



Town of HOLLY RIDGE

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

HOLLY RIDGE TOWN COUNCIL REGULAR MEETING April 11th, 2023 6:30 P.M.

Mayor Jeff Wenzel called the Regular Meeting of the Holly Ridge Town Council to order at 6:30 p.m. at the Holly Ridge Town Hall. Council members present were Councilman Sholar, Councilman Hines, Mayor Pro-Tem Hall, Councilwoman Stanley, and Councilwoman Bragg. Also present were Town Manager, Heather Reynolds; Deputy Clerk, Tracy Martin; Community Development Director, Nate Rhue; and Attorney, Kyle Fountain.

Invocation and Pledge

Pastor Neil McHenry – Faith Harbor Methodist Church gave the Invocation and Mayor Wenzel led the Pledge of Allegiance.

Adoption of Agenda

Manager Reynolds asked to add item 9-E. This is for the appointment of four individuals to the Planning Board and Board of Adjustment.

A motion was made by **Councilwoman Stanley** and seconded by **Councilwoman Bragg** to adopt the agenda as amended. *All Agreed.*

Persons Wishing to Address the Council

Mayor Wenzel read aloud a letter from Brenda and Elmer Padgett to let the Mayor and Town Council know that they are not in agreement to change the Zip Code for Holly Ridge.

Belinda Sholar – 111 Highway 17 asked why this has come back up again. Ms. Sholar said the information says this produces higher insurance rates and confusion on voting. Ms. Sholar said she has a home in Holly Ridge and Sneads Ferry. Ms. Sholar went online to review a quote for insurance for the two different zip codes and the insurance rate was the same. Ms. Sholar said when you register to vote you are told what location you vote at. Ms. Sholar said

she does not believe there is any confusion regarding emergency services and where to go when a call is received for help. Ms. Sholar said she has lived in Holly Ridge for almost 40 years, and she totally disagrees with the idea of changing the zip code. Ms. Sholar said the primary post office is Holly Ridge and the acceptable other cities are Surf City and Topsail Beach. Ms. Sholar asked why should we change our zip code for whoever wants this change.

Dorothy Royal – 103 Atkinson Point Road Surf City thanked Mayor Pro-Tem Hall for putting on the Camp Davis event. Ms. Royal thanked Chief Sorg for going above and beyond to return a customer's wallet that was left at Ms. Royal's place of business.

Ms. Royal said she agrees with Holly Ridge keeping the same zip code because it is already established. Ms. Royal said it is way past due that Surf City and Topsail Beach have their own. For a business owner it is a nightmare for deliveries. Ms. Royal said she is 100 % in support of separating the zip codes because Holly Ridge is Onslow County, Surf City has a little bit of Onslow County, but mostly it is Pender County and Topsail Beach is Pender County.

Vern Jones - 215 Jones Street said if we want to know who is complaining about this it is Surf City. Mr. Jones would like Holly Ridge to keep the 28445-zip code and let one of the other towns change their zip code.

Ken Bradshaw - 134 Beacon Woods Dr. said changing the zip code seems like it is more trouble than it is worth.

A motion was made by *Mayor Pro-Tem Hall* and seconded by *Councilman Hines* to amend the agenda to include Item 4-A. *All Agreed.*

Presentation of the Annual Audit for Fiscal Year Ending June 30th, 2022, by Thompson, Price, Scott, Adams & Co., PA.

Austin Eubanks – Audit Manager with Thompson, Price, Scott, Adams & Co., PA gave his presentation on our audit findings. There were no findings with the exception that a letter was needed to the Local Government for the audit being presented late. This was no fault of the Town, but was the fault of Thompson, Price, Scott, Adams, & Co., due to an employee being out of the country.

Manager Reynolds asked Mr. Eubanks if his firm would prepare the letter and Mr. Eubanks stated they will not let them prepare the letter, they require the letter to be in the Town's own words and signed by each Town Council member.

Public Hearings

Discussion and Possible Approval of a Proposed Map Amendment of the Holly Ridge Zoning Map to Rezone approximately .88 acres of property located on US Hwy 17 North and identified as Parcel # 160393 from Light Industrial to Neighborhood Business.

Manager Reynolds. said this item went to the Planning Board during the March regular meeting and it was unanimously recommended to approve the map amendment. All the adjoining properties are vacant and undeveloped except for the R-15 district which is across the street. The Future Land Use Plan for the Town of Holly Ridge designates that parcel as Commercial. The neighborhood request would be inline and consistent with the Town's adopted plan.

A motion was made by **Mayor Pro-Tem Hall** and seconded by **Councilwoman Stanley** to go into Public Hearing. *All Agreed.*

A motion was made by **Councilman Hines** and seconded by **Mayor Pro-Tem Hall** to return to Regular Session. *All Agreed.*

Mayor Pro-Tem Hall said Neighborhood Business means there is a home and a business next to it. If we zone this Neighborhood Business, does that mean a person can put a home there.

Community Development Director Nate Rhue said for Neighborhood Business, those are not permitted there for single family dwellings. Mr. Rhue said when the Town Council amended the ordinance a few months back, the multi-family residential was removed. Mr. Rhue said this particular property being .88 acres, he did not foresee that to be doable.

Mayor Pro-Tem Hall asked why we would not just zone this commercial. Mr. Rhue said the request is to mirror the property that is neighboring it. Mr. Rhue said this was one parcel all together Neighborhood Business and the road separated the Light Industrial. The applicant has since sub-divided the property and placed an easement through there for the Camp Davis Airfield and the request is to mirror it so they both are the same.

Mayor Pro-Tem Hall stated that a dwelling cannot be placed on either one of the parcels. Mr. Rhue said that is correct.

Councilman Hines said his problem is we have Commercial corridors, and we allow this then, other commercial areas could possibly get the same thing as far as Neighborhood Business where Commercial should be. Mr. Rhue said there are a few additional uses from a commercial district that are permitted where we have neighborhood business, but the uses are practically the same from a commercial type of use.

Mayor Pro-Tem Hall said she is leaning towards commercial and not neighborhood business.

Michael McCafferty – 178 Twining Rose Lane said the intent is to put a drive-thru coffee shop and he can't do that with it being zoned Light Industrial. Mr. McCafferty said this is the last lot heading north and there are no other lots to build on. Mr. McCafferty said he cannot think of any business for this small of a parcel that would be Light Industrial.

Mayor Pro-Tem Hall asked Mr. McCafferty if he would be okay if it was zoned Commercial instead of Neighborhood Business. Mr. McCafferty said yes if it allows him to do what he wants to do.

Councilman Sholar asked how the setbacks for commercial and neighborhood business differ. Mr. Rhue said we just approved zero setbacks unless it is residential property. Mr. Rhue said Mr. McCafferty would have more space for commercials.

Mayor Pro-Tem Hall asked if Mr. McCafferty understood the differences and Mr. McCafferty said he did and he would be in favor of more space with commercial. Mayor Pro-Tem Hall asked the Town Council would like to amend the request.

Manager Reynolds said we have the ordinance to amend the zoning map and she believes we would amend the ordinance from Neighborhood Business to Commercial, so we can re-zone two commercials and then adopt the consistency statement that is cohesive with the Land Use Plan.

Mr. Rhue said Onslow County GIS has not updated their map that shows separate parcels and the only request at this time is the small parcel. The ordinance amending your information has been recorded, they just have not assigned a parcel ID. There is an address attached to it, they just have not assigned a map number or parcel ID.

Councilman Hines asked if the other portion would remain Light Industrial. Mr. Rhue said that is correct and it is not part of the request.

Mr. McCafferty asked if he could request to table this and re-submit zoning for commercial for both lots.

A motion was made by **Councilman Hines** and seconded by **Councilman Sholar** to table this Public Hearing. *All Agreed.*

Town Manager Report

Manager Reynolds stated the following:

- Atlantic Seafood received their Certificate of Occupancy last week.
- Holly Ridge Police Department can begin active enforcement in Sages Ridge with the new street signs that have been installed.
- Dugout at the park is almost complete.
- The Police Department is in the process of hiring two new employees.
- We requested \$100,00.00 from Representative Smith from the State budget to go towards the new restrooms at the park.
- Parks and Recreation Director Audrey Madia made presentation to the County last week for the tourism grant.

- We also applied for \$15,000.00 from the Capital grant to help pay for the fireworks as well as \$40,000.00 for a new Christmas tree.
- We continue to receive multiple complaints weekly about our garbage and recycling services. Unless anyone has an objection, Manager Reynolds is beginning to investigate our own pickup to include looking at cost analysis for our own trash truck and two additional employees. We have a permanent issue with several streets due to hydraulic fluid spills left by GFL. Lots of complaints about broken carts because they are using automatic trucks.

Councilman Hines asked if we have had ever had the new representatives attend our meetings before. Manager Reynolds said Norma Yanez, which is the government contracts manager, came to a meeting a couple of years ago. Councilman Hines requested someone higher than Ms. Yanez to attend one of our meetings so this can be discussed with them. Councilman Hines asked if Surf City is using the same company and if they are having the same issues. Manager Reynolds said they are using the same company and having the same issues. Councilman Hines asked what was going to be their solution. Manager Reynolds said it may be us if we can get a garbage truck. Manager Reynolds said at the Manager's meeting there have been discussions about doing something. Surf City did say they would use us because we will not be bought out. Councilman Hines asked if Topsail Beach has the same problem. Manager Reynolds said Topsail Beach has a different company, but they are looking for a permanent solution. North Topsail Beach uses the same company and has the same issues as well.

- Liberty Fountain is in the process of being painted.

Consent Agenda

- A. Approval of the Following Minutes
 - March 14th, 2023
- B. Department Head Reports
 - Finance Department
 - Fire Department
 - Police Department
 - Planning & Zoning Inspections Report
 - Parks and Recreation
- C. Committee Reports
 - Planning Board
 - Board of Adjustment
 - ONWASA
 - Re-Branding Committee
- D. Approval of Tax Refund Report

A motion was made by *Councilman Sholar* and seconded by *Councilwoman Stanley* to approve the Consent Agenda. *All Agreed.*

Old Business

Discussion and Possible Approval of a Proposal with Estimates for Renovation to the Community Development Department and Controlled Access in Town Hall

Manager Reynolds said at the March regular meeting, the Town Council directed staff to move forward with receiving estimates for the Community Development Department as well as adding controlled access to the restrooms. Since the meeting, Nate has worked with three different companies, and we are waiting on their estimates. Manager Reynolds said due to the fact we have not received their information; she would like to table this item until next month.

A motion was made by *Councilman Hines* and seconded by *Councilman Sholar* to table this item until next month when we have their estimates. *All Agreed.*

New Business

Possible Approval to Accept Councilwoman Stanley's Resignation from the Jacksonville from the Jacksonville Urban Metropolitan Planning Organization (JUMPO).

A motion was made by *Mayor Pro-Tem Hall* and seconded by *Councilwoman Bragg* to Approve Councilman Stanley's Resignation from the Jacksonville Urban Metropolitan Planning Organization. *All Agreed.*

Discussion and Possible Approval to appoint a Town Council Member to the Jacksonville Urban Metropolitan Planning Organization (JUMPO)

A motion was made by *Councilwoman Stanley* and seconded by *Councilman Hines* to Appoint a Mayor Pro-Tem Hall to the Jacksonville Urban Metropolitan Planning Organization (JUMPO). *All Agreed.*

Possible Adoption of a Resolution in Support of a New Zip Code being considered and Assigned to the Town of Holly Ridge Municipal and ETJ Boundaries.

Manager Reynolds said it was brought to her attention that there could be cost savings on the cost revenue and the automobile insurance. There is not a whole lot of information on how that process is initiated, but Manager Reynolds was able to find the report to Congress that talked about the benefits and the confusion that can happen from zip code boundaries not following the actual jurisdictional lines.

Manager Reynolds stated this item came up because of Manager Reynolds. After attending a Jacksonville Board of Realtors meeting, there is a correlation between insurance to some extent and zip codes. The economic summit was held at the Industrial Park in March, and we had representation from Senator Tillis office and some of the County Commissioners. There was discussion among all of them that it is not as big of a problem for North Topsail Beach and Sneads Ferry because both towns are in the same county. Manager Reynolds said because Surf City and Topsail Beach are in Pender County, there is a good chance that the sales and tax revenue is being disbursed and distributed incorrectly, such as online point of sales, businesses that do not have a physical location in Holly Ridge.

Manager Reynolds said she has heard the comments about separating the zip codes and Holly Ridge keeping the 28445, but Manager Reynolds is not sure how that process works. Manager Reynolds said this was brought to the Town Council as a discussion point and we are currently trying to re-brand so now is the time. Manager Reynolds said there was also an announcement from the Governor's office about the distribution facility, so we will have more packages coming in and out with hundreds of trucks a day.

Manager Reynolds said she invited Christina Asbury to this meeting because she helped Manager Reynolds with this project. Ms. Asbury sits on the Insurance and Professional Development Committee. Manager Reynolds said it is her job to look out for the best interest of the Town and if we are bleeding tax revenue to Pender County, it is important to her that we can capture it back to the town to keep our taxes low for our citizens. Manager Reynolds said the trade reports show a significant difference when you look at 28445. It has a high risk of flooding. When you put in just Holly Ridge, the risk goes down below twenty percent because Holly Ridge is at a much higher elevation than the neighboring beach towns. The beach towns have repeated losses consistently due to flooding and hurricanes.

Christina Asbury – 308 Folkstone Road said the three towns did not have enough residents getting mail to justify each town having their own zip code, so the three small sister towns of Holly Ridge, Surf City, and Topsail Beach were made to share the zip code. This was not for our identity; it was for their convenience.

Ms. Asbury stated zip codes do not represent an actual area on a map, but rather a collection of routes that help postal workers effectively deliver mail. The fact is that there are only five mail routes serving the Holly Ridge area, and only one carrier goes over the county line for half a route in mainland Surf City. Based on the USPSs own data, this change should only affect the route of ONE carrier.

Other things that can be influenced by zip code are median household income and vacation rental prices. The zip code 28445 is a 'touristy' zip code – non owner occupants (beach homeowners and military owners). The zip code absentee landlords are reducing the housing supply, which in turn, increased the cost of living for local renters.

Ms. Asbury said there are 6,928 properties in 28445 that have greater than a twenty six percent chance of being severely affected by flooding over the next thirty years. This represents fifty six percent of all properties in 28445. There are four hundred twenty-six properties in Holly Ridge that have a greater than a twenty six percent chance of being severely affected by flooding over the next thirty years. Let the beach towns keep the 28445- zip code with all their beach issues, and with the rebranding of the community we call Holly Ridge, let's get a new zip code to go with the new Town seal. Ms. Asbury said it may be beneficial for all three towns to come together to say there needs to be another zip code for these three towns.

Councilman Hines said he noticed in the packet high insurance rates, and Councilman Hines called two agents today and they said we were regional. Councilman Hines said about elections, the only confusion was if it was Folkstone present, or Dixon present which are both 28445. As far as emergency services they do not receive calls from zip codes. Councilman Hines said it is a significant change for businesses to have to change the zip code. Councilman Hines said he would be in support of passing the resolution for Surf City to receive their own zip code. Councilman Hines said if Zander Guy could not get Surf City a different zip code, he does not think anybody else can do anything different. Councilman Hines said he did not like the fact that there was a resolution and this item had not been discussed at all and he would not be in favor of tabling or voting for this item. Councilman Hines said Holly Ridge needs to keep zip code 28445.

Mayor Pro-Tem Hall said she would like to see some true data. Mayor Pro-Tem Hall said in the zip code there are four digits at the end which helps a lot in receiving mail, packages, etc. A lot of the nine-digit zip codes are mechanically sorted before they get to Holly Ridge. Mayor Pro-Tem Hall said she likes the idea of helping the three communities separate the zip code. Mayor Pro-Tem Hall said the USPS is the only one that can make that change and it is once a year in July and there must be a lot of data and mitigating circumstances for this to be done. Mayor Pro-Tem Hall said she would like to find out if the sales tax does go to a different county.

Councilman Sholar would be in favor of supporting the other communities in getting their own zip code, but he does not want Holly Ridge to change their zip code.

Councilwoman Stanley stated she thinks we should help Surf City and Topsail Beach get their own zip code and not change Holly Ridge.

Councilwoman Bragg said we have had our zip code since the beginning of time. Councilwoman Bragg said if Surf City and Topsail Beach want a different zip code, let them be the one to change theirs.

A motion was made by **Councilman Hines** and seconded by **Councilman Sholar** that we reject changing our zip code but support Surf City and Topsail Beach if they want to change theirs. **All Agreed.**

Belinda Sholar – 111 Highway 17 asked Ms. Asbury if she said when they look at big businesses, they look at zip codes. Ms. Asbury said she did, and Ms. Sholar asked why big businesses are going to Surf City and not Holly Ridge. Ms. Asbury said because the median income is higher and the demographic for Holly Ridge also known as southern satellites and whereas Surf City and Topsail Beach are Rural Resort dwellers with an estimated household income of almost \$105,000.00 a year.

Possible Approval of an Ordinance Directing the Code Administrator to Remove or Demolish the Dwelling on the Property Described as Condemned as Unsafe and Especially Dangerous to Life and to Abate Public Nuisances. Said Property is Identified as 123 Buroughs Road, Parcel ID # 011837.

Manager Reynolds said the enforcement and violations have been ongoing since 2021. The Town was notified by the property owner's sister concerning the conditions that existed on the property and requested the Town begin enforcement for potential ordinance violations. The town went out and looked at the property and the town began active enforcement. All parties to the property decided to deed this piece of property to the one owner, Mr. Pate.

Following that the town started receiving calls and complaints regarding the property. There was a complaint from neighbors that water was being unknowingly supplied to the property. Upon investigation, not only was water being supplied, but it was also noted that a neighboring electrical supply panel had been tampered with and hotwired to supply electric service to the dwelling.

Jones Onslow Electric was notified, and the matter was resolved as Jones Onslow Electric disconnected the service and removed the panel. In September 2021, efforts and communication were made to work with the current owner to bring the property into compliance.

The structure located on the property caught fire causing most of the structure to be beyond repair. In January 2022, an inspection was conducted of the property and structure was found to be a safety hazard and dangerous to life and health, and, thereby, condemned. In February 2022, notification of condemnation was sent to Mr. Pate, as well as notification of an administrative hearing that would be held on February 8th, 2023. February 18th, 2022, Mr. Pate attended the hearing where he agreed that the conditions of the property were unsafe and a violation of the Town's ordinances. Following the hearing it was ordered that the dwelling be closed and vacated and that the remnants be demolished and removed, along with the noted garbage and debris, from the property withing sixty days. Mr. Pate stated that it was his intention to sell the property as he was not able to bring the property into compliance as ordered.

January 16th, 2023 – Mr. Pate passed away. March 29th, 2023, a deed was recorded and reflected the property is now under new ownership. March 31st, 2023, Mr. Ricky Thomas,

from Sanford, North Carolina contacted the Town to discuss the intention of the property and his desire to begin work in cleaning the property. Town staff is working with Mr. Thomas to provide the opportunity to bring the property into compliance within a reasonable timeframe.

A motion was made by **Councilman Sholar** and seconded by **Councilman Hines** to Approve the Ordinance as Presented. **All Agreed.**

Manager Reynolds said we felt it would be beneficial to move forward with the abatement even though we are working with the new property owner so in the event they do not comply, and bring the property into compliance of the ordinance, we can move forward with the abatement.

Councilman Hines said being that it is under new ownership does that change anything. Mr. Rhue said he is of the opinion that it does not change anything.

A motion was made by **Councilman Sholar** and seconded by **Councilman Hines** to approve an Ordinance directing the Code Administrator to remove or demolish the dwelling on the property described as Condemned as Unsafe and Dangerous to Life and to Abate Public Nuisances. **All Agreed.**

Appointment to Planning Board and Board of Adjustments

Manager Reynolds said has been an influx of applicants. The Planning Board has a vacancy, and they have a meeting coming up this month and we would like to have them appointed. Three of these applicants have or are currently serving.

- Emily Hedrick – Planning Board
- Jeffrey Barton – Planning Board (Alternate member)
- Vern Jones – Board of Adjustment (re-appointment)
- David Mosey – Board of Adjustment (re-appointment)

A motion was made by **Mayor Pro-Tem Hall** and seconded by **Councilman Sholar** to appoint Emily Hedrick to the Planning Board. **All Agreed.**

Councilman Hines stated he does not like having the same people on the Planning Board and Board of Adjustment. Councilman Hines said it is nothing against them, but I feel like it is hard for them to objectively decide something on the Planning Board when they sit on the Board of Adjustment.

A motion was made by **Councilman Sholar** and seconded by **Mayor Pro-Tem Hall** to appoint Jeffrey Barton to the Planning Board as an Alternate member. **All Agreed.**

A motion was made by **Councilwoman Stanley** and seconded by **Councilwoman Bragg** to appoint Vern Jones to the Board of Adjustment. **All Agreed.**

A motion was made by **Councilwoman Bragg** and seconded by **Councilwoman Stanley** to appoint Dave Mosey to the Board of Adjustment. *All Agreed.*

Persons Wishing to Address the Council

Cheryl Hines – 113 S. Green Street would like to thank the Town Council for agreeing not to change our zip code and as far as our property taxes that is based on what side of Highway 17 you live on.

Town Council Comments

Councilwoman Bragg thanked everyone for coming to the meeting and thanks to the Town Staff.

Councilwoman Stanley thanked everyone for coming to the meeting and thank you for all your input that helps the Town Council make some of their decisions.

Councilman Sholar thanked everyone for coming to the meeting.

Mayor Pro-Tem Hall said the event that was held on Saturday was raining and cold but Chief Longo opened the Fire Department, and everything was held inside. Mayor Pro-Tem Hall thanked the Fire Department.

Councilman Hines said everyone needs to give Mayor Pro-Tem Hall a hand on her hard work for the Camp Davis event that was held. Councilman Hines said he was amazed at the re-enactment. They knew what they were talking about, and they enjoyed doing it. Councilman Hines said he thought the Easter Egg Hunt was a success.

Announcements

Mayor Wenzel gave the following announcements:

- Tuesday, April 18th, 2023 – Planning Board meeting – beginning at 6:30 p.m. in the Council Chambers
- Tuesday, April 18th, 2023 – Four Town meeting – Hosted by Topsail Beach
- Tuesday, April 25th, 2023 – Board of Adjustment meeting – beginning at 6:30 p.m. in the Council Chambers
- May 8th, through May 12th, 2023 – Spring Debris pickup.
- Thursday, May 18th, 2023, - ONWASA Board meeting – beginning at 6:00 p.m. at the Jacksonville City Hall

Mayor Wenzel thanks the Police and Fire Department for the great job they do.

Closed Session

Adjournment

A motion was made by *Mayor Pro-Tem Hall* and seconded by *Councilwoman Stanley* to adjourn at 8:05 p.m. *All Agreed.*

Attest:

Jeff Wenzel, Mayor

Tracy Martin, Deputy Clerk

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