MINUTES

TOWN OF KURE BEACH STORMWATER COMMITTEE

The Kure Beach Stormwater Committee held its regular meeting on Monday, March 27, 2023, at 5 p.m. Chair, Tracy Mitchell called the meeting to order at 5:02 p.m. and a quorum of members was present.

Committee members present – Tracy Mitchell – Chair (Beachwalk), Patsy O'Reilly – Secretary (Seawatch), Michael Davenport (Kure Dunes), James Craig (Beachwalk, alternate), Russ Timmons (Keys), Bob Cooil (KB Village), Tim Wright – (Live Oaks Village). Staff member present: David Heglar – Commissioner, Staff Member Absent: Jimmy Mesimer – Public Works Director.

PUBLIC PRESENT:
Dan Dixon (Ocean Dunes)

PUBLIC COMMENT: None

MINUTES: Minutes dated 2/13/23 APPROVED, as corrected.

INTRODUCTION OF COMMITTEE MEMBERS & STAFF

COMMITTEE BUSINESS
David's job is to get recommendations to take to the council to either fund or approve projects and then change stormwater ordinances so that we meet the requirements of the state and the needs of the citizens. The town's responsibility to the citizens is to make sure that we do everything possible to manage stormwater so that we do not risk their property. The town's responsibility is to ensure that the actual state requirements are met. The state only has you manage 1-1/2 inches of water, and your permits were based on that in the initial calculations. We've had a lot more than 1-1/2 inches of water and historically with Floyd being the most recent example of how much more water we can have so, we aspire to make sure that no property in KB floods from any reasonable rain that we can deal with.

At first, the federal government audited the state, then the state audited towns, and only one town in NC that was audited passed. KB proposed the recommendations to the state in December 2019 and to date has not received feedback. At issue is the state wants KB to provide them with the permits and compliance of all your permit holders. KB contends that they belong to the state, and they said KB should be managing that, but we were never told that. How is KB supposed to know that because their state permits issued by the State of NC inspected them so other than we're in the municipality there located in what's our deal? No, the state says you're supposed to have a copy and you're supposed to be sure they're meeting their six-month inspections. A letter from DEQ was received stating that we should be doing that and (2) moving forward you should be issuing permits. Presently, we don't have any permits to issue but one to transfer Mavericks and the Cove had not transferred their permit issued by the state to the homeowner's association yet and neither has ponds, but both will not have public roads. The town is not taking Red Lewis Road so the road will be owned by the HOA, the stormwater system runs underneath that road and goes to 421 and goes across the street and that piping system and because the road isn't transferred, they own everything under it, so they have to transfer their permit (it's a state permit). We got their transfer criteria, put KB in place of North Carolina everywhere, made our lawyer look at it and make sure that it was okay, and then sent it to the state and ask if it was acceptable. We asked for a letter stating that we could do this, and we will do it and that is where we are now. They want us involved in the permits without the expertise and we want to communicate with the permit holders about requirements, help us write what we say the requirements are so you can meet the requirements and we can tell the state that you are good.

If the state makes KB sign off, some engineer will come and review your engineer's statement before we say yes, we support renewal. For KB we will hire, after talking to the council, not on staff but use a consultant (use the same one we use, changed name). The state has not clearly said whether they will, but they have pushed us for the transfers, so the next step is the renewals. They shouldn't because they're not ours but if they do the town will engage a contract engineer so we can't get in trouble, and we will have an expert review the application that we had written by an expert.

Six months is the requirement for inspections and require records to meet your requirements. Pick two months six months apart and give your records to Jimmy. KB is building a book (public records) for everyone so if the state comes down to inspect, they have a book to review. We are only filing what the state requires for your permit so if they audit us, they won't find any of the old records and still will go to you.

TOKB UPDATES

Current Budget

Mississippi Avenue. North end of town, ponding issue in the road and some properties, but it's on the road, which is the low spot. We're making drainage, underground drainage for one block, that will go to the ditch that goes down Spot, and then turns and goes right at the corner and goes to the river.

New Budget

- West side of Settler's Avenue Stormwater drainage piping project. Getting cost estimates for a drainage system that will take water out of the west side of Settlers
- South-end stormwater assessment
- Drainage issue (south end of town) in the five cul-de-sac roads Stormy Petrel, Craigs Landing, Howard's Hill, Assembly Avenue, Camp Wyatt.

The budget goes until late May and, then it's posted to the public. Meetings are open to the public. The final budget will be ready by the June meeting, and it goes into effect on July 1.

Stormwater maps of permits are to be created by each HOA and brought together to create a town map.

Discussed the 13 outfalls, one of them, just north of the pier, having a containment system. KB and NC State University did a demonstration project where that system catches the first part, just like he talked about your ponds and then what those do is, if there's too much water, it pops off, unless the water going into the dunes, but on the overflow, it goes to the outfall. The water goes directly from 421 to the ocean. No one's happy about it, but the town can't afford to fix that system. One, there's no land for some of them. So even if we had infinite money, all thirteen could not be fixed with that type of system. Many of them are close enough to one of our public beach wall covers that we could put something potentially underneath the parking lot. So take the beach parking area, tear it out, build this system, put it back, and it will be underneath there and catch it. But not all of them are like that. The two by ocean dunes, there's no public property to do that with, so we'd have to work with you guys on how we would even do that. At the north end of town, there's not a beach access. There are beach outfalls in all three of and probably all the other beach communities in North Carolina. They rely on the sand for filtering the water. We discussed how the filing would work and how to clean it out. We want to stop as much stuff getting in there as possible because it's easier to service.

Old Business

HOA Stormwater Map Project

New Business:

Bring maps to the next meeting.

Change the FOURTH Monday monthly meeting time from 5:00 pm to 5:30 pm.
Motion: Michael, Second: David
Vote: Approved

Schedule a working session on Wednesday, April 19th at 5:00 p.m.
MOTION, Tracy, Second David
Vote: Approved

ADJOURNMENT MOTION- Tim made a motion to adjourn the meeting at 6:13 p.m.
SECOND Russ
VOTE- Approved

The next working session is scheduled for Wednesday, April 19, 2023, at 5:00 p.m. at KB Town Hall.
The next monthly meeting is scheduled for Monday, April 24, 2023, at 5:30 at KB Town Hall.