

Minutes
Town of Atlantic Beach, North Carolina
Town Council Work Session
Monday, August 1, 2005

The regularly scheduled work session of the Atlantic Beach Town Council was held Monday, August 1, 2005 at 6:00 p.m. in the Council Meeting Room.

Members Present: Mayor Eddie Dawkins; Mayor Pro Tem Doug Creech; Council Members Harry Archer, Jim Bailey, Tom Doe and Christie Roberson

Members Absent: None

Others Present: Chuck Cooper, Town Manager; Derek Taylor, Town Attorney; Marc Schulze, Public Works Director; Lee Smith, Planning Director; Donna Turner, Director of Inspections; Scott Kilpatrick, Police Chief; Derek Taylor, Town Attorney; Kim Glover, Admin. Asst.

CALL TO ORDER AND ROLL CALL

Mayor Eddie Dawkins called the meeting to order at 6:00 p.m. All Council members were present.

APPROVAL OF THE AGENDA

Councilman Doe made a motion to adopt the Agenda. Councilman Bailey seconded. The motion carried unanimously 5-0.

1. Appointment of Board of Adjustment Members (BOA)-Council

Mr. Cooper advised the Council of the need to fill the vacancies that exist on the Town of Atlantic Beach Board of Adjustment. He provided the Council with a list of existing members and their terms of office. He wasn't sure if the Council wanted to vote at this work session. The applications we received over the last couple of years are included in the package. Mr. Cooper stated he would hold this matter of re-appointment for the next meeting on August 15, 2005. Councilman Bailey asked if this was all the people who expressed interest in the positions. Mr. Cooper said an issue of the Ocean Breeze would be coming out in a couple of days and we were asking for additional applications in there. Councilman Bailey asked what the status of Tom Garvey was. Councilman Doe reminded the Council that Mr. Garvey has an attendance issue. Mayor Dawkins stated that Tootsie Vinson indicated to him that Tom Garvey had moved and would not be serving on the BOA. Mr. Cooper asked how we could determine Mr. Garvey's residency without just hearsay. Attorney Taylor stated to determine his residency would require some investigation on someone's part. Attorney Taylor asked the Council if there was a Chairman or Vice-Chairman on the BOA.

The Council determined there was no Chairman or Vice-Chairman at this time and they would need to appoint one. The Council agreed to address the appointment of BOA members at the next regular Council meeting.

2. Dredging Update-Town Manager

Mr. Cooper updated the Council of the dredging issues Marc Schulze and he had been working on the last couple of weeks. Earl Batts and Eddie Briley accompanied Mr. Cooper and Mr. Schulze on many site visits to help document the concerns related to channel conditions.

The Atlantic Beach Police Department re-positioned several channel markers to take advantage of the deeper water and added two new markers to warn people about the sand bars.

Mr. Cooper and Mr. Schulze also met with a man from SeaDozer to discuss their new technology. Initial contact was made by Councilman Archer at the Coastal Communities Coalition conference in Emerald Isle on May 13. Short term this would require some CAMA work for permitting because it is new technology. Mr. Cooper would like to continue working with SeaDozer to determine its viability for Atlantic Beach. The biggest advantage is it requires no spoils impact. Councilman Bailey asked Mr. Cooper if he had asked SeaDozer about pricing. Mr. Cooper said they spoke about pricing generally.

Mayor Dawkins thanked Earl Batts and Eddie Briley. Mayor Dawkins explained how his boat is able to navigate under the bridge while bigger boats have to turn west. Councilman Bailey states it was still very shallow at low tide, but plenty deep to go under the bridge.

Councilman Creech asked when the SeaDozer Company could do the work. Mr. Cooper stated that unfortunately this gentleman is a "scientist" and not a businessman. We had to make him aware of the requirements of doing business with the government.

Councilman Doe stated it sounded to him like the same process as using a tugboat and to date CAMA has not permitted any of these operations. Councilman Doe asked Marc Schulze if he could give him an estimate of when we would have permits in hand. Mr. Schulze stated two days before you tell them to do the project. Mr. Cooper stated we could get maintenance dredging permits very quickly.

Councilman Doe asked Councilman Bailey if he knew where we could put the spoils. Councilman Bailey said we would have to use a truck and ramp then have them hauled away. Councilman Doe asked assuming we have permits in hand, how long would it be before we could get something done. Mr. Schulze said probably two weeks. He also stated two of the contractors will take care of the spoils themselves.

Councilman Archer spoke with Norris Reed. Mr. Reed is a consultant and dredging superintendent and he had offered to help us. He will be coming to our next regular meeting. Mr. Reed stated it is permissible to not remove the spoils and he would be willing to secure the permits needed. He stated we could spray the spoils on the wetlands to a specified depth and the spraying is not taboo. Councilman Archer stated Mr. Reed can help us get the permits needed for spraying the spoils without delay.

Councilman Doe stated his concerns were staying focused on the short-term, quick fix problems now. He also felt that we should include the Hoop Hole Creek problem in with this project. He said hopefully when we meet here again, we would have ongoing work to clean up the difficult spots.

The Council asked Marc Schulze and Chuck Cooper to go ahead and get permits on area west of bridge and Hoop Hole Creek.

Councilman Doe would like to see permits in hand and some numbers in two weeks.

Councilman Creech would like to know who they suggest to do the dredging and the costs.

Lew Ramsey suggested we use the boat ramp at the end of Old Causeway Road to haul the spoils out of there. She asked if we could get permits to do so.

Mayor Dawkins asked Mr. Cooper if he felt like he had been given some direction tonight. Mr. Cooper responded he felt like he has been given a lot of direction.

Councilwoman Roberson would like for us to use the spoils for some of the low perking or non-perking areas.

Councilman Doe reminded Council that dredged soil can be very bad. If it is the mucky stuff you cannot get it to perk.

3. Cooper Avenue/Commerce Way Storm Water Update

Mr. Cooper and Mr. Schulze met with Sea Spray property manager Sue Lewis to discuss the storm water issue and opportunities to place the storm water onto the dune area in front of Sea Spray. Ms. Lewis stated they would be willing to consider the step, but they are concerned with what the water contained. They would like for the water to be tested to assure underground contamination was not occurring. Mr. Cooper stated they met with Ron Culliper to give a brief opinion of the area and confirmed it is practical to do what we are proposing.

Councilman Doe asked if Mr. Cooper was aware that some of the condos had severe flooding years back. There may be some good knowledge from Sue Lewis about this. The key to alleviating any problems at Sea Spray is to make sure we have enough perk area so the water goes away quick.

Councilman Bailey asked if the property is owed by Sea Spray. Mr. Cooper stated yes it is.

Mayor Dawkins stated he had at least four phone calls from people at Sea Spray saying they are going to put their property up for sale.

Lew Ramsey suggested we ask the Town Attorney to draw up an agreement and put it in contract form.

Councilman Doe stated that if we have to do testing, they need to let us know what to test for.

Councilman Archer reminded Council there were no perimeters or stipulations that require the testing of anything as far as storm water is concerned. Councilman Archer asked if we had been in touch with the individual who agreed to have the storm water sprayed on his property. Mr. Wiggins offered to work something out with the Town. Councilman Archer stated we need to bring this to fruition and asked Mr. Cooper to put it on the table for Ms. Lewis.

Councilman Doe stated we need to proceed with reasonable speed.

Councilwoman Roberson asked what it is going to cost.

Councilman Doe asked when this can be brought back before the Council again. Mr. Cooper said we can shoot for the next meeting.

Attorney Derek Taylor interjected we need to look at the condo documents because there will be some approval needed from the Condo Association.

Councilman Creech is fine with moving on with issue.

Councilman Bailey would like to conclude this situation.

Lew Ramsey again asked if the Town Attorney could put something in a contract form and have Sue Lewis pass it on to her Board of Directors.

Mayor Dawkins asked Mr. Cooper if we could have something ready for our next meeting. Mr. Cooper said we could try. Mayor Dawkins asked Marc Schulze how he feels about how we finish up Cooper Ave. Mr. Schulze said he thinks we have good direction.

4. Shore Protection 50-Year Plan Update

Mr. Cooper stated that Mayor Dawkins, Councilman Archer, Councilman Doe and himself attended a meeting on July 21 at the Morehead Ports facility to discuss the Bogue Banks Shore Protection Feasibility Study (50-Year Plan). The meeting entailed a “regional approach” to the beach nourishment for the Bogue Banks area. The Town of Atlantic Beach rates very low on the cost/benefit scale and should not expect any significant funding from the Corps. Brandt Island sand is still being discussed and how it will impact Atlantic Beach.

Councilman Doe stated he attended a Beach Commissioner’s meeting on Monday. The Beach Commission worked up a letter and Councilman Doe will meet with all the Council members and go over it.

Mayor Dawkins stated he told Joan Lamson, the Mayor of Pine Knoll Shores, they needed to deal with Tom Doe.

Councilman Archer informed the Council that the meeting they all attended was strictly an exploratory meeting. No commitment was made by any representative of Atlantic Beach. Councilman Archer said he asked Glenn McIntosh if we concur and join the 50-Year Plan, we will continue to receive the sand from Brandt Island. Mr. McIntosh answered that as far as he was concerned we would continue to receive the sand from Brandt Island.

5. Adjournment

There being no further business before the Town Council, Councilman Creech made a motion to adjourn the meeting. Councilman Archer seconded, and approval was unanimous, 5-0. It was 6:50 p.m.