



REGULAR MEETING MINUTES

Thursday, August 22, 2019, 2:00 PM

Topsail Beach Town Hall

820 S Anderson Blvd, Topsail Beach, NC 28445

Commission Members Present:

Steven Smith, Chairman
Mike Benson, Vice-Chair
Jerry Heid
Richard Peters
Ed Broadhurst

Jerry Patton
Teresa Batts
Hiram Williams
David Ward
Randell Woodruff

- 1) Call to Order & Greetings
Chairman Smith called the meeting to order.
- 2) Public Comments
No public comments
- 3) Approval of Agenda
Mr. Peters made a motion to approve the agenda as presented. Mr. Williams seconded the motion and it was carried.
- 4) Approval of Minutes for June 27, 2019
Mr. Benson made a motion to approve the minutes as presented. Mr. Williams seconded the motion and it was carried.
- 5) Consultant/Lobbyist/Partners –
 - a) Poyner Spruill Attorneys – Mike McIntyre reviewed the monthly update with the Committee, highlighting several items of interest to Topsail Island. He then spoke in detail on the priority agenda items specific to Topsail Island.

North Topsail Beach CBRA Map Change - Mr. McIntyre stated that Senator Tillis, the lead sponsor of the bill, has once again dropped it in this session. He said they are now in discussion about next steps with advocating the bill to get it to move forward. Mr. McIntyre complimented Senator Tillis' staff members, Adam Caldwell and Corey Brown, for all their efforts. He added that it is still a top priority for his firm, and he is optimistic that they will figure out a way for that bill will move forward.

Topsail Beach using Sand in CBRA Zone for Beach Nourishment – Mr. McIntyre stated that Representative Rouser is working with Representatives Jeff Van Drew (D-NJ) and Garret Graves (R-LA) on this issue. They jointly submitted an amendment to H.R. 3055 aimed at preventing the Department of Interior from implementing a 1994 Solicitor's Opinion that has become the

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controlling policy regarding CBRA and sand borrowing still used today. The amendment was permitted to go to the floor for consideration by the US House, but at the last minute the amendment was pulled by the House Rules Committee due to opposition from the Natural Resources Committee. Mr. McIntyre assured the Commission that he and his staff will continue to pursue a resolution, whether that resolution is administrative or legislative.

Obtain Federal Funding for approved federal beach nourishment projects – Mr. McIntyre said after years of working on the Surf City/North Topsail Beach project, he feels we are right on the cusp of being successful. He listed out the action items that have taken place over the past few weeks, including a meeting in Washington DC with TISPC's congressional delegation and key Corps headquarters staff. Mr. McIntyre said the delegation expressed optimism about the project's prospects and acknowledging that now with the Supplemental Disaster Relief Bill, there is a golden opportunity to fund the project. He added that even the Office of Management and Budget (OMB) has shown more receptivity than ever before. He said although they are encouraged, he has been told that the decision will take "several" more weeks as there are many projects up for consideration.

Mr. McIntyre, Roger Gwinn, Adam Caldwell and Corey Brown answered various questions from the Commission Members.

- b) Connie Wilson Consulting – Connie Wilson
Ms. Wilson could not attend the meeting and did not send a formal report. Chairman Smith said he is happy to report that Ms. Wilson's health has continued to improve. He spoke about how Ms. Wilson worked diligently on getting Senate Bill 95 through which splits the full \$5 million dollars evenly between the three Towns with none of it being allocated to Resource Institute (RI). Chairman Smith added that Ms. Wilson also continues to follow the budget bill and the items in that bill that relate to coastal activities, such as the dredging fund and the beach maintenance fund. He also noted that there is a bill in the House seeking \$4 million to buy Lea Island. Although the bill hasn't moved any yet, Ms. Wilson will be keeping a close eye on that as well.
- c) Sea Turtle Rescue and Rehabilitation Center-
Chairman Smith informed the Commission members that he sent a letter to Ms. Beasley inviting her or her Representative to the TISPC meetings.
- d) United States Army Corp of Engineering (USACE) Update– Pam Castens
Commissioner Smith stated that Ms. Castens has been on vacation but the last information he received was for each Town to start looking at updating their cost analysis for the project. Mr.



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Benson said North Topsail Beach and Surf City met with the Federal Project group and in that meeting, Ms. Castens stated that she has so far been able to use resources that are available to the Army Corps of Engineers to do the cost benefit update. Mr. Benson said Ms. Castens said she would let the two Towns know if additional funding was needed but at this point it looks like it's covered.

- e) North Carolina Beach, Inlet & Waterway Association (NCBIWA) Review - Chairman Smith stated that Ms. Riley is recovering from surgery but still working on the spoil island issue for the State and have published a map on where the islands are located and some additional information. He noted that DWQ has sent that information out asking for comments.

Chairman Smith said Ms. Riley is soliciting ideas for what panels we would like to see at this year's North Carolina Beach, Inlet & Waterway Association's Annual Conference this year. Chairman Smith requested the Commission Members to send their ideas to him and he will get them to Ms. Riley.

- 6) NC Coastal Resources Commission (CRAC & CRC) Update
 - a) Letter to CRC concerning island CAMA minor permits approval representative - Chairman Smith said there are a lot of personnel change coming through the CRC and Department of Water Quality. As discussed at the last TISPC meeting, the plan is to divide the island into two sections with one CAMA field agent designated for Surf City and Topsail Beach and a separate agent designated for North Topsail Beach. Chairman Smith said he has spoken with NC Coastal Management Director Davis about this and sent a letter stating our request to have one CAMA field agent for the entire island. Chairman Smith said Director Davis understood why we would want that and has agreed to go back and investigate it. He will follow up with us in the next few months. Mr. Benson said one of the questions the CRC had was why the local communities gave up the CAMA Local Permit Officer (LPO) program for minor permits. He said the answer is because the program wasn't financially beneficial for the municipalities and put a lot of responsibility on them as well. Mr. Benson said he believes that made an impression on the Commission. Chairman Smith agreed.
 - b) Public Hearing – Oct 15, 10 AM to 12 PM – Surf City Welcome Center – Chairman Smith said there will be a Public Hearing to designate North Topsail Beach and Surf City as unvegetated beaches as well as the Erosion Rate maps. He noted that there was a slight change in one area in North Topsail Beach, but everything else remained the same on the island.



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- c) July 17-18, 2019 Meeting Review –Chairman Smith said he attended the meeting. He said listening to the cases in front of the Commission, it was apparent how strict the CRC is in following their regulations. Chairman Smith stated that he did speak before the CRC in relation to modifying the boundaries for the Inlet Hazard Area (IHA), which would bring in approximately 20 more Topsail Beach houses into the IHA. The Commission says there should be no negative impact on these properties that would now be included in the IHA, but there will be. Specifically, with insurance rates and on real estate transactions. He said they have also discovered some other financial issues, so the work is still ongoing. Chairman Smith noted that the CRC did put several new members on a science panel to work on climate change and sea level rise. The other big topic was resiliency issues and the amount of money the State is putting into programs for Towns and municipalities to look at what can be done to improve resiliency to climate change and/or hurricanes.
- d) Next Meeting: Sep 18-19, 2019, New Hanover County - Chairman Smith said he believes the next meeting will be rather long given all the items that is on the agenda.
- 7. Senate Bill 95 Section 13.9 (a) & (b) – Grant to Topsail Island Towns - Chairman Smith stated that Dr. Cordeiro has sent each Town Manager instructions on how to apply for the money. He added that a report containing details and cost estimates for potential projects is due by October 1st . He doesn't believe it needs to be concrete but more needs to contain more detail than what has been given in the past.
- 8. Old Business
 - a) Availability of Rental Property Compared to 2018 – Mr. Ward, of Ward Realty, said he is seeing a decrease of approximately 10% which is not as bad as he was expecting. Chairman Smith noted that Topsail Beach water consumption was down 10%-15%. He said it's not an exact science but one of the indicators in evaluating the number of visitors in the area.

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9 Town's Local Projects/Direction

- a. North Topsail Beach – Town Manager Bryan Chadwick stated that they just received bids on their Hurricane Matthew project which came in at \$5.3 million. He added that the Town was given \$7 million from FEMA so there is approximately \$1.6 million leftover to do vegetation on the new dune. Mr. Chadwick said all documents have been signed for the Army Corps inlet dredge project and he expects that to begin mid-November. Mr. Chadwick said the Town Park design has been completed and he hopes they will send it out for bid next week so they can award the contract by the end of October. Lastly, Mr. Chadwick introduced Ms. India Mackinson, who is a new employee of the Town through the UNC Fellow Program.
- b. Surf City – Ashley Loftis – Town Manger Ashley Loftis stated that Surf City has finalized the plans for the new Town Hall to get the RFP out within the next 60 days. She invited everyone to the groundbreaking ceremony on Saturday, September 14th. Ms. Loftis said all of their FEMA projects have been submitted and is now moving through the process as expected. Ms. Loftis stated that the Town is working on improvements to the water plant to increase capacity and working on expanding spray fields to increase wastewater capacity as well. She added that this is all being done to keep up with the growth coming to Surf City.
- c. Topsail Beach – Mike Rose talked about a short-term dredge project being done by the Army Corps of Engineers to get through the season until the Local SDR project begins. He said the Local SDR project is planned to begin mid-November, although the Federal Permit has still not been issued because Marine Fisheries have not completed their review. Mr. Rose said every indication is that the permit will be issued in August, so the Town moved forward with sending out a request for bids. He added that the request includes an option to complete the project next year just in case the permit does not get issued. Mr. Rose said the Town is excited about the \$1.6 million grant and the Commissioners are working on identifying projects. Lastly, Mr. Rose announced that Town Clerk, Christina Burke, has been promoted to Assistant Manager effective July 1.

10 New Items

- a. Legislative Goals for 2020 – Chairman Smith said it is time to start thinking about goals for 2020 adding that negotiation of contracts with Mike McIntyre and Connie Wilson will be required. He asked the Commission Members to be ready to discuss at the September meeting.

11 Open Discussion - Chairman Smith said sometimes the wheels turn a little slow, but he considers this a successful year, especially the last 18 months in terms of things that have



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been on the agenda for many years. Mr. Williams agreed adding that there has been more progress in the last 18 months than in the last 18 years.

12 Next Meeting – North Topsail Beach, 2 PM, September 26, 2019

13 Adjournment – The meeting was adjourned at 3:29 PM.