

REQUEST FOR BOARD ACTION

ITEM NO. 15.

DATE OF MEETING: August 3, 2009

REQUESTED BY: Commissioner Blanchard

SHORT TITLE: Resolution Approving Revised Charter for the Topsail Island Shoreline Protection Commission

BACKGROUND: The Topsail Island Shoreline Protection Commission (Commission) was formed in 2004. The Commission has revised and updated its charter to be more consistent with what the Commission is working to accomplish. The Commission approved the revised charter unanimously on May 26, 2009, and has asked each participating board to approve the revised charter. All three island towns (North Topsail Beach, Surf City and Topsail Beach) have approved the revised charter. Pender County and Onslow County are now being asked for their approval. A copy of the former charter, and the new proposed charter, are attached.

Commissioner Blanchard is the County's representative on the Commission, and can provide background and insight on the charter revision.

SPECIFIC ACTION REQUESTED: To adopt a resolution approving the revised charter for the Topsail Island Shoreline Protection Commission.

COUNTY MANAGER'S RECOMMENDATION

Respectfully recommend approval.

JB
Initial

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Pender County Board of Commissioners that:

the revised charter dated 5/26/09 for the Topsail Island Shoreline Protection Commission and presented to the Board of Commissioners for concurrence is hereby approved. The County Manager is authorized to execute any/all documents necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS

YEA VOTES: Tate ___ Brown ___ Blanchard ___ Rivenbark ___ Williams ___

Jimmy T. Tate, Chairman Date

ATTEST Date

TOWN OF SURF CITY

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A. D. (Zander) Guy, Jr., Mayor
Douglas C. Medlin, Mayor Pro-tem
Nelva R. Albury, Council Member
July 29, 2009

Michael H. Curley, Council Member
Donald R. Helms, Council Member
William J. (Buddy) Fowler, Council Member

Mr. Rick Benton
Pender County Manager
P.O. Box 5
Burgaw, NC 28425

Re: Revised Charter for Topsail Island Shoreline Protection Commission

Dear Mr. Benton:

The Elected Boards on Topsail Island and Elected County Boards of Pender and Onslow approved the formation of the Topsail Island Shoreline Protection Commission in 2004.

The Commission prepared a Charter of what the Commission was charged to accomplish and that was brought before each elected Board and was approved.

The Commission has now operated since the 2004 date and decided it was time to revisit the Charter and be more specific on what the Commission is trying to accomplish for Topsail Island.

At the regular Commission meeting on May 26, 2009 the Commission did a final review of the draft charter changes then passed unanimously. The Commission then requested each representative to take the revised charter back to their respective boards for their concurrence and approval. I did not get you the information earlier because I wanted to make sure that the three Island towns had no objections and had approved. North Topsail Beach, Surf City, and Topsail Beach Town Boards have now all approved the revised charter.

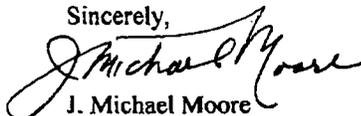
The Charter can only be changed if all participating Elected Boards approve the changes.

I have enclosed the original charter as well as the revised charter.

Requesting you please put on an up coming agenda for your Board to review and hopefully adopt. Commissioner Blanchard is aware of this request and can speak to it on behalf of the TISPC. If you need the TISPC chairman or myself to be in attendance just let me know.

Thanks for all the hard work you do for all the citizens of Pender County.

Sincerely,


J. Michael Moore
Surf City



**TOPSAIL ISLAND SHORELINE PROTECTION COMMISSION
CHARTER
Revised 5/26/09**

PREAMBLE: The ocean-front dune structure on Topsail Island is the critical interface with the Atlantic Ocean which serves to protect the lives and property of the island residents and property owners, and which serves to provide critical nesting habitat for endangered sea turtles.

MISSION: To actively support and promote plans and programs to restore and maintain wide sandy beaches and storm protection dunes through beach nourishment for all of Topsail Island's oceanfront, and to support and promote development and execution of the NC Beach and Inlet Management Plan.

PURPOSES:

Educate our property owners regarding beach nourishment and the Beach & Inlet Management Plan.

Support and promote funding at the Federal, State, County, and local levels for beach nourishment and storm protection of our shoreline.

Encourage maintenance of dunes through sound vegetation management practices on our beaches.

Promote the routine maintenance of area historical and federal navigation channels, including the Atlantic Intracoastal Water Way, and the placement of appropriate corresponding dredge spoils on our beaches

Promote the maintenance and restoration of nesting habitat for endangered sea turtles.

Goals and Objectives

1. Keep our property owners and the 5 participating boards up to date on the strategies in use for beach nourishment and beach nourishment funding for area NC beaches, and beaches in progressive states such as Florida, South Carolina, and New Jersey.
2. Keep our property owners and the 5 participating boards up to date regarding North Carolina's Beach and Inlet Management Plan and its impact on our area.

3. Encourage our property owners to support state and federal legislation favorable to beach nourishment and beach nourishment funding.
4. Retain professional services, when required, to act on behalf of the Commission to secure federal and state funding for navigation maintenance and nourishment projects
5. Promote restoration and maintenance of habitat essential to the survival of sea turtles.
6. Other activities as directed by the three towns and two counties

Tasks and Responsibilities:

1. Prepare an annual operating plan and operating budget for the commission each year.
Present it to the 5 member boards, and send it by newsletter to all island property owners
2. Conduct appropriate public forums with informed speakers to keep community leaders up to date concerning beach nourishment efforts
3. Actively advocate for dedicated long-term sources of revenue at the state and county level to supplement town and federal funds
4. Work with the Army Corps of Engineer to insure that appropriate quality dredging of spoils from New River, New Topsail Inlet and the AIWW are placed on Topsail Island beaches.
5. Support local, state and national shore and beach conferences/symposiums

ORGANIZATION:

- The Commission shall be composed of eleven (11) voting members
 - Each island Town's governing board (North Topsail Beach, Surf City, and Topsail Beach) shall appoint one elected official from their town, the Chairman of their Shoreline Protection Committee, and one at-large member to serve as voting members on the commission
 - Each County's governing board (Onslow and Pender) shall appoint one elected official from their board to serve as a voting member on the commission.

- The Chairman of the Topsail Island Shoreline Protection Commission will be elected each January from the membership. The Chairman will conduct the meetings and will be the official spokes person for the commission.
- The Vice chairman of the commission will be elected each January from the membership. The vice chairman will act in the absence of the chairman
- Each Town Manager and County Manager will serve as a liaison to the Commission.
- Committees may be formed at the discretion of the Commission to address specific project issues and concerns.

Compensation: Commission members shall not be compensated for the performance of their duties as members of the commission. They will be reimbursed for travel and out of pocket expenses when assigned to represent the Commission at official functions.

Quorum: A quorum of the Commission is required to conduct any official business at a regular or special board meeting. At least six (6) members present at a regular or special board meeting will constitute a quorum. All official business will be governed by majority vote.

Meetings: Commission shall establish frequency of meetings.

Depository: One of the towns shall be designated as the official depository

Charter Approval: The charter of the commission must be approved by a majority vote of each of the five (5) participating governing boards (Onslow County, Pender County, North Topsail Beach, Surf City, and Topsail Beach)

ORIGINAL Charter

TOPSAIL ISLAND SHORELINE PROTECTION COMMISSION

MISSION: To develop plans and programs to restore and maintain wide sandy beaches and dunes through beach nourishment, for all of Topsail Island's oceanfront.

PURPOSE: To secure the placement of sand on our beach by obtaining funding at the Federal State and local levels for beach nourishment and storm protection of our shoreline. To mitigate further erosion of the existing dune structure by enhancing its build-up to the maximum extent possible consistent with current beach nourishment practices. The Topsail Island Shoreline Protection Commission is charged by the towns of Surf City, North Topsail Beach, and Topsail Beach to advise the three Town Boards on strategies for securing beach nourishment.

Furthermore, the Shoreline Protection Commission shall:

- 1) develop and sustain knowledge of the strategies available for beach nourishment on Topsail Island
- 2) recommend to the three Town Board beach nourishment projects that advocate federal and state funding
- 3) review Commission staff reports on project status and effectiveness
- 4) provide information about beach nourishment to local Shoreline Protection/Beach Nourishment Committees
- 5) act as a liaison between the federal, state and local regulatory authorities involved in beach nourishment
- 6) retain professional services, when required, to act as Commission Coordinator (upon budget approval by the three towns)
- 7) other activities as directed by the three towns.

TOPSAIL ISLAND SHORELINE PROTECTION COMMISSION

GOALS:

- To deal with the adverse affects of beach erosion.
- To work with the Wilmington District U.S. Army Corps of Engineers on Topsail Island shoreline protection/beach nourishment projects.
- To promote the restoration, maintenance and enjoyment of Topsail Island beaches for the general public and property owners.
- To improve the quality of recreational public beaches for families to enjoy.
- To restore and maintain habitat essential to the survival of sea turtles shorebirds, and native dune plants.

ORGANIZATION:

- The Commission shall be composed of eleven (11) members: Topsail Beach; one elected official, the Chairman of Shoreline Protection and one at-large member appointed by town's governing body; North Topsail Beach; one elected official, the Chairman of Shoreline Protection and one at-large member appointed by the town's governing body; Surf City; one elected official, the Chairman of Shoreline Protection and one at-large member appointed by the town's governing body; Pender County; one elected Commissioner: Onslow County; one elected Commissioner. Each governmental entity shall have one vote. The elected Town official or County official shall be the voting member with the Chairman from each entity the alternate voting member. **The Chairman of the Topsail Shoreline Protection Commission will be elected annually, will not serve more than two consecutive terms and the chair will be rotated amongst towns.** The Chairman will conduct the meetings. *(Revised 11/29/05)*
- Each Town Manager and County Manager will serve as liaison to the Commission.
- Other sub-Committees may be formed at the discretion of the Commission to address specific project issues/concerns.

TOPSAIL ISLAND SHORELINE PROTECTION COMMISSION

RESPONSIBILITIES:

- Assist each town in developing their financial plan for implementing and executing approved Army Corps of Engineers shoreline protection projects.
- Seek innovative methods and procedures to streamline the beach nourishment process.
- Advocate for dedicated long-term sources of revenue at state and county level to supplement town and federal funds.
- Strive for a policy that requires the Army Corps of Engineer projects for dredging of spoils from New River, New Topsail Inlet and the AIWW for disposal on Topsail Island beaches.
- Support local, state and national shore and beach conferences/symposiums.
- Establish and recommend a budget to towns and counties to support the activities of the Topsail Island Shoreline Protection Commission.

Compensation: Commission members shall not be compensated for the performance of their duties as members of the commission. They will be reimbursed for travel and out of pocket expenses when assigned to represent the Commission at official functions.

Quorum: A quorum of the Commission is required to conduct any official business at a regular or special board meeting. At least three (3) of the governmental entities present at a regular or special board meeting will constitute a quorum. All official business will be governed by majority vote.

Meetings: Commission shall establish frequency of meetings.

Depository: One of the towns shall be designated as the official depository

This agreement may be amended with the approval, by resolution, of all members.