings
 - USACE funding percentage drops from 65% to 50% in renourishment with no guarantee of State contribution
- Would require approval by States Local Government Commission—NTB advised no financing term longer than 6 years
 - Term is consistent with renourishment obligation—no “pancaking” of debt- plus prefunding required for each phase
 - Annual cost estimate around \$ 7 million—does not include current \$2 million Phase 5 annual debt payment



COST SHARE RANGE



Initial Construction Cost Share Scenarios	FED Cost Share	NonFed Cost Share	Total Cost	Federal Cost	Non-Fed Cost	Estimated ToSC Cost*	Estimated ToNTB Cost*
Best Case	65.0%	35.0%	\$ 237,000,000	\$ 154,050,000	\$ 82,950,000	\$ 42,812,903	\$ 40,137,097
Worst Case	44.5%	55.5%	\$ 237,000,000	\$ 105,465,000	\$ 131,535,000	\$ 67,889,032	\$ 63,645,968

Renourishment Construction Cost Share Scenarios	FED Cost Share	NonFed Cost Share	Total Cost	Federal Cost	Non-Fed Cost	Estimated ToSC Cost*	Estimated ToNTB Cost*
Best Case	50.0%	50.0%	\$ 672,074,000	\$ 336,037,000	\$ 336,037,000	\$ 173,438,452	\$ 162,598,548
Worst Case	34.3%	65.7%	\$ 672,074,000	\$ 230,521,382	\$ 441,552,618	\$ 227,898,125	\$ 213,654,493

- * Based on estimated volume to be placed in each town
- * Best case defined as: Maximum Cost Share % allowed for both initial construction (65/35) and renourishment (50/50) phases.
- * Worst case defined as: All Undeveloped Private Lands and Privately Owned Lots with no Public Access (100% Non-Fed Cost)

Working Today to Build a Better Tomorrow