

Shore Protection Manager

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## CARTERET COUNTY BEACH COMMISSION MEETING

Minutes

Pine Knoll Shores Town Hall

June 27, 2005, 2 pm

### **Acronyms:**

CBOC – Carteret County Board of Commissioners

EI – Emerald Isle

USACE – United States Army Corps of Engineers

WRDA – Water Resources Development Act

### **Attendance.**

Commission chair Buck Fugate, vice-chair William Donnelly, Commission Members Tom Doe III, Jack Goldstein, Joan Lamson, Ted Lindblad, Pat McElraft, Jim Willis III, secretary Greg Rudolph, and the general public. Members Jerry Huml, Vincent Oliveri, and Jim Stephenson were absent.

- (1) **Call to Order.** – Chairman Fugate called the meeting to order.
- (2) **Approval of Minutes (Regular Beach Commission Meeting – May 23, 2005).** – Chairman Fugate asked the Commission if there were any corrections, additions, or comments regarding the minutes presented in the agenda packet. No comments were forthcoming from the Commission and Member Goldstein motioned that the minutes from the Commission's regularly-scheduled May meeting be approved as presented. The motion was seconded by member McElraft and unanimously approved.
- (3) **Occupancy Tax and "Beach Fund" Update.** - Secretary Rudolph noted that the County's April 2005 occupancy tax collection report was included in the Beach Commission's agenda packet and if compared to the April 2004 collection, signifies an approximate 7% decrease. Member Goldstein mentioned that Easter was in March this year, which essentially negates the usual tourism influx associated for Easter holidays that usually occur in April. Member Doe asked member Goldstein if he has heard any feedback concerning occupancy rates in the past few months. Member Goldstein replied that the beginning of June appears to have been slow, but has been increasing towards the later portion of the month. Chairman Fugate added that the weather was not conducive for beach visitation during most of May, especially on the weekends. Member McElraft noted that some renters have increased their rates by 5 – 10 % and that may also make occupancy tax trends difficult to reconcile because higher rental prices equate to more occupancy tax and is not necessarily a barometer for visitation or occupancy. Member Goldstein also mentioned that the reservations for the later portion of the summer, especially August, are up compared to years past and this may be reflected in the collection rate. Secretary Rudolph concluded that the cumulative collections for the occupancy tax to date for the fiscal year is up by approximately 6% and represents many of the factors the Commission just discussed.

- (4) **Contract Extension for Professional Lobbying Services – Marlowe & Co.** – Secretary Rudolph noted that the County retained Marlowe & Co. in 2001 for beach nourishment lobbying services and has been operating under a series of one-year contracts. It appeared prudent to explore a multi-year agreement with Marlowe & Co. at this juncture to give the Beach Commission and Marlowe & Co. a sense of stability, while also eliminating the time required to formulate, approve, and execute agreements every year. Accordingly, Marlowe & Co. was requested to provide a three-year contract extension encompassing fiscal years 2005-06, 2006-07, and 2007-08. The proposal is attached to the Commission's agenda packet and in terms of the contract cost, Marlowe & Co. is proposing \$55,200 for the first year of the contract with a \$3,000 increase per year thereafter. The monthly retainer per year is increased \$350 with the expenses kept static throughout the terms of agreement. In terms of the services provided, many of the services can be considered intangible ranging from speaking with appropriation staff, speaking with key members of Congress, communicating with the USACE in Washington to ensure that secured appropriations are spent as Congress intended, etc. As far as the tangible items are concerned, this usually equates to the appropriations secured for the County's projects. The secretary subsequently guided the Commission to a chart and table in the agenda packet delineating the Federal appropriations secured to date since 2001. Secretary Rudolph continued that based on these data, the Beach Commission has been very successful in securing appropriations, perhaps one of the most successful in the Country with exceptions to a few communities in New Jersey.

Chairman Fugate noted that it is a valid question to ask why the Commission needs a lobbyist considering that our Congressional delegation is willing to work with communities. The chairman rhetorically answered that it simply does not work that way in Washington, and there is no way that the Commission would be where they were in terms of appropriations secured without Marlowe & Co. Member Doe disclosed that he is aware of the good relationship the Commission has with Marlowe & Co., but wanted to ask why a three year contract was necessary. Chairman Fugate replied that the sense of security is important and that the CBOC will likely be willing to approve a multi-year agreement at this point in time. Secretary Rudolph added that one of the advantages of a longer term contract is that the Commission could lock into a fixed rate rather being subjected to higher swings in cost if a year by year contract approach is taken. Member McElraft added that it would be good to lock into a rate and member Lamson noted that Marlowe & Co. has willingly taken the responsibility for lobbying on behalf of waterway appropriation issues upon the County's request as well.

Vice-chair Donnelly motioned that the Beach Commission recommend to the CBOC that the proposed contract submitted by Marlowe & Co. be approved. The motion was seconded by member Doe. Member Lindblad asked who has the authority to approve expenditures incurred by Marlowe & Co. that are above the contract rate and would ultimately be charged to the County. The secretary replied that if the Commission requested Marlowe & Co. to attend a particular meeting, then the firm may bill the additional charges. However, that would require prior approval from the Shore Protection Office. Chairman Fugate asked for any further comments. No comments were forthcoming and the chairman asked for a vote for the motion on the floor. The motion was passed unanimously.

- (5) **Beach & Waterways Federal Appropriation Update.** – Secretary Rudolph noted that the e-mail updates have been provided to the Beach Commission in the past few weeks and reviewed that the President's budget and House Energy & Water Development Appropriation Bill was unfavorable for beach and waterway appropriations. The Senate subcommittee on Energy &

Water Development Appropriations held their mark-up on June 14<sup>th</sup> with the full Senate Appropriations Committee holding mark-up on June 16<sup>th</sup>. The full Senate may vote on the bill before the July 4<sup>th</sup> holiday and the Senate bill to date is very favorable for the County. This year's schedule is well ahead of previous years, which is also favorable. The Senate and House have gross discrepancies in terms of philosophy, total dollars for the bill, and project specific appropriations that will need to be reconciled in a likely contentious House/Senate conference. The Secretary continued that in the Senate bill, \$150,000 was secured for the Bogue Banks Shore Protection Project Feasibility Study, which was the full capability, and \$4.625 million was secured for the Section 933 Project which includes the additional funds needed to utilize sand from the Outer Harbor for beach nourishment and incorporating the funds essentially forfeited last year when the Brandt Island Pump-Out Section 933 Project was terminated. Perhaps the only negative in the Senate bill is that Bogue Inlet maintenance dredging did not get funded and the Shore Protection Office is not sure whether Bogue Inlet was simply overlooked, or there was confusion regarding EI's Bogue Inlet realignment project. Secretary Rudolph also noted that a spreadsheet summarizing all the beach and waterway appropriations for the State and a second spreadsheet summarizing all shore protection appropriations in the Country were attached to the Commission's agenda packet.

Secretary Rudolph also mentioned that WRDA is an authorization bill that should be passed every other year although that is not legally binding with the last WRDA passed in 2000. The full House approval of WRDA 2005 may occur later this week and the Senate has passed the Environment & Public Works Subcommittee version of the bill. That leaves a full Senate vote and a House/Senate conference remaining in 2005. The House has regional sand management language germane to the Morehead City Harbor while the Senate does not, which will hopefully be resolved positively in conference. Chairman Fugate expressed appreciation for the Secretary regarding his trips to Washington, D.C. and the appropriation effort.

- (6) **Presentation – Regional Sediment Management, Morehead City Pilot Study.** – Chairman Fugate introduced John McCormick with the USACE, Wilmington District who subsequently presented a PowerPoint slideshow regarding the USACE's regional sediment management program (see – [www.protectthebeach.com/minutes/2005/MHC\\_RSM.ppt](http://www.protectthebeach.com/minutes/2005/MHC_RSM.ppt) for the presentation).
- (7) **Public Comment.** – Denny Breese from the audience noted that EI spent a lot of money on the recent Bogue Inlet realignment project and that the dike has failed. Skilled watermen are also having difficulties crossing the new inlet ocean bar. Mr. Breese recommended that both the new and old inlet be maintained with only the old inlet to be marked with navigation aids, and the new inlet unmarked. This would help recreational boaters achieve safe passage through the inlet and simultaneously allow professional boaters to have an option to pass through either inlet corridor.
- (8) **Other Business.** – Secretary Rudolph introduced Rachel Schwartz, who was in the audience and is working on her Masters degree at Duke University with Dr. Mike Orbach.
- (9) **July 2005 Meeting Date (July 25, 2005 – proposed).** – It was agreed upon that the next Beach Commission meeting would be held on July 25<sup>th</sup> at 2:00 pm.
- (10) **Adjourn.** – Chairman Fugate asked for any additional comments and with no additional comments forthcoming, the meeting was adjourned.