

**MINUTES OF THE RECESSED MEETING  
OF DECEMBER 12, 2006 OF THE TOWN COUNCIL  
TOWN OF CAROLINA BEACH**

***December 13, 2006***

The Town Council of the Town of Carolina Beach reconvened on December 13, 2006 at 6:45 p.m. in the Council Chambers at the Municipal Administration Building, 1121 N. Lake Park Blvd., Carolina Beach, North Carolina. The following were present: Mayor, Bill Clark; Mayor Pro Tem, Alan Gilbert; Councilwoman, Pat Efird; Councilman, Jerry Johnson, and Councilman Joel Macon. Also present was Town Manager, Tim Owens and Town Clerk, Lynn Prusa.

Mayor Clark called the meeting to order.

At yesterday's meeting, Mayor Clark asked Randy Simon to come back this evening to address the issues he had. This will be added as Item 28(b).

***SET A DATE FOR AN ANNUAL GOAL SETTING AND BUDGET  
KICK-OFF MEETING IN JANUARY***

Mr. Owens said Workshop 1 would be a day workshop. The first part of the meeting will be devoted to Engineering Services since there are a multitude of projects we have with them. After that, lunch will be served. The last part will be presentations by department heads.

The second workshop will be a night workshop. This will be for Town Council's goal setting and the public may wish to be in attendance for this workshop.

The second workshop will be held at night, and Mr. Owens has a facilitator for that meeting. Mr. Owens has met this person before, he has done a lot of facility type work, and it is free.

The workshops will be held in the training room. The final decision was to have the department head meeting on Monday, January 29th at 9:30 a.m. and the goal setting meeting on Wednesday, January 31st at 6:00 p.m.

***REQUEST TO JOIN NCCBI (NC CITIZENS FOR BUSINESS AND  
INDUSTRY)***

Mr. Owens asked Council if they would like to join NCCBI (NC Citizens for Business and Industry). This is the state's version of the Chamber of Commerce. Mayor Pro Tem Gilbert asked Mr. Owens if he is going to be our representative and Mr. Owens said absolutely.

**Councilwoman Efird made a motion that we join the NCCBI and appoint the town manager to be the representative. MOTION CARRIED UNANIMOUSLY.**

***CERTIFY ANNEXATION PETITION FOR SEABREEZE SOUND AND WINDSPRAY COMMUNITIES***

Mayor Clark announced that this item has been tabled.

***CONSIDER SPACE NEEDS STUDY FOR FIRE DEPARTMENT***

Brian Roberts, Fire Chief, requested Council to approve a space needs study with Garner and Brown Architectural Firm in the amount of \$18,000. He said we had taken preliminary steps in this year's budget to look at purchasing a new aerial fire truck. After studying our base situation, we found that we need to add on to the station because the new truck won't fit in the building. Mr. Owens and Chief Roberts met with Mr. Garner whose specialty is designing fire stations in and around the state.

Chief Roberts explained that we've got an existing facility which part of it was built in the '70's, part in the '80's, and in 2002 there was an addition. This is our only station. We have acquired property next door. We thought it was in the town's best interest to look at a long term plan and not keep adding on to the building.

Chief Robert's request was to enter into an agreement with Garner and Brown. There is funding available in the fire department's budget. He said that \$30,000 was appropriated toward the aerial truck last year and only \$1,000 of that was spent on a survey of the existing property. Part of the \$18,000 will go to further the design should we come up with a plan. Chief Roberts said he and Mr. Owens are estimating \$5,000 of the \$18,000 would come back into the actual plan drawing. This will be a long range study.

We haven't ordered the apparatus. We are looking at an expense of \$800,000-\$900,000 for that truck. It will take probably 12 months to build the truck. We hope to come up with plans, specifications, and a price to build what we need and do that in conjunction with the purchase of the truck.

Mr. Owens added that some of our long term plans that we've discussed is we are parking on the roadway on Charlotte Avenue and we're sharing parking with the church. As we progress and hire more employees, you may get into a night shift situation where you will need bunking facilities. There have also been some concerns with the quality of the building; there is moisture build up in some areas.

Although I don't like to spend \$18,000 to do this, I think that's the best long term solution. If we go the full gambit and add the two bays and build the day room, the whole \$18,000 would come back to us in the form of architectural plans.

**Councilwoman Efirm made a motion to do the space needs study with Garner and Brown Architects in the amount of \$18,000 and the funds will be taken from the fire truck funds. MOTION CARRIED UNANIMOUSLY.**

#### ***ELIGIBILITY FOR TRI-CARE HEALTH INSURANCE FUNDING***

Sarah Archibald, Human Resources Officer, made a request to reimburse the Tricare Health Plan premiums for our employees who are retired military. Ms. Archibald also provided Council with some draft information that gives benchmarks of what other towns and cities are doing and the cost of the insurance that we are covering for employees and the premiums that we are currently paying for the coverage through Tricare for our employees who are retired military. Currently we are paying the premium for the employee only. The request is to cover the dependent coverage as well. The total cost for that is \$460 per year, which is significantly lower than that of which we pay for our employee dependent coverage.

Mr. Owens continued, we have been reimbursing for Tricare which is military insurance. We would really like to have the ability to add dependents. The cost savings for the town is a lot so we are coming out ahead on this. I think it's a good idea to adopt these two items, one being the personnel policy change as well as allowing us to have the waiver by those employees who have Tricare.

**Mayor Pro Tem Gilbert made a motion to go forward with the Tricare initiative with respect to policy and reimbursement for dependents as presented. MOTION CARRIED UNANIMOUSLY.**

#### ***BUDGET AMENDMENT FOR HYDROGEOLOGIC FRAMEWORK STUDY***

Steve Pagley, Operations Director, requested a budget amendment in the amount of \$25,000 from the Enterprise Funded fund balance to an operating line item in the water account to do a study on the well and well fields.

The town currently operates a well field consisting of 13 wells with a draw from the Castle Hayne and/or the Peedee Aquifers. Typically these wells produce 95 to 200 gallons per minute, except for wells 13 and 14. Thirteen and 14 produces 750 gallons a minute. Thirteen could produce 1,000 gallons a minute but we would have to get it re-permitted and add another filter to the filter plant at the end of Alabama at a cost of half a million dollars.

This past year, we did drill two well sites in the MOTSU Buffer Zone and found a quantity. Those well sites would produce 700 to 1,000 gallons a minute but we couldn't find the quality. There were high chlorides and high total dissolved solids, which suggests that salt water is most likely migrating towards that area or from the Cape Fear River side of the island. It seems to be coming from the Cape Fear River through either natural pathways or maybe even pathways induced by dredging.

At this time we would prefer to look at other alternatives besides the construction of an expensive reverse osmosis facility which we may have to do if we can't get the quality. The scope of work that GMA would perform would be data collection, data analysis, database development, evaluation of our existing well efficiencies, evaluation of potential new well sites, evaluation of total ground water resources; evaluation of the potential benefits of an Aquifer Storage Recovery; and preparation of a report of findings and recommendations to be presented to Council. When they present this report, the entire database will establish the framework for future well field expansions, operation, and planning.

These reports will calculate the optimum well spacing and pumping rates for each production well and make sure we are not putting our wells on top of each other, evaluate the efficiencies of our existing well sites, some of them are 50 years old already, calculate the most advantageous withdraw rates, develop pumping schedules, select potential new well sites for the future, estimate the total potential ground water withdraw that we can safely obtain from the Aquifers, and evaluate potential benefits of an Aquifer Restorage Program.

Mr. Pagley asked Council to approve the request for a budget amendment of \$25,000 from which he can have GMA Hydrogeology to do the study when we start drilling well 15H behind the Seagrove-Carolina Sands area. We have preliminary approval from the Division of Water Quality and they have inspected the site and from Sunny Point to drill a well in that area. Before we start drilling we would like to have the GMA Hydrogeology group watch it as its being drilled and perform the study.

**Mayor Pro Tem Gilbert made a motion to authorize the budget amendment for the Hydrogeologic Framework Study as presented. MOTION CARRIED UNANIMOUSLY.**

#### ***RANDY SIMON IN REGARD TO MONA FAYE BLACK MARINA***

Randy Simon spoke on the Mona Black issue regarding the storm drain problem that they have been pursuing for over two and a half years. He said the Mayor advised him last night that he was going to finally get answers to the questions that he had at this time in reference to the storm drain issue. Mr. Simon wasn't

sure if it would be helpful to display the pictures again. He was referring specifically to the two piles of dirt, one coming from the Mona Black Marina which is yellow sand and the one of the 20-25 year old mud that the town manager saw on site and it showed the drastic difference in the two soils. He has shown Mr. Owens the sand and debris inside the pipes leading directly to the Mona Black Marina. I have told Town Council about the street sweeper being broken over a six month period and the pilings of sand along the shoulder of the road. I know that problem has been corrected; but for over six months, it was prevalent. I was told by the town manager that our street sweeper goes down St. Joseph Street approximately two times a week. If it is that needed, then I say what happened during the six month period when it was out of service. He said, surely you cannot ask a landowner or business owner such as Ms. Black to assume all the costs of the dredging that has had to take place in the last 24 months, referring to the dredging of November of '04 and another dredging of November '06. Both of those dredgings accumulated to \$31,500. Surely with the breakdown of equipment and also the areas that were even addressed presently by the Town of Carolina Beach's storm drain department, they have built rip rap walls in several locations, but taking all of this into consideration damage has been done. You sit as a Town Council, as a neighbor and if something has caused damage from one person to the neighboring person it only makes good common sense to say I'm sorry if in fact it is true and I will help and compromise and come to some monetary or correction of the situation so one it doesn't happen again and two help us to take care of the damages that resulted from this.

I'm standing here tonight asking Town Council to be that good neighbor. Please do not ignore the citizens, especially a citizen of Ms. Black's caliber. She has been here life long and she deserves consideration. We have not only appeared before Town Council for the last 2½ years but before Planning and Zoning when Councilman Johnson was chairman. He understood our problem at that time going back a year to 18 months from today. He was sympathetic to our cause. He said please take it and pursue it with Town Council. I don't know if at that time he knew he was going to be sitting on Town Council but here we are Mr. Johnson we still have that same problem. Has changes been made since I first started at the podium, yes sir and we still have a very serious problem. Some help has been given by the Town of Carolina Beach referring to the storm drain department. However the corrections made will not stop the problem nor will it help the financial difficulties that have resulted in the pay out for Ms. Black. It's not fair for a dilemma of this case to come from one person.

The town took some action several months ago and got a marine survey report from a qualified person the town hired. I think it came to about \$2,500. It was presented and a lot of questions were asked and I think even Town Council, from my trying to read body language and statements made, they were not particularly pleased. Mr. Simon said that Mr. Gilbert had a lot of questions about this study as did I since no scientific data supported the statements he made. Nothing was coming out of the pipe and if it was it was insignificant. Mr. Simon then referred

to the pictures he showed where there were mounds and truck loads and truck loads of dirt being stacked up, not to mention the seven truck loads of debris that had to be taken out just to get the first camera in to see what was inside the pipe. We need Town Council to please help us correct the problem. What's been done is minor to what is going to have to be done to correct the problem. Not only for that one particular storm drain pipe but for the other 35 pipes that empty into Myrtle Grove Sound. We're willing to help out in any way we can in that endeavor as I have demonstrated by speaking and supporting the Harbor Management Plan which is also going to deal strongly with water quality as storm drainage infrastructure. Second not to put the full burden of everything on an individual landowner, business operator, such as Ms. Black who does not deserve to be left out there to absorb all the costs of a problem basically caused by a pipe owned by the Town of Carolina Beach, referring to the storm drain pipe that empties out.

Again I have presented the evidence and corrections have been made. I don't know how the town manager classifies them, whether the repairs have been minor or major. If they're minor then we need to go ahead and implement major plans. If they're major corrections that have been made, then I submit to you we had a serious problem prior to those major improvements being made.

At this time, if I could pause and just ask if I could individually maybe answer any questions that Town Council might have since this has been a long pursuit. I hope I do have questions.

Mayor Pro Tem Gilbert said he feels fully versed on this and he sees no data that confirms or dismisses that marina getting filled in.

The Mayor said the Council assumed we had that one time event and assumed responsibility for that and that is where they came up with the settlement agreement.

Councilwoman Efird said she regrets very much that at the on-start of this it was not given the attention it should have been given. I regret that very much to Mona Faye Black who has been very, very loyal to this community and has given so much.

Councilman Johnson asked Mr. Owens if there is any later information as far as getting the permits, time frame, to start the rip rap. Mr. Owens said they are working on the permitting of the rip rap. A lot of things have been done regarding preventive maintenance.

Mr. Owens stated he did give Mr. Simon a copy of the waiver for the one specified event that our attorney did. This was for the \$6,000 that was originally offered. There was a question about did we violate the easement and Mr. Owens doesn't believe we did.

## ***NON-AGENDA ITEMS***

Mayor Pro Tem Gilbert had a comment about last night's motion concerning the zoning map. He said near The Breakers there is some ambiguity with respect to some of those lot lines. **Mayor Pro Tem Gilbert made a motion to give staff direction to clear up, through digitations, to qualify those lot lines as they come through the districts and any other subdivided lots that have structures on it or not in that area. MOTION CARRIED UNANIMOUSLY.**

In reference to the recent death of Mrs. Sheila Davis, Councilwoman Efird said I just hope that the people who were here when Sheila Davis was manager and served on the Council saw the article in the Island Gazette today. It was very good. I worked with Ms. Davis when she was city manager when I first came on Council and also when she served on the Council. She has done so many great things for Carolina Beach and I hope we all will remember her and her family and give her the praise that she deserves for doing so much for this community.

Mayor Clark reported that our Ports, Waterway, and Beach Commission went before New Hanover County looking for funds for Intracoastal Waterway dredging and our inlet cross point dredging. We failed to get those funds required but we don't plan to let this drop. It will be on our agenda for our next meeting. Our Intracoastal Waterway in New Hanover County is in need of dredging. It's not the inlet that was reported by the news. It was written up wrong.

Mayor Pro Tem Gilbert said for clarity it's the Intracoastal Waterway maintenance. The local politicians want to sit on their hands and hope that the federal money comes back. Florida has already shown that money is not coming back to them.

Mr. Pagley announced that we finished paving all of Carolina Sands today. The project is basically completed. There is still a lot of minor work that the town will go in there and do, and there's some hand grating and so forth behind some homes. There'll be some street sweeping by us and there'll be some sign repair and so forth. We will try to help all those with some landscaping as needed to finish it up and make it look nice again.

## ***REQUEST FOR CLOSED SESSION***

Mayor Clark said they will postpone the request for closed session to the special that will be held later this evening.

Mr. Owens asked Ms. Prusa can we amend the next agenda to do the closed session items. Ms. Prusa answered yes. Mr. Owens said okay we can adjourn this meeting. Mayor Clark agreed to do that.

***ADJOURNMENT***

**Mayor Clark made a motion to adjourn the meeting. MOTION CARRIED  
UNANIMOUSLY.**

Respectfully submitted,

Lynn N. Prusa  
Town Clerk

APPROVED: \_\_\_\_\_