

**TOPSAIL ISLAND  
SHORELINE PROTECTION COMMISSION**

May 26, 2016 - 2:00 p.m.  
North Topsail Beach Town Hall

**REGULAR MEETING MINUTES**

**I. CALL TO ORDER:**

Chairman Mike Curley called the meeting to order at 2:00 p.m.

**PRESENT:**

Commission Members:

Chairman Michael Curley - Surf City  
Ed Broadhurst - Topsail Beach  
Dick Peters- North Topsail Beach  
Hiram Williams- Surf City  
Michael Benson – North Topsail Beach  
Jerry Patton- Topsail Beach  
Dick McCartney-North Topsail Beach

Liaisons:

Carin Faulkner – North Topsail Beach  
Stuart Turille- North Topsail Beach  
Larry Bergman – Surf City

Others Attending:

Steve Smith – Topsail Beach Commissioner  
Grier Fleishhauer – Topsail Beach  
Ken Willson - Coastal Planning & Engineering  
John Goller - Topsail Beach  
Pam Castens – Army Corps of Engineers

**II. Approval of Minutes:**

Mr. Williams made the motion to approve the April 28, 2016 minutes. Mr. Peters seconded the motion and it was carried.

**III. Old Business:**

**A. Poyner Spruill**

Chairman Curley introduced a report from Mr. McIntyre which was regarding CBRA. Mr. Turille stated that he is impressed with Mr. McIntyre's energy and strategy. He said that Mr. McIntyre advised that Congressman Jones take the issue on independent of US Fish and Wildlife. He also advised that the town seek a legal opinion from the Congressional Research Service (CRS). Mr. Turille said that this signifies someone who knows the system. He said the town has provided all mapping information to Mr. McIntyre.

Chairman Curley discussed the other correspondence and documents provided by Mr. McIntyre, the House and Senate summaries for WRDA. He said Topsail Island was not mentioned in it. He said the revision to the WRDA discusses that the local sponsors be identified so that the bill is no longer seen as an earmark.

Mr. Willson indicated that the House and Senate have passed a version of WRDA. The President said that he would veto the bill if certain things were included. September 30<sup>th</sup> is goal to have everything passed.

Mr. Peters said he keyed-in on two areas on WRDA. He said it makes it easier for non-federal projects to carry out the work and receive credit for the work completed. He said that it is important to NTB because the town has completed Phase 5. He said it looks promising.

Steve Smith said that Topsail Beach is also seeking credit for the project the town has completed. He said that the Corps is getting harder to work with by digging in their heels and resisting over the last few months.

Mr. Patton said that the Corps doesn't like it when you push something difficult and when it seems political. It does not push the ball forward.

There was discussion about Carteret County getting funds for a Federal Project and that its project is almost identical to Topsail Island's projects. Mr. Willson indicated that both Dare County and Brunswick

County have projects that have not been authorized and that several entities in NC are trying the same thing that the Topsail Island towns are doing. He said he does not think that Carteret County got money for its project.

Mr. Peters continued and read a statement about projects “sun setting” to clear up backlog. Mr. Turille said that Topsail Island’s projects are considered new starts and legislation prohibiting new starts prevents our projects from getting money. He said Mr. McIntyre should get on this.

Mr. Patton said that the Feds could put in a billion dollars and as long as there is a cap on new starts our projects will not get started. The money is not the problem. He said Ms. Castens has said this several times. The cap on new projects is keeping projects from happening money is not.

Mr. Turille said it’s not all bleak the our project’s cost benefit ratios are very high.

Chairman Curley suggested that NTB/SC should have a meeting with Ms. Castens and that we should discuss with her how we can approach where we are in the process. Is the Corps the influence on it or not? Curley said he is not hearing that the Corps is holding things up. Mr. Turille said that the OMB (The Office of Management and Budget) is the hold up.

**B. Connie Wilson:**

There was discussion about the information that Ms. Wilson had requested. Mr. Bergman said that the towns have sent the information to her. He said she seems to be pushing the accommodations tax and that is not something that he thought that was the direction he thought the towns were going.

Chairman Curley said that Ms. Wilson wants us to be active with her in getting ready for the next session (the longer session).

Mr. Fleishhauer said maybe it is time now to talk to the hotel lobby group in preparation for the long session for the accommodation tax.

Mr. Turille said that Ms. Wilson indicated that the deadline has passed to put in a bill and that she wants to work on the legislature with the data instead of pushing a bill right off the bat.

Mr. Broadhurst said we have been talking about the data for a while. Mr. Rose told Mr. Peters that he has sent the data in and that Ms. Wilson has been requesting more data. She wants precise data to go around the halls with. He said TISPC needs to decide the approach for the next session as a local bill or unite with the NC Resort Cities. He said if we go as a local bill we need to say we are unique.

Mr. Willson recommended that if TISPC wants to work with more than just Topsail Island to talk to Kathleen Riely at NCBIWA. He said she has been working on all kinds of issues and connecting the dots and would have a real good sense of who would be behind what type of funding mechanism.

Mr. Turille said he thinks TISPC should file its own bill. He said we don't have a whole lot of hotels.

Mr. Williams agreed that Topsail Island does not have potential to raise money through a resort tax.

Mr. Bergman went to NC Association of Resort Town and Convention Cities (RTCC) meeting and from what was said there he thinks TISPC would be better off doing something that is lower level. That TIPSC could slide in something that is not high profile and there will be less push back.

Mr. Williams reported on the legislative day event he attended with BASE. He said Senator Bill Rabon said Topsail Island will not get anything out of NC unless we go to the DOT. Rabon chairs the DOT appropriation committee. He said the beaches and ferries have a lot of the legislators against each other. He said none of the ferries will fund themselves and it's a big obstacle. The ferries are not solved. He said Rabon wants to help and has the potential for getting things to happen. He said that Topsail Island needs big money and needs to get the State involved. Senator Brown has said the same thing and that is where we got our inlet money. Rep Chris Millis said that we have to work together with everyone in the state to get this going. Mr. Williams said he doesn't think occupancy tax is enough.

Mr. Smith reported about another legislative meeting he attended and said that there were a lot of discussions about beach funding. He said they are looking at the dredging bill and the need for money. He said

that TISPC needs to make our contacts and work with Ms. Wilson. He said that TISPC has to talk about using DOT and existing mechanisms to get what we want to get. He said that the representatives are talking about all of the beaches and they recognize what we are facing. We are now in the politics. We need to be careful so we don't get something that we don't want and talk to them in the right way.

Mr. Macartney moved that the TISPC delay the discussion of occupancy tax for 6 months. Mr. Williams seconded. The motion carried.

The towns will continue to provide info to Ms. Wilson. Mr. Williams will call Ms. Wilson to follow up.

Mr. Turille added that what NTB brings in as far as accommodation taxes is equal to 4 cents of the town's ad valorem.

### **C. Town Local Projects:**

#### **1. North Topsail Beach:**

Mr. Turille reported on the town's projects. He said the ICW/New River Project placed about 110,000 cubic yards of sand in a 2,000 linear foot area of shoreline. Mr. Willson commented that Topsail Beach did a good navigation project and that NTB is doing it too by working with the County and using State funding. They said that the project ended up costing \$3 per cubic yard and that NTB paid 16% of the total cost. Sneads Ferry is happy with the channel. The inlet still needs side cast dredging and the Corps will be there in June to do the ocean bar.

Mr. Turille reported that the town is working toward the next ocean bar project and have authorized CP&E to start working on the permit. The ideal timetable would be this winter and is estimated to place 600,000 cubic yards in Phase 2. The town has \$6.6 million in State support through the Shallow Draft Inlet Fund and the Governor's budget and is also seeking County funds. The Shallow Draft Inlet Fund is a game changer for the town.

Mr. Turille reported that he has spoken to the Governor's Director of Military Affairs about Camp Lejeune partnering with the town for New River navigability for their operations. He said that there are more project stakeholders involved than ever. He said the County has contributed ½ million in the last 3 years.

Mr. Turille reported that the town is pursuing grant support from County for a permit for a terminal groin. He said that the long term solution for the north end is not sand. He reported that the town built a crossover at Oyster Lane and that regular drone footage and beach profiling will be taking place to see what happens to the material that was just deposited during the ICW/New River Project.

Ms. Castens gave her report (see below).

2. Topsail Beach:

Mr. Patton reported that Topsail Beach had a community forum Saturday. He said it was well attended and well received and that they talked about the projects the town has done and what the future looks like. He announced that Topsail Beach won the best restored beaches award. Mr. Broadhurst added that out of 360 or so beaches in the U.S. the top 5 "ain't bad."

Mr. Smith reported that the inlet is open and that there is 8 feet depth all of the way around.

3. Surf City:

Mr. Bergman discussed vegetation planting and reported that he has been in contact with Mr. Steve Mercer who does the planting for the town. Mr. Mercer said that most of his plantings have washed away because of the erosion. Mr. Mercer suggested using more bitter panicum and that the town will be moving forward with that.

D. **Status of Existing Corps Projects:**

Ms. Castens gave her report. She said the Corps has received Surf City's funds for the PPA and that they are waiting on NTB's funds. She said she would like to meet with the two towns about going forward.

She reported that she is working with Topsail Beach on the CBRA issue. She said there is a dialogue with US Fish and Wildlife about CBRA. She said that it is a long road and that USFW has a long record on interpretation and that with the Army Corps it goes beyond the district.

She reported that WRDA 16 is not a law until passed and then the Corps gets implementing guidance and then gets to figure out what they are able to do. As far as the draft, she pointed out that there are some alternate opportunities. She said that there seems to be a way to work things out

like NTB is doing, to get multiple stakeholders as leverage. She said that the towns may be able to put a proposal forward for both Topsail Island projects and share mob and demob. She said that may reduce costs enough to get over the new start construction line and pursue navigation funds to leverage and get things done. She said there may be opportunities that help our projects get down the line, but we won't know for sure of anything until a bill is passed. She said once WRDA 16 is a reality she may be able to give the towns more ideas on what can be done. She said that towns are asking for money out until 2018 and suggested that the towns talk to Mr. McIntyre about floating a proposal about extending the sunset period another 5-10 years and said that the deadline is the end of July. Mr. Bergman said he will talk to Mr. McIntyre. Mr. Macartney suggested ask for ten and settle for five. Ms. Castens also mentioned sediment management and that it could be used to try to synch up projects. She said that there is a lot of activity on Topsail Island and that the towns could capitalize on the flexibility that seems to be coming. She said the immediate goal should be to get across the new start construction line because continuing construction gets priority over new start projects.

Ms. Castens took questions.

She said that when TISPC speaks to Mike McIntyre ask him if there are other things the towns can add to the 7001 proposal. She said that this is an opportune time because the Topsail projects need cost updates FY17.

Mr. Willson added that one of the things CP&E is working on for NTB is a supplemental EIS to work outside of dredge windows. He said Federal projects require multiple mobilizations and that if we could build all at one time it will bring the cost of the projects down significantly. He said that this could get the cost benefit ratio better than what it is.

#### **E. CRC Update**

Mr. Moore was not present.

#### **IV. NEW BUSINESS:**

There was discussion about the N.C. Association of Resort Towns and Convention Cities (RTCC). Mr. Bergman said that this association was formed several years back to fight for the school calendar and that they have not been a very active group. They are trying to get the group going again. He said that the executive director said that the lobby against occupancy taxes is strong. He said that he thinks that it is worth it for the beach towns to be involved. The association looks for opportunities to help everyone out and notifies the membership of legislation that can be improved or fought against. He said the biggest piece on the

legislative issue is that if you combine east and west you still have fewer elected representatives at the state level than in the middle of the state. It is important to work together.

Mr. Peters suggested that TISPC ask Kathleen Riely (NCBIWA) to attend the TISPC meetings on a quarterly basis.

Mr. Bergman said that Surf City is a member of RTCC and is in touch with the group and he will keep TISPC up to date on what's going on.

Mr. Macartney began the discussion on the suggested revision to the TISPC charter. Mr. Macartney indicated that an issue came up at the last meeting when there were not enough members there and that other people in attendance were not able to vote. He said that the charter needs to be changed to allow other people to vote. He passed out a revised version of the charter and read aloud the revised section.

There was discussion.

Mr. Broadhurst said that Topsail Beach discussed it and that they have two extra names, Larry Colmes and Steve Smith and that he is in support of the revision.

Chairman Curley said that he will research for Surf City and Mr. Macartney said he will research for North Topsail Beach.

Alderman Macartney announced that this is the first reading and advised that it will be read next month for a final vote.

#### **V. OPEN FORUM:**

No one came forward.

#### **VI. Next Meeting:**

Mr. Curley stated that the next meeting will be June 23<sup>rd</sup> that 2pm at Surf City Town Hall.

#### **VII. ADJOURNMENT:**

There being no further business to come before the Commission, Mr. Patton made a motion to adjourn. It was seconded by Mr. Broadhurst and the motion carried.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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Michael Curley, TISPC Chairman

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Carin Z. Faulkner, TISPC Recorder

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