

Town of HOLLY RIDGE

PO Box 145 * Holly Ridge, NC 28445 * Phone (910) 329-7081 * Fax (910) 329-1593

HOLLY RIDGE TOWN COUNCIL REGULAR MONTHLY MEETING March 10th, 2015

Mayor Dingler called the Regular Monthly Meeting of the Holly Ridge Town Council to order at 7:00 pm at the Holly Ridge Town Hall. Council members present were Mayor Pro-Tem Hines; Councilman Lang; Councilwoman Bragg, and Councilwoman Stanley. Also present were Town Manager, Joe Pierce; Town Clerk, Heather Reynolds; Deputy Clerk, Tracy Martin, and Attorney Chuck Kitchen.

Invocation and Pledge

Mayor Pro-Tem Hines gave the Invocation and Mayor Dingler led the Pledge of Allegiance.

Adoption of Minutes

A motion was made by **Councilman Lang** and seconded by **Councilwoman Bragg** to adopt the Minutes as presented. *All Agreed.*

Adoption of Agenda

A motion was made by **Councilwoman Stanley** and seconded by **Councilman Lang** to adopt the Agenda as presented. *All Agreed.*

Persons Wishing to Address the Council

Dawnevea Evans of 302 E. Ocean Road, Holly Ridge stated she wanted to introduce herself and said she is hoping to be appointed to the Town Council's vacant seat. Dawnevea stated she has been happy working on the Planning and Zoning Board for the last sixteen years. She stated when she was vice president Councilwoman Stanley and Councilman Lang worked under her and she has enjoyed it and looks forward to moving onto the Town Council so she may have a little more influence to improve our Town.

Dawn Servon of Cottage Court, Holly Ridge stated she was not at the last meeting and wants to know why the vacant seat for the Town Council is being voted on tonight. She stated the last time there was a vacancy, the people voted for the candidate and she wants to know why this time is different. She also asked how long the duration of the vacated term that Councilman Helms held is for. Dawn also asked where she would find information about people who own land in Holly Ridge could fire firearms on their land and the hours they could fire the firearms. Another question Dawn asked was where she could find the statute pertaining to this and how old the statute has been in effect. Dawn also asked should she complain to the Police Department or the Town Council in regards to the noise from the firing near her neighborhood. Dawn also wanted to know what the policy is in regards to smoking outside of the Town Hall. She wants to know if there is a certain amount of feet you have to be away from a building in order not to be able to smoke right where you walk inside.

Mayor Dingler stated some of her questions can be addressed now. Mayor Dingler stated in the Town's Charter it says that if there is a vacancy during a term the Town Council selects the person. The person selected will fulfill the term of the vacancy until the next election. Mayor Dingler said in the Town Limits of Holly Ridge, firearms are not permitted to be discharged. Dawn asked what about the outlining areas? Attorney Kitchen stated if it's outside the city limits except for zoning, this is an issue for the county. The Board of Commissioners decides what the regulations are, although they are somewhat limited in their ability to adopt regulations out in the county. He said in the county, the Commissioners don't have a lot of authority. He said as far as the zoning goes, the Town Council has the authority to zone firing ranges but not just individuals firing on a piece of property, this is not included in that.

Dawn Servon asked where the city limits are located and if she could come by one day and look at a map to find out. She also wanted to know if the Town's Charter is available for viewing. Manager Pierce stated the Charter is under the Government tab on the Town's website. Dawn asked if she is supposed to call the Holly Ridge Police department every time she hears the firing noise. Mayor Dingler said yes, she would need to contact the Police Department in regards to the noise. Her last question is the smoking next to the front door of the building. Mrs. Servon stated that she thought there needed to be a set place for the people to smoke. Town Manager stated he did not believe there is a specific location, but he stated he would get back to Dawn. Attorney Kitchen said there are some limits on the authority the Town Council can adopt regulations due to this being a State Law. He stated generally regulations are adopted in the Health Department and approved by County Commissioners.

Councilwoman Stanley stated the Town Manager has made arrangements to put an awning around the back door using materials from other projects. Councilwoman Stanley also stated the Town Manager plans to put a picnic table around the back, so employees can use this area for smoking.

Dorothy Royal, 103 Atkinson Point Rd Surf City thanked Mayor Dingler for providing her with information on contacts for the 75th Anniversary of Camp Davis. She also thanked Mayor Pro-Tem Hines for his help with ONWASA and Councilman Lang for some numbers with the American Legion. She also thanked Councilwoman Bragg with her help with J&J Snack Foods. She stated on Saturday April 25th, there will be the 75th Anniversary of Camp Davis in the town of Holly Ridge. She stated people from all over the country are calling about this event. She said there are three survivors over the age of 100 who are planning on coming and there are authors coming from all over the country. She stated one person is coming to video tape all of the survivors, as well as those who have memories as a child. Dorothy stated she hopes to incorporate this into a video that can be shown here in town. She stated they have received different things from different people and that's why she is here tonight. She said they are planning on having fireworks at the end of the event and one of the reasons why, last year Camp LeJeune did not have fireworks. She contacted the gentleman that Holly Ridge uses during the Fourth of July celebrations and he said he would do it for whatever they could raise. Dorothy stated at this time the Town of Surf City has given a donation of \$1000.00 towards the fireworks. She stated Topsail Board of Realtors has donated \$500.00 and Surf City Guns and Ammo has given \$500.00. The Wal-Mart in Surf City is pledging up to \$1000.00 as well as providing water and Gatorades to the military while they are here. Dorothy stated they have also received various checks from individuals donating money for this event. She also stated at this time she would like for the Town of Holly Ridge to take into consideration a donation for the fireworks. She stated if the Town of Surf City who is not receiving any benefit from this event can donate, she would hope that the Town of Holly Ridge could at least match Surf City's donation. She stated they are working on the insurance policy for this event and they will have full coverage. She said they have changed their location from the Holly Ridge Fire Department to across Highway 17. Dorothy said the event will now start at the Paradise Dance Club located on Sound Road and will continue down to the Holly Ridge Park where they will incorporate the Holly Ridge Community Center. Dorothy stated she hopes this event will lead to establishing the Camp Davis Historic Society which Dorothy has offered to put inside the Paradise Dance Club building. She went onto say if anyone has not been to the Topsail Beach Historical Society building to see the display of Camp Davis then they need to.

Mayor Dingler thanked Dorothy for moving all of the events to the other side of Highway 17 due to safety reasons.

Parks and Recreation Report

Town Manager, Joe Pierce said there was not a whole lot going on right now but the Town will have its annual Easter Egg Hunt on Saturday April 4th, 2015 beginning at 11:00 a.m. Councilman Lang stated at the last meeting he and Mayor Pro-Tem Hines made a motion pertaining to the six applicants applying for three positions for the Parks and Recreation Committee. Councilman Lang asked if there would be a check off list of what the applicants did while helping with an event. Councilman Lang stated he did not think it was fair when we have six people applying as committee members and we are limited to only three. He said he had no problem with chairman and co-chairman, but to just have three people or five people

running Parks and Recreation is a large job and the Town is going to need more than five people. Councilman Lang stated he did not think it was fair to limit it to five or six new members. He also said he did not think it was fair to say you can't be on the committee because you showed up late or you were on your cell phone.

Mayor Pro-Tem Hines stated he did not think it was going to be like that. Mayor Pro-Tem Hines said it's just the fact that the Council will see the ones that are interested and the ones that are not. Councilman Lang stated when he got home and was reading his notes; he thought this process did not seem right. He stated the applicants are already showing interest by applying as a volunteer. He stated if at a later date they want to quit, the Council can't stop them from doing so. He also said he felt bad and he thought all of the applicants should have been voted in on the last meeting but now they will not be voted in until the April meeting. He said the event will be on April 3rd and he did not know if he was going to stay all day with a clip board saying who's been good, who's been bad, they talked to them and not me. Mayor Dingler stated she did not think it was going to be that tedious. Councilman Lang said he knows that was a little drastic, but it has got to come down to making a decision. Mayor Dingler said there are five people that sit on the Board that man as many volunteers as needed. The three candidates that don't make the Board can still be volunteers and have a voice. Mayor Dingler stated it just takes the Board to make the ultimate decisions. She said if all six candidates show up then the Council will choose three of the candidates and the other three can have a voice, they just can't vote.

Mayor Pro-Tem Hines stated there have always been vacancies at the Children's Christmas Party for anyone to come and help out. He stated it is not a point of not having volunteers, but the last couple of times we have had the Parks and Recreation committee, there has been problems. Mayor Pro-Tem Hines said he did not want to walk into it unless he knows it is going to right this time.

Liberty Fountain Committee Report

Manager Joe Pierce said there was no meeting tonight due to some members not being able to attend.

ONWASA Report

Mayor Pro-Tem Hines said the completion date for the Summer House line is the last of May. He said this should be complete by the deadline. He said the Northwest line should be late August if nothing happens. Mayor Pro-Tem Hines also said he wanted to commend the ONWASA crew. He said during this cold weather we have had, the crews were out at 4:00 a.m. fixing frozen busted water lines.

Report of Released Tax Refunds for March 2015

Manager Pierce stated the following tax release for the month of March:

- Elisabeth Sandoval in the amount of \$72.67.

Public Hearings

Discussion and Possible Adoption of Proposed Amendments to Chapter 2-Planning Board Ordinance Concerning the Board of Adjustment

Mayor Dingler stated over the past several years the Council has been thinking of having a separate Board of Adjustments from the Town Council. She said currently the Town Council serves as the Board of Adjustment. Attorney Kitchen has provided the ordinance for review and a workshop was held in January to discuss this matter.

A motion was made by **Councilwoman Stanley** and seconded by **Councilman Lang** to go into Public Hearing. *All Agreed.*

Mayor Dingler said normally the Town Council handles any Board of Adjustment issues and because we are a growing town, this ordinance change will put the Board of Adjustment with the Planning Board. She said the Planning Board will handle Planning Board issues and also when issues arise regarding the Board of Adjustments.

Vern Jones of 215 Jones Street asked why the Board of Adjustment was the way you termed it. He said he was at the meeting when this was being discussed and Mr. Jones stated the Council was looking for authority. Mayor Dingler stated that the Town is growing and this decision would take that responsibility away from the Town Council.

Councilman Lang asked Attorney Kitchen if the Town has a Board of Adjustment hearing and the Board of Adjustment denies their request, who the applicant would appeal to. Attorney Kitchen stated it would be Superior Court. In the appeals of Superior Court the party is not the Board of Adjustment but is the Town, therefore the decision on how the case is conducted is a decision made by the Town Council not by the Board of Adjustment.

Councilwoman Stanley asked if the Town Council votes on the Board of Adjustment would the members on the Planning Board will be trained on how to do a Quasi-Judicial hearing. Attorney Kitchen stated that is correct and the action taken by Board of Adjustment will be majority Quasi-Judicial hearings. He said this is why a lot of the Towns establish a second Board of Adjustments because if you start giving special use permit requests and appeals of interpretations from zoning directors, all of these items are Quasi-Judicial and it can be time consuming.

A motion was made by **Councilman Lang** and seconded by **Councilwoman Bragg** to close the Public Hearing. *All Agreed.*

Mayor Dingler stated once this is approved anyone who wishes to be on this Board will have to reapply. This will be in effect as of April 14th, 2015. After April 14th, it will be the new Board of Adjustments.

Councilman Lang asked if there would be ethics training. Attorney Kitchen stated yes there would be ethics training as well as training on Quasi-Judicial hearings. Mayor Pro-Tem Hines stated on their website there is some information regarding online training.

A motion was made by **Councilman Lang** and seconded by **Councilwoman Stanley** to approve the change to have a Board of Adjustment in conjunction with the Planning Board.

Voting was as follows: Councilwoman Bragg- Yes, Councilman Lang- Yes, Councilwoman Stanley- Yes, and Mayor Pro-Tem Hines- No. Motion passed.

Closed Session

New Business

Possible Appointment to the vacant Town Council seat

Mayor Dingler said in light of Bruce Helms resignation, the Town Council has a vacant Council seat. Mayor Dingler stated citizens were asked to submit letters of intent and we have received four candidates' applications. She stated the four candidates are Dawnevea Evans, Joe Edwards, Kathy Cantrell and Deborah Hill. Mayor Pro-Tem Hines stated he has met three of the candidates but he has not met the fourth candidate Deborah Hill. Mayor Pro-Tem Hines said he was not prepared to vote tonight. He said he did not think it would be fair to Deborah Hill or the rest of the candidates if he voted tonight. He made a suggestion to hold a special meeting and have the candidates come and speak. Councilman Lang stated he knows two of the candidates and he has read their resumes and this would be the only way he could make his decision. He said he was in favor of a special meeting as well as the rest of the Council.

Mayor Dingler stated the special meeting will be held Tuesday March 24th, 2015 at 7:00 pm at the Community Building.

A motion was made by **Mayor Pro-Tem Hines** and seconded by **Councilman Lang** to table filling the vacancy until the special meeting on March 24th, 2015 at 7:00 pm. ***All Agreed***

Mayor Dingler stated all of the candidates will be notified of the time and date of the meeting.

Police Department Comments

Lieutenant Whaley said a Medicine Drop will be held on Saturday March 21st, 2015 at the Holly Ridge Fire Department from 10:00 am until 2:00 pm. Councilwoman Stanley asked if you can drop diabetic syringes off that have not been used. Lieutenant Whaley stated they were not allowed to take bio-hazards because the SBI takes the medicine to their incinerators and needles do not burn. Councilwoman Stanley asked if anyone knew where she could take the needles. Lieutenant Whaley suggested contacting the hospitals or drug stores. Mayor Dingler asked Scott Longo if he knew where Councilwoman Stanley might be able to take the needles.

Mr. Longo stated the Fire Department could get some sharp containers and they could be placed in them. Someone in the audience stated the Sea Turtle hospital could use them.

Lieutenant Whaley said the DWI checkpoint on February 27th, resulted in a total of 50 charges. There were four DWI's; five licenses revoked five people with no operator's license, 11 drug charges which included methamphetamine, heroin and marijuana. He also stated the HOA with the neighborhoods of Holly Ridge approached him and they would like to start having a neighborhood watch program. He said the first meeting will be held on Wednesday March 18th, 2015 at 7:00pm. The meeting will be held at the community building and the HOA has put the word out to all of the residents in the neighborhood. He said this was new for himself and the Holly Ridge Police Department, so he got some guidance from Jacksonville Police Department. He said the HOA is in charge of running the meeting, but the Police Department serves as the liaison in case they have any questions. Lieutenant Whaley stated they would more than likely start to hold bi-monthly meetings.

Fire Department Comments

Scott Longo said the ISO was addressed yesterday about Gulf Stream and if there is anything else that needs to be done about the road. He said the ISO's is a big deal and if the Fire Department loses any points we lose our ratings. He said the Fire Department is doing all they can do, but the Fire Department needs the support of the Town.

Mayor Dingler stated you have the support of the Town, now what is your next concern. Scott said the other issue is manning with the ISO. He said every five to seven years the Fire Department is re-evaluated and we don't want to lose that rating for the residents of Holly Ridge. Scott said he just learned today about the payroll tax, about losing a man one day a month to make that \$50,000 that is given to the Fire Department. He said it is one paid person a month to make room for any overages and shortages the Town might have. Mayor Dingler said we would look into that.

Chief Maiorano stated when the Fire Department submitted their budget; they inadvertently did not put in the payroll taxes. He said the Fire Department put the figures in and the Town Hall supplied the funds. Chief Maiorano said Brandon Longo was aware of this and he spoke with Brandon Longo about this situation. He stated instead of Brandon coming back to the Council, Brandon said it would wash out and it would be fine.

Chief Maiorano stated when Brandon Longo submits the budget; it has to be spot on because it is done by contract and then Brandon Longo provides the figures. Scott stated that the one man is becoming an issue being there is only one man from the town. Mayor Pro-Tem Hines said let's put this into perspective, in order for Council to hire some work, it has to be 24 hours but also ISO has changed and you can count some of the mutual aid. Scott Longo stated as you know each paid person equals one person for a period of a year. Scott Longo said he went over the numbers for the last three years and in 2012 the Fire Department was around \$11000.00 a month and after ya'll left it went down to \$8000.00 and now the Fire Department is between \$3000.00 or \$4000.00. Scott Longo stated the manning has gone down and that affects ISO. He said it takes three volunteers to make one person. He said for the past three years the money has depleted. Scott Longo stated if there was a fire today, the Fire Department would be okay because of other volunteers helping out. He said the Fire Department has one guy sitting at the station and three years ago, there were two men and we are putting that one man in harm's way. Scott Longo stated that after Mr. Hines and Mr. Arnold left the funds have gone down. Mr. Longo stated he wanted all of the Council people to know how important it is to have an extra person at the Fire Department.

Mayor Dingler stated everyone is aware of that however, but on the other side the Town does provide a person and maybe the Fire Department should look into having a volunteer drive. Mr. Longo said it takes three trucks to make a response and if there are not three trucks we can't make a call. Mayor Dingler said budgets are getting tight across the board so the Town will do what we can, but the Fire Department needs to also help out. Mr. Longo stated this year as of March they have ten volunteers.

Mr. Longo stated when the evaluators came they sensed friction between the Town and the Fire Department. Mayor Pro-Tem Hines asked Mr. Longo how they sensed that. Mr. Longo said they asked why the Town was not supporting the Fire Department. Mayor Pro-Tem Hines stated they did not ask the Town any questions. Mr. Longo stated to Mayor Pro-Tem Hines that the evaluators called Mr. Hines out by name. Mr. Longo stated we have got to strive to get that second man back at the Fire Department. Mayor Dingler stated the budget is in July and the ISO is also in July. Mayor Dingler stated the Town has what is has in the budget for this year and the Town is doing all that it can do to help the Fire Department out.

Mr. Vern Jones of 215 Jones Street stated he was listening to this conversation and he was looking at paper work from 2013 with the issue between the Fire Department and the city and it even made the news. He stated the Town needs a Fire Department and he would like for the Fire Department and the Town to work things out. Mayor Dingler stated we are working things out and the issue before was a contract issue which is a normal occurrence. Mr. Longo stated it was a contract issue when two individuals left. Mayor Pro-Tem Hines stated Councilwoman Stanley and Councilwoman Bragg both were on the Board when budgets got cut. He said it was not the reason that he or Mr. Arnold left the Fire Department that the budget got cut. He said the Fire Department knows the reason why.

Manager Comments

Manager Pierce stated the problems the Town has been having on Holly Street in front of the Post office has produced another sink hole. Mike McFann, Superintendent of the maintenance department and his crew has filled the hole as much as possible. Mike has asked ONWASA to come out with their camera to see why we keep having sink holes at that location. They were only able to get so far, so what the maintenance department might have to do is cut that piece of the road but we intend to do some more investigations.

Main and Green Street will be repaved in the next couple of weeks by Onslow Paving. He said upcoming events are Council Retreat coming up this Saturday March 14th, 2015 at 10:00 at the Community Center.

He said Robert Vause with the Department of Transportation will be the guest speaker at the retreat and hopefully he will be able to answer anyone's questions they might have. Manager Pierce stated the maintenance crew has stripped and buffed the floor at the community center and they have a plan of action to keep the floor maintained.

He stated the Town had their league wellness screening and we had 95% participation. Manager Pierce stated one officer was unable to attend and he had to go to another location to do his screening. Councilman Lang asked Manager Pierce about Main and Green Streets. Councilman Lang said he just wants to make sure the maintenance department is keeping a close eye on these streets because the rocks are beginning to disappear. Manager Pierce assured Councilman Lang the maintenance department is doing so.

Council Concerns

Councilwoman Stanley thanked everyone for coming out. She stated there are a lot of things that have to be addressed at our workshop this Saturday. Councilwoman complimented the work that was done at the roadblock. Councilwoman stated was also worried about the sink hole in front of the post office. Manager Pierce stated that would be taken care of. She asked when the construction material that ONWASA has beside the Police Department will be moved. Mayor Pro-Tem Hines said as soon as it was near completion.

Councilwoman Bragg thanked everyone for coming out to the meeting. Councilwoman Bragg stated the last election she was not on the Board, and she wanted to suggest meeting with the Fire Department before budget time and put all of this behind us and do what is best for the citizens of Holly Ridge. She stated Holly Ridge is not that big and we should be able to agree on things where there is no hostility. She stated what she saw tonight was not good and she did not like it. She stated we need to make people proud to be a part of Holly Ridge and we should be doing what is best for Holly Ridge.

Councilman Lang agreed with what Councilwoman Bragg said and he thanked everyone for coming out tonight. He thanked all of the staff and the committees and volunteers for giving up their time.

Announcements

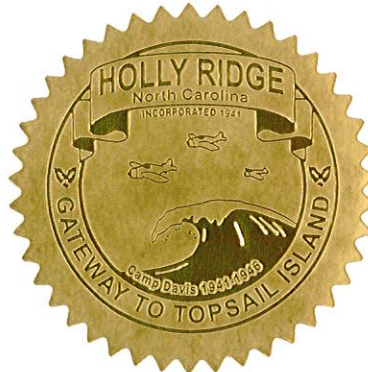
Mayor Dingler gave the following Announcements:

- Saturday, March 14th, 2015-Annual Town Council Retreat-10:00 a.m. in the Community Center.
- Tuesday, March 24th, 2015-Planning Board Meeting-6:30 p.m.
- Saturday, April 4th, 2015-Annual Easter Egg Hunt-11:00 a.m. in the Holly Ridge Municipal Park.
- Friday April 3rd & Monday April 6th, 2015-Town Hall Closed in Observance of the Easter Holiday.
- Liberty Fountain Committee Meeting-Tuesday, April 14th, 2015-6:00 p.m. in the Council Chambers of the Town Hall.

Adjournment

A motion was made by **Mayor Pro-Tem Hines** and seconded by **Councilman Lang** to adjourn at 8:02 pm. **All Agreed.**

Attest:





Anita Dingler, Mayor



Heather Reynolds, Town Clerk

These minutes were recorded and prepared by Deputy Clerk, Tracy Martin