

1 MINUTES OF THE RECONVENED MEETING
2 OF THE EMERALD ISLE BOARD OF COMMISSIONERS
3 MONDAY, OCTOBER 16, 2006 5:00 PM– TOWN HALL
4

5 The Emerald Isle Board of Commissioners reconvened their October 10, 2006
6 regular meeting on Monday, October 16, 2006. The meeting was called to order
7 by Mayor Art Schools at 5:30 pm.
8

9 Present for the meeting: Mayor Art Schools, Commissioners Pete Allen, Floyd
10 Messer, and John Wootten.
11

12 Absent for the meeting: Commissioners Nita Hedreen and Maripat Wright.
13

14 Others present: Town Manager Frank Rush.
15

16 ***Motion was made by Commissioner Messer to excuse the absence of***
17 ***Commissioners Hedreen and Wright. The Board voted 3-0 in favor. Motion***
18 ***carried.***
19

20 **FEMA OPHELIA BEACH NOURISHMENT PROJECT**
21

- 22 a. Resolution Authorizing Construction Contract – (06-10-16/R1)
- 23 b. Budget Amendment – Disaster Recovery Fund
- 24 c. Capital Project Ordinance Amendment – FEMA Ophelia Beach
- 25 Nourishment Project
- 26 d. Revised Interlocal Agreement with Pine Knoll Shores and Indian
- 27 Beach

28
29 **Note: A copy of Resolution 06-10-16/R1 is incorporated herein by reference and hereby made a part**
30 **of these minutes. Bid Tabulations as referenced are attached to and included in these minutes. The**
31 **Budget Amendment – Disaster Recovery Fund and the Revised Interlocal Agreement with Pine Knoll**
32 **Shores and Indian Beach are all attached hereto and made a part of these minutes)**
33

34 Town Manager Frank Rush addressed the Board concerning this agenda item.
35 The following excerpt from Town Manager Rush's memo to the Board is provided
36 as background:
37

38 The Board of Commissioners is scheduled to consider four actions pertaining to the FEMA Ophelia Sand Replacement
39 Project at its October 16 recessed meeting.
40

41 Resolution Authorizing Construction Contract

42 The attached resolution authorizes a construction contract with Great Lakes Dredge and Dock, Inc., the lowest
43 responsible bidder for this project.
44

45 As you know, the Towns of Pine Knoll Shores, Indian Beach, and Emerald Isle partnered together on the bid process
46 for this project in order to secure the most cost-effective bids for work in each town. Combined bids were requested for
47 all work in the three towns, and the pro-rated cost for each town was also indicated in the bids. The bid documents
48 stipulated that mobilization and demobilization costs are to be shared equally among the three towns, and that each
49 town will pay the same unit price per cubic yard of sand dredged and placed.
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3 The initial bid opening date was scheduled for Wednesday, October 4 at 2:00 pm. Only one bid was received at that
4 time, and the three towns re-advertised for bids for this project. The second bid opening was held on Friday, October
5 13 at 11:00 am, and two bids were received. The bids were opened and read aloud at that time. Great Lakes
6 submitted a total bid of \$6,568,992 for mobilization, demobilization, and placement of 569,160 cy of sand in Emerald
7 Isle. Great Lakes also submitted a daily suspension cost of \$120,000 per day, if applicable. Weeks Marine, Inc.
8 submitted the only other bid for this project, for a total of \$8,299,080, plus a daily suspension cost of \$87,500, if
9 applicable. A copy of the bid tabulation is attached for your information.

10
11 The attached resolution authorizes the Town Manager to execute a stand-alone contract with Great Lakes for the
12 prices indicated in their bid for Emerald Isle. The Towns of Pine Knoll Shores and Indian Beach will enter into
13 separate but identical contracts with Great Lakes for the total volume of sand placed in their jurisdiction. As you know,
14 this work is expected to be 100% reimbursed by the Federal Emergency Management Agency and the NC Division of
15 Emergency Management. The Town documented and FEMA confirmed the loss of 569,160 cubic yards of sand from
16 the Town's previous beach nourishment projects during Hurricane Ophelia in September 2005. Because the Town has
17 adopted and adhered to an official Beach Monitoring and Maintenance Plan, the Town is eligible for funding to restore
18 the beach to pre-Ophelia conditions through FEMA's Public Assistance Program. The Board should note that FEMA
19 and the NC Division of Emergency Management previously estimated the total cost of this work at \$5,622,440 when it
20 formally authorized the project on January 20, 2006. The bid submitted by Great Lakes exceeds the amount initially
21 authorized by FEMA and the NC Division of Emergency Management by \$1,066,552, or approximately 18%. Despite
22 the higher-than-anticipated cost, FEMA and the NC Division of Emergency Management are still expected to reimburse
23 100% of project costs. FEMA and NCEM have been notified about this additional cost, and the Town Manager is
24 awaiting formal concurrence for this additional cost later this week. As such, the attached resolution authorizes the
25 Town Manager to enter into the contract contingent upon indications from FEMA and NCEM that all costs will in fact be
26 eligible for reimbursement.

27
28 The Board of Commissioners should also note that the three towns are still awaiting issuance of the required Federal
29 and State permits for this project. These permits are expected any day, however, the attached resolution also is
30 contingent upon the issuance of the required permits.

31
32 The sand for this project will be dredged with hopper dredges from the US Army Corps of Engineers' Offshore Dredged
33 Materials Disposal Site (ODMDS) located just west of Beaufort Inlet off the coast of Atlantic Beach, and is believed to
34 be of excellent quality. The sand will be transported via the hopper dredges to pump stations located just offshore of
35 two distinct reaches of beach in Emerald Isle. The sand will then be pumped to the beach and placed by mechanical
36 equipment to construct a widened beach strand. The two reaches that will receive sand are 1) from Conch Court to
37 Lee Street, a length of approximately 13,604 linear feet (2.6 miles), and 2) from Connie Street to 6th Street, a length of
38 14,059 linear feet (2.7 miles). Approximately 20 – 23 cy / linear ft. will be placed in each of these areas. (For
39 comparison purposes, the 2003 Eastern Phase project placed approximately 35 – 82 cy / linear ft. and the 2005
40 Western Phase project placed 25 – 35 cy / linear ft. The 2004 FEMA Isabel project placed approximately 15 – 20 cy /
41 linear ft.) The sand is being placed in these two distinct reaches because these areas lost the most amount of sand
42 during Hurricane Ophelia, and FEMA's program is designed to restore the areas that suffered losses.

43
44 The Board should note that the contract will stipulate that all work in the three towns be completed between January 1
45 and March 31 in order to minimize the potential for taking sea turtles. Although the schedule is tighter than desired, we
46 believe that all work in the three towns can be completed in this time frame. The Board should also note that the
47 sequence of work has also been changed, and that work will now begin in Emerald Isle and progress from west to
48 east. As such, the successful bidder is expected to begin work on or about January 1, 2007 in the Conch Court – Lee
49 Street reach. Based on historical production rates, I am anticipating that the contractor will require 30-45 days to
50 complete work on both reaches in Emerald Isle, which would result in a mid-February completion.

51
52 The Board should note that the Eastern Ocean Regional Access is designated as the staging area for pipe and
53 equipment in Emerald Isle. I have intentionally prohibited the use of the Western Ocean Regional Access due to the
54 recent paving improvements at that facility.
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2 Budget Amendment – Disaster Recovery Fund

3 FEMA and the NC Division of Emergency Management estimated and approved a total project cost of \$5,875,450 for
4 this work, and the Board previously adopted a capital project budget ordinance reflecting this estimate.
5

6 As noted above, the bid submitted by Great Lakes is higher than the amount noted above. As such, the Board is
7 asked to approve a budget amendment in the Disaster Recovery Fund for an additional \$1,066,552. As noted, FEMA
8 and the NC Division of Emergency Management are expected to provide 100% reimbursement even though the
9 contract costs exceed the original estimates.

10
11 The budget amendment for the Disaster Recovery Fund is primarily procedural in nature, and is necessary to
12 recognize the FEMA reimbursements and then transfer these funds to the capital project ordinance established for the
13 FEMA Ophelia Beach Nourishment Project.
14

15 Capital Project Ordinance Amendment – FEMA Ophelia Beach Nourishment Project

16 The attached capital project ordinance amendment will formally amend the project budget to reflect the contract costs.
17 This amendment is related to the associated budget amendment to the Disaster Recovery Fund budget.
18

19 Revised Interlocal Agreement with Pine Knoll Shores and Indian Beach

20 As you know, the Board approved an interlocal agreement with Pine Knoll Shores and Indian Beach at its September
21 12 meeting. That agreement outlines the partnership between the three towns, including the sequence of work. The
22 original agreement stipulated that work would begin in Pine Knoll Shores and then move to Indian Beach and then to
23 Emerald Isle. This schedule was established due to the concurrent construction of a Section 933 beach nourishment
24 project in Pine Knoll Shores, and was intended to avoid any conflicts between the two projects by completing Pine
25 Knoll Shores' FEMA Ophelia project first. Due to the recent decision to delay the start of the FEMA Ophelia project
26 until January 1, it is now necessary to schedule Pine Knoll Shores last in order to avoid Section 933 conflicts. As a
27 result, Emerald Isle will now be completed first. The revised interlocal agreement formalizes this change.
28

29 ***Motion was made by Commissioner Allen to adopt the Resolution***
30 ***Authorizing Construction Contract. The Board voted 3-0 in favor. Motion***
31 ***carried.***

32
33 ***Motion was made by Commissioner Messer to adopt the Disaster Recovery***
34 ***Fund Budget Amendment. The Board voted 3-0 in favor. Motion carried.***
35

36 ***Motion was made by Commissioner Wootten to adopt the Capital Project***
37 ***Ordinance Amendment for the FEMA Ophelia Beach Nourishment Project.***
38 ***The Board voted 3-0 in favor. Motion carried.***
39

40 ***Motion was made by Commissioner Allen to adopt the Revised Interlocal***
41 ***Agreement with Pine Knoll Shores and Indian Beach. The Board voted 3-0***
42 ***in favor. Motion carried.***
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44 There was general discussion by the Board regarding the Village-East concept
45 as it relates to the CAMA Land Use Plan and the Future Land Use Map.
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The Board also discussed the request made by NCDOT regarding the possibility of the Town contributing \$150,000 in order to install metal poles with mast arms at the intersections. The Board was not interested in taking action at this time, deciding to bring this issue up for discussion during the next annual budget retreat.

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The meeting adjourned at 6:15 pm.

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Respectfully submitted:

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Rhonda C. Ferebee

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Town Clerk

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