

**MINUTES OF THE REGULAR SCHEDULED MEETING  
OF THE EMERALD ISLE BOARD OF COMMISSIONERS  
TUESDAY, AUGUST 9, 2016 – 6:00 P.M.  
TOWN BOARD MEETING ROOM**

**1. Call to Order**

The regular monthly meeting of the Emerald Isle Board of Commissioners was called to order by Mayor Eddie Barber at 6:00 PM in the Town Board Meeting Room.

**2. Roll Call**

Present for the meeting: Mayor Eddie Barber, Mayor Pro-Tem Floyd Messer, Commissioners Candace Dooley, Steve Finch, Jim Normile, and Maripat Wright.

Also present during the regular meeting: Town Manager Frank Rush, Town Attorney Richard Stanley, Finance Director Laura Rotchford, Town Clerk Rhonda Ferebee, Town Planner Josh Edmondson, Parks and Recreation Director Alesia Sanderson, Police Chief Jeff Waters, and Public Works Director Artie Dunn.

**3. Opening Prayer**

Jeanne Brennesholtz with Emerald Isle Baptist Church offered the opening prayer.

**4. Pledge of Allegiance**

Mayor Barber led the Pledge of Allegiance.

**5. Adoption of Agenda**

***Motion was made by Commissioner Wright to adopt the Agenda. The Board voted unanimously 5-0 in favor. Motion carried.***

**6. Presentation – “Miss Emerald Isle” Model Fishing Boat**

Glenn Darst, an Emerald Isle resident on Black Skimmer Drive, was recognized for his donation to the Town of his recently completed and constructed, detailed, to-scale model fishing boat that he had named "Miss Emerald Isle". The new model was on display during the August 9 meeting, and it was noted the model fishing boat would be permanently displayed at the Town Administration Building. Town Manager Rush said they wanted to publicly recognize Mr. Darst for the great work on the model boat. Mr. Rush stated that Mr. Darst had approached he and Chief Waters about donating this boat several months ago and the work on the boat was just fantastic, such intricate detail and they had really wanted the opportunity to thank Mr. Darst

publically for his donation and express appreciation. Mr. Darst provided some details about his model fishing boat and answered questions. The Board and public applauded Mr. Darst for his donation of the “Miss Emerald Isle” model boat and the hard work and efforts that were involved in its construction.

## **7. Introduction of New Employees**

- a. James Meeks, Fire Engineer**
- b. Sheila Lowe, Facilities Coordinator**

Fire Chief Bill Walker introduced James Meeks, Fire Engineer, stating that James was originally from Greenville, North Carolina. Chief Walker noted that James attended Fire Academy in Ohio where he received his certifications for Firefighter 1 and 2, and his HazMat Certifications, after which he enlisted in the Army where he served in Afghanistan in 2009 and 2010. Chief Walker said that James received a medal for Valor for actions during the attack of his patrol in 2009. Chief Walker noted that upon his return James continued his education receiving his Business Administration Associates Degree, followed by his Bachelors of Science in Fire Administration.

Parks and Recreation Director Alesia Sanderson introduced Sheila Lowe, Facilities Coordinator, a familiar face to most as Sheila had been a part-time employee since February 2011. Ms. Sanderson noted that Sheila and her family came here from Tennessee. Ms. Sanderson stated Sheila had started in 2011 as a part-time Community Center Attendant, and then had been promoted to a part-time Facilities Coordinator. Ms. Sanderson said they were extremely excited to have Sheila transition to a full-time Facilities Coordinator in July.

## **8. Proclamations / Public Announcements**

Mayor Barber noted the following announcements for the public.

- **Youth Surfing Competition – Wednesday, August 10 – 4:15 pm – Western Ocean Regional Access**
- **EmeraldFest Concert – Thursday, August 11 – 6:30 – 8 pm – Western Ocean Regional Access**
- **EMS Pancake Breakfast – Saturday, August 13 – 7 am – 11 am – EMS Station**
- **Police Educating the Public (PEP) – Tuesday, August 16 – 10 am – Town Board Meeting Room**
- **EmeraldFest Concert – Thursday, August 18 – 6:30- 8 pm – Western Ocean Regional Access**
- **American Red Cross Blood Drive – Friday, August 19 – 2 pm – 7 pm- Community Center**
- **Planning Board Regular Meeting – Monday, August 22 – 6 pm – Town Board Meeting Room**
- **Coffee With A Cop – Thursday, August 25 – 9 am – 4Js Coffee Shop**
- **Do it For Drew 5K Color Run – Saturday, Aug 27 – 7:30 am – Emerald Club**

- **Emerald Isle Beach Music Festival – Saturday, Aug 27 – 11 am – 5:30 pm – Western Ocean Regional Access**
- **EMS Pancake Breakfast – Saturday, September 3 – 7 am – 11 am – EMS Station**
- **Labor Day Holiday – Monday, September 5 – Town Offices Closed, Community Center Closed**
- **Friday Free Flick – Friday, September 9 – 7pm – Community Center**
- **Board of Commissioners Regular Meeting – Tuesday, September 13 – 6 pm – Town Board Meeting Room**
- **Day 4 Kids – Saturday, September 17 – 10 am – 2 pm – Community Center**

Mayor Barber noted that he had the pleasure the past Saturday night of representing the Town at the Coastal Federation Pelican Award ceremony. Mayor Barber noted that they had been recognized along with 31 other communities for exercising leadership in protecting our coast from offshore drilling.

## **9. Public Comment**

**Brief Summary:** The public will have the opportunity to address the Board about any items of concern not on the agenda.

Harry Bailey, 327 Live Oak Road spoke of the book sharing boxes his wife Joy had recently seen in Beaufort where you could put a book in and take a book out. Mr. Bailey said that his wife had a young man construct a box for her and Mr. Bailey had then visited Town Hall to ask about placing one of those boxes. Mr. Bailey said that he had placed the box at the end of Live Oak on Sound Drive with the thought being you got a lot of foot traffic and bicycle traffic there, and the box had been used probably a dozen times in 3 days. Mr. Bailey said he was relocating the box in the morning but stated that he had received numerous comments, good feedback, some folks wanting to put a box on their property, and only one negative comment. Mr. Bailey spoke of his discussions back and forth with Town Hall regarding where the box could be located. Mr. Bailey said there were other folks who would like to place a box on their property, and thought this was a good community effort, a sharing thing done in other towns. Mr. Bailey said he wanted to know what he could or couldn't do as far as placement of the book sharing box.

Town Manager Rush responded that this was an issue that was not currently regulated by the Town. Mr. Rush said there was no provision in our zoning ordinance that regulated these boxes on private property. Mr. Rush thought that the reason for the call from Town staff was that it was located on the street right-of-way. Mr. Rush felt the guidance was not that you couldn't have it but that it needed to be located on private property. Mr. Rush said that if Mr. Bailey wanted to put the box on his private property there was no regulation that would apply from the Town. Mr. Rush said if the Board decided they wanted to allow the boxes on public right-of-ways throughout the Town they could certainly discuss that and come up with accommodations the Board felt were reasonable. Mr. Rush said that Mr. Bailey could absolutely put the box on his property, as could any other person on their property. Mr. Rush

said that he and Town Planner Josh Edmondson would be happy to meet with him, he thought it was a great community project but it needed to be on private property, unless the Board wanted to make some accommodation, but again, they were not currently regulated.

## **10. Consent Agenda**

- a. Minutes – June 14, 2016 Regular Meeting
- b. Minutes – June 14, 2016 Closed Session
- c. Minutes – June 24, 2016 Special Meeting
- d. Resolution Accepting US Fire Administration Grant (16-08-09/R1)
- e. Budget Amendment – General Fund (Fire Grant)
- f. Resolution Authorizing Purchase of Fire Department SCBA Equipment (16-08-09/R2)
- g. Capital Project Ordinance Amendment – Osprey Ridge Storm Water Pump Project
- h. Budget Amendment – Special Drug Fund

***Motion was made by Commissioner Finch to approve the items on the Consent Agenda. The Board voted unanimously 5-0 in favor. Motion carried.***

**Clerks Note:** A copy of Resolution 16-08-09/R1, 16-08-09/R2, and all consent agenda items as referenced above are incorporated herein by reference and hereby made a part of these minutes.

## **11. Proposed Rezoning – Town Administration Building and Ocean Oaks Park – from Residential-2 (R-2) and Business (B) to Government (G)**

- a. Public Hearing
- b. Consideration of Rezoning Request – Town Administration Building
- c. Consideration of Rezoning Request – Ocean Oaks Park

Town Planner Josh Edmondson addressed the Board concerning this Agenda item. The following excerpt from his memo to the Town Manager is provided for additional background:

At the May Planning Board meeting, staff presented the Board with a request to rezone the Senator Jean Preston Memorial Park and the Boat ramp parcels in order to standardize the zoning for all Town-owned parcels to the (G) Government zoning district. The Board of Commissioners approved the rezoning of these parcels after conducting a public hearing at their June meeting. Currently, the above (4) four parcels are the only remaining Town-owned parcels that have yet to be rezoned to the (G) Government zoning district. Staff requested to the Planning Board at their July meeting that the parcels located at 7509 (PIN 539306298220000) & 7517 (PIN 539306295183000) Emerald Dr. be rezoned from (R2) Single/Dual Family Residential and (B) Business to (G) Government. The request also includes 9427 (PIN 538309051894000) & 9425 (PIN 538309052868000) Coast Guard Rd. from (R2) Single/Dual Family Residential to (G) Government.

The parcel located at 7509 Emerald Dr. is where the Town Administration Building is situated and abuts parcel 7517 Emerald Dr. which is vacant and wooded. The parcels together total about 1.4 acres. The surrounding parcels are zoned (G) Government, (B) Business and (R2) Single/Dual Family Residential. The parcels located at 9427 & 9425 Coast Guard Rd. are where Bogue Banks Water Corp has their utility shed and where Ocean Oaks park is situated. The parcels are each about .295 acres. All adjacent parcels are zoned (R2) Single/Dual Family Residential.

The Government (G) zoning district allows the following uses:

- assembly halls, coliseums, gymnasiums
- government uses
- open air games and sports, community centers (non-profit)
- health clinics and hospitals
- libraries, museums, art galleries
- parks
- Police and Fire stations
- utility lines, utility facilities
- Post Office
- public utility storage yards
- theaters
- yacht basins, boat ramps, etc.
- athletic facilities
- musical, dance, drama programs (indoor and outdoor)
- government buildings
- racquetball and tennis facilities
- day care centers
- fishing piers
- parking lots and garages
- printing and publishing establishments
- wireless telecommunication towers (special use only)
- accessory uses
- solar panels

The use of each (4) four of these parcels is expected to remain as is with the exception of the vacant parcel beside the Town Administration Building which could be developed in the future. Any changes of use to any parcel would have to conform to the list of uses above. As currently used, these parcels are compatible with the surrounding uses of land. Staff recommended to the Planning Board to approve the rezoning based on the following:

- The proposed rezoning is consistent with the goals and policies of the Town's Land Use Plan, and
- While the parcels are smaller tracts, the current uses on the property are sited in a way that minimizes impacts on adjacent property owners, and
- The uses of the parcels currently are compatible with neighboring properties, and
- The Town is seeking to standardize the zoning of all Town-owned properties to Government zoning district to maintain consistency, and
- The proposed rezoning is consistent with the community's overall interest in maintaining a small-town atmosphere.

The Planning Board approved the amendment as presented. Attached to this memorandum is an excerpt from the Town's Zoning Map which shows the zoning of adjacent, and nearby parcels and an adjacent neighbors list. Also,

attached is the new zoning map and zoning statement. I look forward to discussing this issue with Commissioners at their August meeting. Please let me know if you have any questions regarding the foregoing information.

Town Planner Josh Edmondson stated that this rezoning was similar to the rezoning in June of the Jean Preston Memorial Park and the Boat Ramp Facility which were both rezoned to Government. Mr. Edmondson noted the four parcels to be rezoned as follows:

The parcel located at 7509 Emerald Dr. is where the Town Administration Building is situated and abuts parcel 7517 Emerald Dr. which is vacant and wooded. The parcels together total about 1.4 acres. The surrounding parcels are zoned (G) Government, (B) Business and (R2) Single/Dual Family Residential. The parcels located at 9427 & 9425 Coast Guard Rd. are where Bogue Banks Water Corp has their utility shed and where Ocean Oaks park is situated. The parcels are each about .295 acres. All adjacent parcels are zoned (R2) Single/Dual Family Residential.

Mr. Edmondson pointed out the uses in the Government district as outlined in his memo provided above. Mr. Edmondson noted that the Planning Board had discussed this at their July meeting and recommended approval of the rezoning as presented, and also directed staff to be in touch with Bogue Banks Water Corporation to determine if they were interested in rezoning the remainder of their properties to Government as well. Mr. Edmondson said this was a continuation of rezoning all town owned properties for consistency.

***Motion was made by Commissioner Messer to open the Public Hearing for both rezoning proposals. The Board voted unanimously 5-0 in favor. Motion carried.***

There were no comments from the public.

***Motion was made by Commissioner Messer to close the Public Hearing. The Board voted unanimously 5-0 in favor. Motion carried.***

***Motion was made by Commissioner Wright to approve the rezoning of the Town Administration Building properties (7509 and 7517 Emerald Drive) from Residential-2 (R-2) and Business (B) to Government (G). The Board voted unanimously 5-0 in favor. Motion carried.***

***Motion was made by Commissioner Wright to approve the rezoning of the Ocean Oaks Park properties (9425 and 9427 Coast Guard Road) from Residential-2 (R-2) to Government (G). The Board voted unanimously 5-0 in favor. Motion carried.***

**12. Resolution of Intent to Close a Segment of Crew Drive (To Be Replaced With New Public Street Easement) (16-08-09/R3)**

Town Manager Frank Rush addressed the Board concerning this Agenda item. The following excerpt from his memo to the Board is provided for additional background:

The Board of Commissioners is scheduled to consider the attached resolution at the August 9 meeting indicating the Town's intent to legally close a segment of Crew Drive between its intersection with Emerald Landing Drive and

its eastern terminus at Emerald Plantation Shopping Center. If approved, the Board would provide appropriate public notice, conduct a public hearing on September 13, and then formally consider the closure of this segment of Crew Drive at the September 13 meeting or a subsequent meeting. In this case, it is important to note that if the Board approves the legal closure of this segment of Crew Drive that it would be replaced with a new, perpetual public street easement and an improved roadway as part of a planned new grocery store project. Although the Board will consider the formal legal closure of this segment of Crew Drive, the roadway would ultimately be improved and would continue to function in the same historical manner, and perhaps better.

An excerpt from the Town's 2015 Powell Bill (official street) map is attached, and identifies this segment of Crew Drive. C4 Emerald Isle LLC, a developer currently proposing a new grocery store on both sides of Crew Drive in this area, is requesting the legal closure of this segment of Crew Drive in order to achieve the desired site layout for the new grocery store. This segment of Crew Drive is approximately 510 linear feet, includes a 60 ft. public right of way, and the existing asphalt road surface is generally 20 - 23 feet wide, with grassy shoulders. This segment of Crew Drive provides ingress and egress for the directly adjacent properties (4 parcels that total ~ 6 acres) that are the site of the proposed new grocery store, and also serves as a secondary entrance and exit for Emerald Plantation Shopping Center to the east. I have attached a letter from C4 Emerald Isle LLC formally communicating their request to close Crew Drive, and 4 exhibits illustrating a conceptual plan for the new grocery store project, the properties to be acquired, the recombination plat showing the location of the replacement street easement, and a survey of the existing Crew Drive street right of way.

As noted, if this segment of Crew Drive is legally closed, C4 Emerald Isle LLC is proposing to replace it with a new public street easement that would be dedicated to the Town and that would allow vehicular and pedestrian use in perpetuity. A copy of the easement is attached, and has been reviewed by Town Attorney Richard Stanley to insure that the public will continue to have unrestricted, perpetual use of the roadway in the future. C4 Emerald Isle LLC proposes to construct the new roadway in essentially the same location. The proposed new roadway will be approximately 28 feet wide with new asphalt surface, and will also include curb & gutter, a new 5 ft. wide sidewalk, and attractive landscaping. The new roadway will serve the new grocery store and will also continue to provide a secondary entrance and exit for Emerald Plantation Shopping Center. The new roadway would be maintained by C4 Emerald Isle LLC (or their successors or assigns), as outlined in the attached roadway agreement. The attached roadway agreement formalizes C4 Emerald Isle LLC's commitments to provide the new easement, construct the road, and maintain the road in the future. This agreement has also been reviewed by Town Attorney Richard Stanley to protect the Town's interests in the future. The Board should note that the agreement requires the new roadway improvements to be constructed by December 31, 2018, and requires C4 Emerald Isle LLC to post a letter of credit for the completion of the improvements in the event they are not completed by January 1, 2019. The estimated cost of the improvements is approximately \$114,000, and the agreement requires a letter of credit equal to 1.5 times this amount, or approximately \$171,000. The Board should also note that the agreement includes a provision whereby the Town has the authority to complete required maintenance of the roadway in the future if C4 Emerald Isle LLC (or their successors or assigns) fails to do so, with reimbursement to the Town for such expense.

The formal street closing procedure is outlined in NC General Statutes 160A-299 (copy attached). As noted in NCGS 160A-299, when the Town legally closes a street, the land area occupied by the street is returned to the directly adjacent property owners, with half of the street area returned to the property owners on one side, and the other half returned to the property owners on the other side. In this case, the entire street area would become part of new, recombined parcels, and a portion of this area will be the area of the replacement street easement. In order to legally close a public street, the Board of Commissioners must make two determinations: 1) that the closing of the street is not contrary to the public interest, and 2) that no individual owning property in the vicinity of the street would be deprived of reasonable ingress and egress to his / her property. The Board should note that this is the same legal procedure utilized by the Town to close a portion of Woodpecker Lane in September and October 2015. This same legal procedure was also utilized in October and November 2001 to close the Reed Drive Extension (current location of Bell Cove Village Shopping Center and Bell Cove Village residential subdivision). In January 2005, the Town utilized an alternate legal procedure to abandon any claims to a portion of the Yaupon

Drive street right of way between Reed Drive and NC 58 that had not been improved (current location of a single-family residential unit).

C4 Emerald Isle LLC has submitted formal site plans and building plans for the new grocery store to the Town, and those plans are currently being reviewed by Town staff. The Planning Board is scheduled to review the grocery store plans at its August 22 meeting, along with a requested sign ordinance amendment. Assuming the Planning Board makes a recommendation at its August 22 meeting, the grocery store plans and sign ordinance amendment will be presented for formal consideration by the Board of Commissioners at the September 13 Town meeting. If the Board approves the attached Resolution of Intent to Close a Portion of Crew Drive, a public hearing on the street closing will be held on September 13, and the Board will then potentially consider all 3 items (street closing, formal grocery store plans, and sign ordinance amendment) associated with the new grocery store at the September 13 meeting.

If the Board does not approve the Resolution of Intent to Close a Portion of Crew Drive, C4 of Emerald Isle LLC will need to amend the formal site plan for the proposed grocery store or withdraw its application altogether. In either event, it is likely that the Planning Board would not consider the grocery store plans and sign ordinance amendment at its August 22 meeting, nor would the Board of Commissioners consider these items at the September 13 meeting.

The Board should note that, in some respects, the attached Resolution of Intent to Close a Portion of Crew Drive is primarily a procedural action that simply schedules a formal public hearing for the September 13 meeting and directs the appropriate public notices. The formal, binding decision on the street closure would then be made at the September 13 meeting.

Richard Stanley and I look forward to discussing this issue with the Board at the August 9 meeting.

Austin Williams, C4 Emerald Isle LLC, explained their request to the Board, noting that they had presented the Town with a request for site plan approval, and as part of that site plan approval in order to make the site work, given the required setbacks from the Crew Drive public right-of-way, there were a number of conflicts that impacted the commercial development of the property, not just for their company but for any future user. Mr. Williams stated that one of the major constraints was that the site without sewer required a wastewater drain field and onsite septic system which could not be within 25 feet of the 60-foot right-of-way of Crew Drive. Mr. Williams stated that the buffers from Crew Drive as shown on their plan were if anything more generous than the typical grocery store; they greatly exceeded the impervious requirements and the greenspace requirements. Mr. Williams said the plan also included the donation of the north side of the creek to the Emerald Landing Property Owners Association, and in return for the request of closing the road, meaning transfer from public to private property, their promise included promises and assurances including letters of credit, and appropriate financial collateral to assure the road would be improved. Mr. Williams said the asphalt would be wider than its current configuration, with a five-foot sidewalk which would create pedestrian connectivity from Emerald Landing Drive to the Emerald Plantation Shopping Center, as well as installing curb and gutter, underground stormwater system, and of course paying taxes on the road. Mr. Williams said the road would also be covered by an easement which for all intents and purposes provided everyone in the Town full access of the road, both vehicular and pedestrian, and would function exactly as it did now; in its private state it would just be better, safer, bigger, and maintained at no cost to the Town.

Town Manager Frank Rush noted as Mr. Williams indicated they were requesting that the Board close Crew Drive and change the legal status from a public street right-of-way to a public street easement for all the reasons he indicated. Mr. Rush said if the Board chose to proceed it was a two-step process that required action by the Board at two different meetings. Mr. Rush said the first step tonight was the Resolution of Intent to close this roughly 500-foot segment of Crew Drive. Mr. Rush said that the Resolution of Intent stated that the Board intended to close the street, however it was scheduling a public hearing for September 13, at which time they would conduct the public hearing and receive input from the public. Mr. Rush said it further stated that after considering input from the public they would make the decision to either close the road or not close the road. Mr. Rush said in the meantime the Resolution also directed staff to post an advertisement for the public hearing for 4 consecutive weeks in the local newspaper, and also required the street to be posted in two different locations on the street. Mr. Rush said if the Board approved the Resolution of Intent tonight they would go ahead and take those steps and schedule the public hearing for their September 13 meeting at which time they could potentially view the formal site plans associated with the new grocery store. Mr. Rush noted that the detailed site plans had been submitted and were being reviewed by town staff, and those plans would go to the Planning Board at their August 22 meeting. Mr. Rush said if the Planning Board made recommendation at that meeting the plans would come back to the Board at their September 13 Board of Commissioners meeting. Mr. Rush reiterated that under the general statutes this was the first step in the process and simply scheduled the formal public hearing. Mr. Rush said for the Board to ultimately determine that it was acceptable to close a street they needed to determine it was in the public interest, and that it did not deny ingress or egress to any other property owners in Town. Mr. Rush said that by virtue of the layout of the site, the current geography of Emerald Isle, they didn't at this point believe it prevented ingress or egress for any other property owners, and the applicant had proposed a public street easement that would essentially maintain the same traffic pattern in that area. Mr. Rush noted that the Town Attorney had reviewed the proposed public street easement, and also the agreement to maintain the street in the future.

Mayor Barber asked for comments from the public.

Stephan Whitehead, 8803 Edgewater Court, said he had two concerns, one being a traffic concern because depicted on the screen was either a traffic circle or a stoplight going in and his concern was traffic coming off the bridge during the holiday season there would be three traffic control measures within two miles of the bridge. Mr. Whitehead said there was also a bus stop for Emerald Landing in that area for all three Carteret County schools beside a commercial property. Mr. Whitehead also had concerns on the impact of the character of Emerald Isle if they were caught in the middle of a grocery store war, and the ability of the current population to support two grocery stores, and one of the stores closed what happened to the character of the Town when they had a vacated grocery store building right here, that would affect the Town's small town character.

Lynn Worth, York Properties, representing Emerald Plantation, said she wanted to make sure that the road dedication meant no closures at any time for any reason.

Town Manager Rush said that was their expectation, and that he thought that was addressed in the public easement. Town Attorney Richard Stanley stated that it would be basically like a public street, just like Highway 58 or Coast Guard Road, which couldn't be closed unless there was an emergency. Ms. Worth agreed with the grocery war statement made by the previous speaker and said she guessed you could have a Big Lots over there, a substandard tenant.

Town Manager Rush said as with any construction project there may be some temporary disruption there but the applicant had assured them that one lane should remain open during construction.

Carole Lanier, 7316 Archers Creek Drive, said when she learned about this several months ago she started asking around and she was surprised that former Mayor Schools was spearheading it, but in asking around she was told by several people that it was already a done deal which she found to be not surprising but disappointing. Ms. Lanier said she had been a small business owner with partners since 1996 in Emerald Isle and she could tell you since 1996 she would have loved for the Town to give her some property to expand her business. Ms. Lanier said as no one had approached her to do that she would continue to struggle and try to make it like other small businesses would. Ms. Lanier said that she had been on the Emerald Isle Business Association for years and Food Lion had dedicated St. Patrick's funds, and staff in the past, and she considered that a slap in the face to them. Ms. Lanier said as residents they had all gotten to know everyone from the manager to the baggers and she would be concerned with having additional retail space that she had heard was coming on the corner where the bus stop was located and noted there was a ton of empty retail space now. Ms. Lanier felt the last thing they needed now was to build more. Ms. Lanier agreed with the grocery store competition and felt that give it less than a year and one of the two would close and there would be more empty spaces on the island.

Commissioner Normile said he understood the Board's role tonight was intent and not approval to send this to the Planning Board. Commissioner Normile asked Town Manager Rush if the Town had done this before for others, Commissioner Normile said that he hadn't been a Commissioner that long but he knew that he had voted on doing this for a business before during his tenure and he was assuming that the Town had taken this action for a road before.

Town Manager Rush said that there had been several instances over the history of the Town and in his time here since 2001, there had been three such instances where two of the three instances used the same procedure being discussed tonight to close a public street. Mr. Rush said one was just about a year ago where Woodpecker Lane was located between CVS and the Baptist Church; the other previous one that used this same procedure was in 2001 and it was the extension of Reed Drive that was actually now where the Bell Cove Village Shopping Center was located. Mr. Rush said in both instances those streets were requested to be closed by the property owners and the Board ultimately determined that it was not harmful and was in the public interest to do that. Mr. Rush said a third example involved a different procedure involving an unimproved right-of-way at Yaupon Drive and that was in the last 10 years. Mr.

Rush said this happened routinely in communities all across North Carolina and ultimately it went through this same process, receiving the scrutiny of the Board of Commissioners after hearing from the public.

Town Manager Rush also added that there was a traffic impact analysis completed for the project and that would be presented to the Planning Board and to the Board of Commissioners at the August 22 Planning Board meeting, and September 13 for the Board of Commissioners so those concerns would be considered. Mr. Rush said NCDOT was involved in that process and reviewing that traffic analysis and ultimately that would be an important concern for the Board to consider when they considered the site plan in a formal manner. Mr. Rush stated again, at this point in time this was the very first step in the process, with at least two steps left being the August 22 Planning Board Meeting and the September 13 Board of Commissioners meeting, and those were the meetings where he expected there to be significant discussion and consideration of concerns about the shopping center, the traffic impacts, or any other concerns, but procedurally this was the very first step.

Commissioner Wright suggested that anyone with questions or concerns should plan on attending the Planning Board meeting and then the September Board of Commissioners meeting.

Town Planner Josh Edmondson stated that the property was already zoned correctly for a grocery store, it was a permitted use, and not one of the things the Planning Board would be reviewing. Mr. Edmondson said the Planning Board would be looking at the site plan to be sure 1) did the site plan meet our ordinances, 2) did the commercial exterior of the building, lighting plan, stormwater plan, landscaping plan meet the ordinances.

***Motion was made by Commissioner Finch to approve the Resolution of Intent to Close a Segment of Crew Drive. The Board voted unanimously 5-0 in favor. Motion carried.***

**Clerks Note: A copy of Resolution 16-08-09/R3 as referenced above is incorporated herein by reference and hereby made a part of these minutes.**

### **13. Presentation – Emerald Isle Beach Music Festival**

Parks and Recreation Director Alesia Sanderson addressed the Board concerning this Agenda item. The following excerpt from the Town Manager's memo to the Board is provided for additional background:

I have scheduled time on the Board's August 9 meeting agenda for the Board to receive a presentation from Alesia Sanderson, Parks & Recreation Director, about the new Emerald Isle Beach Music Festival. The new festival is scheduled for Saturday, August 27 from 11 am – 5:30 pm on the beach strand at the Western Ocean Regional Access. I have scheduled this item for two main reasons: 1) to update the Board and the community on the details of the event to hopefully inspire confidence that it will be produced in a quality, safe manner, and 2) to hopefully generate additional press about the event, which is now just a few weeks away.

Mayor Barber, Town staff, and volunteers have been working since this spring to make the “return of the Emerald Isle Beach Music Festival” a reality this year. The original festival ran for a 20-year period from 1979 – 1999, was held at the Holiday Travel Park, and generated crowds of 10,000 – 15,000 people in mid-May at its peak. The original festival was a successful draw before the peak tourism season began, and in some ways, helped to “put Emerald Isle on the map”.

Feedback received by the Town in recent years has suggested that 1) the Town should consider a high-profile special event in the fall months, and 2) the Town should conduct more events actually on the beach strand. It is with this feedback in mind, and a desire to draw on the nostalgia of the original Emerald Isle Beach Music Festival, that the Town has pursued the production of the new Emerald Isle Beach Music Festival on August 27.

We had originally sought to schedule the 2016 event for late September, however, many leading beach music acts were booked for that time period when serious planning efforts began in May of this year. The weekend of August 27 was available for several leading performers, and is also the weekend right before school begins for 2016 – 2017. That weekend is typically a less busy weekend in Emerald Isle, and we believe that scheduling the new festival for that weekend will achieve our goal to generate additional visitation in Emerald Isle on an otherwise less busy weekend. Our goal for the new Emerald Isle Beach Music Festival is to achieve attendance of up to 10,000 for the 2016 “return”, and all planning efforts have been based on that goal. Assuming a successful 2016 event, we will be seeking to schedule the 2017 festival for some time in September 2017.

As noted on the attached site plan, the musical acts will perform on a newly constructed platform on the dunes at the Western Ocean Regional Access, facing the ocean, with the majority of the crowd located on the beach strand (in accordance with the feedback noted above). Spectators will also be able to congregate in the area of the volleyball courts.

Alesia Sanderson will provide additional detail at the August 9 meeting, however, I have summarized some of the key issues below:

Admission Cost: The event is FREE to the public; there is no admission cost.

Musical Acts: We have a great lineup planned, with 7 acts scheduled over a 6 – 7 hour time frame. As noted on the attached flyer, the lineup includes beach music favorites from yesterday and today.

Stage: A new wooden platform has been constructed specifically for the festival, and after the festival it will be used as an observation deck for patrons of the Western Ocean Regional Access, and perhaps for future EmeraldFest concerts. A professional stage and sound system will be leased for festival, and will be placed on the new wooden platform, providing cover for the performers and presenting a professional appearance.

Movement of Spectators Between Beach and WORA Parking Area: The main steps leading from the restroom and parking area to the beach strand will be closed, and will be incorporated into the stage. The existing handicapped ramp walkway will remain open, and will be the primary travel corridor. A temporary, sand path walkway, delineated with post-n-rope, will be established from the volleyball court area to the beach strand to provide an alternate pedestrian travel route between the beach strand and the parking area.

Alcohol: The new festival will allow the consumption of beer and wine products on the beach strand itself, but not on the upland grounds of the WORA. As is the case every day in Emerald Isle, beer and wine are permitted to be consumed on the beach strand, thus the day of the festival will be no different. Spectators will be permitted to travel through the upland area of the WORA with coolers, etc., however, no consumption is permitted in the upland area. The entire event is a “BYOB” event, and there will be no alcohol sales at the WORA.

Parking: Handicapped parking will be available at the Western Ocean Regional Access, however, no other parking is available at the WORA. Attendees will be permitted to park in the NC 58 right of way, in an identical manner as the annual St. Patrick's Festival parking. We remain hopeful that many attendees will walk or ride bicycles to the new festival, by way of streets, bike path, and the beach strand.

Traffic: Islander Drive, Louise Avenue, and Boardwalk Avenue will be designated for one-way traffic on the day of the festival to promote continuous flow of traffic. Attendees may be dropped off at the corner of Islander Drive and Louise Avenue, and the driver may then park the vehicle on the NC 58 right of way.

Law Enforcement: EIPD will implement an event operations plan for the new festival, and will be assisted by several other local law enforcement agencies, the State Highway Patrol, NC ALE officers, and the Carteret County Sheriff's Office. Law enforcement will be dispersed among the crowd and through all areas of the WORA, and will be working hard to keep everyone safe, orderly, and legal. A mobile detention unit staffed with a magistrate will be utilized at the event.

Emergency Medical Services: EIFD and EI EMS will implement an event operations plan for the new festival, and will also be assisted by other local agencies. Lifeguards will also be assigned to the beach strand. Emergency vehicles and equipment will be staged in different locations to enable quick response, avoid traffic bottlenecks, and serve other areas of the Town.

Sponsorships: This event would not be possible without the support of the Crystal Coast Tourism Development Authority, which has provided a \$35,000 contribution to support the event. Mayor Barber and volunteers have also secured nearly \$12,000 in cash sponsorships from Emerald Isle businesses, and we greatly appreciate their support. Transportation Impact is the presenting sponsor with a \$3,000 contribution. There are also other in-kind sponsorships for advertising and equipment.

Food Vendors: There are currently 5 food vendors tentatively lined up to operate in the parking area of the WORA. We made a special effort to first reach out to Emerald Isle businesses, and then Carteret / Onslow food trucks, however, we did not receive the response that we had initially hoped for. We continue to reach out to other food vendors in hopes of expanding the offerings at the festival.

Advertising: Advertising has already begun on regional radio stations, and WITN 7 will also be running television advertisements. This advertising is primarily in the form of in-kind sponsorships, and we have purchased additional print and digital advertising in the Raleigh market. We also continue to promote the event through Town digital media, including website, email newsletter, Facebook, twitter, and the app.

T-Shirts: Emerald Isle Business Association volunteers will be selling festival t-shirts from the gazebo at the WORA for \$20 each. We hope to sell 800 shirts.

Trash: Public Works will relocate existing trash containers away from the stage area, and will reposition them on the beach strand. Additional trash receptacles will also be provided, and Public Works staff will be available during the day to assist with trash removal. Public Works will also be focused on cleanup after the event, with a goal to have the beach completely cleaned up that evening.

Insurance: The Town's general liability policy through the NC League of Municipalities will be in effect, as it is for all special events offered by the Town. We are still considering purchasing an additional one-day event policy for additional protection, and also still considering purchasing an inclement weather policy. Decisions on these issues will be made prior to August 12. Although a large crowd, the beach environment, and alcohol consumption present potential for additional liability, it is important to note that, ultimately, the Town is simply providing a free concert on the beach strand. The Town is not providing or offering any alcohol, and the same alcohol restrictions / allowances that apply everyday will be in effect on August 27. Each attendee will be providing their own alcohol if desired, and will be making

their own choices. EIPD and our law enforcement partners will be enforcing all alcohol laws at the festival.

Weather: Emergency personnel are preparing for excessive heat, and ice and water will be available as needed for emergency situations. The biggest uncertainty, as always, is the impact of rain and/or wind. The event is likely to go on as scheduled in the event of light and intermittent rain showers. A more significant and prolonged rain event may result in cancellation. Of course, we remain hopeful that no tropical storms or hurricanes will impact Emerald Isle that weekend. If a tropical storm or hurricane is forecast, a decision to cancel would likely be made a day or two in advance. If the event is cancelled, it will not be rescheduled for 2016. Pray for a beautiful day!

Tides: High tide on August 27 is forecast to occur at Bogue Inlet at approximately 4:30 pm. We are hopeful that it will be a normal high tide, and not unusually high. We expect to have ample room on the beach strand for the estimated attendance, however, an unusually high tide could result in some spectators standing in the wave run-up.

Budget: A copy of the event budget is attached, and the grand total is \$61,000. Other than Town personnel expenses associated with the event, there are no Town general tax revenues supporting the event. We hope to realize a small surplus from the event, and any surplus generated will be reserved for the 2017 festival.

We greatly appreciate the TDA funding and the generous sponsorships provided by area businesses to make this event a reality. I also greatly appreciate the hard work of Town staff in planning for the event, in particular Alesia Sanderson's efforts. We are also fortunate to have great assistance from other members of the planning committee, and I am confident that everyone's hard work will result in a high quality, successful event on August 27. We remain hopeful that it will bring additional visitors to Emerald Isle that weekend and positively impact the local economy. We are also hopeful that 2016 is just the beginning, and that the event will eventually grow into an annual fall staple in Emerald Isle.

Alesia Sanderson and I look forward to discussing the festival with the Board at the August 9 meeting.

Parks and Recreation Director Alesia Sanderson updated the Board and public on plans for the "return of the Emerald Isle Beach Music Festival" after 17 years on August 27 at the Western Ocean Regional Access. Ms. Sanderson said they were very appreciative of the \$35,000 in funding awarded to the Town by the Tourism Development Authority of Carteret County for this event, and for our sponsors – Transportation Impact being the presenting sponsor, as well as many other local other sponsors here in Town. Ms. Sanderson said they couldn't do this without them. Ms. Sanderson provided images of the site plan for the Western Regional Access which included a newly constructed stage that was on the oceanfront where all the bands would perform. Ms. Sanderson summarized the key issues including: musical acts, parking, food vendors, and all details as planned and as also outlined in the Town Manager's memo above. Ms. Sanderson said that they recognized the founders of the event Ronnie Watson and Steve Matthews, and they hoped they could live up to what they had accomplished and help put Emerald Isle on the map with the beach musical festival of the 80's and 90's.

#### **14. Review – Emerald Isle Local Golf Cart Program**

Town Manager Frank Rush addressed the Board concerning this Agenda item. The following excerpt from his memo to the Board is provided for additional background:

I have scheduled time on the Board's August 9 meeting agenda to review the Emerald Isle local golf cart program and discuss some of the most common concerns about the program, in the interest of identifying any potential changes the Board may wish to consider in the future.

#### Background Information

- North Carolina law does not allow the use of typical golf carts (motors with speeds capable of up to 20 mph) on public streets.
- However, NCGS 160A-300.6 allows municipalities to establish a local golf cart program for use on streets with a speed limit of 35 mph or less.

§ 160A-300.6. Regulation of golf carts on streets, roads, and highways.

(a) Notwithstanding the provisions of G.S. 20-50 and G.S. 20-54, a city may, by ordinance, regulate the operation of golf carts, as defined in G.S. 20-4.01(12a), on any public street, road, or highway where the speed limit is 35 miles per hour or less within its municipal limits or on any property owned or leased by the city.

(b) By ordinance, a city may require the registration of golf carts, charge a fee for the registration, specify who is authorized to operate golf carts, and specify the required equipment, load limits, and the hours and methods of operation of golf carts. No person less than 16 years of age may operate a golf cart on a public street, road, or highway. (2009-459, s. 3.)

- The Town established its local golf cart program in October 2010, and began registering golf carts as of January 1, 2011. A copy of the Town's current golf cart ordinance is attached.
- The Town established the program to make it easier for people to access the beach, to allow an alternative and convenient mode of transportation, and to promote the resort / tourism image.
- The Board of Commissioners' primary concern when the program was established was safety, and the Board specifically included several safety requirements (discussed below).
- The golf cart ordinance does not apply to "street-legal" golf carts with NC license plates, and they are treated similar to other motor vehicles and allowed to operate everywhere in Emerald Isle except for the 45 mph zone on NC 58.
- The golf cart ordinance also does not apply to golf carts operated exclusively in private subdivisions with private streets.
- A permit is required to operate a golf cart under the Town's program, and the annual permit fee is \$75 (handicapped permits are free).
- The speed limit on all Town streets, other than Coast Guard Road (between NC 58 and Ring Street) and NC 58, is 25 mph.

#### Significant Safety Requirements Included in Town Ordinance:

- Golf cart operators must be at least 18 years of age.
- Golf carts must not have been modified to travel at a speed greater than 20 mph.

- Golf carts must be equipped with several safety features, including seat belts, headlights, tail lights, and more, and are inspected annually by EIPD personnel.
- Golf carts are permitted to operate on all Town streets, with the exception of Coast Guard Road and NC 58. The NC 58 prohibition is rooted in NCGS 160A-300.6, which does not allow golf carts to be operated on streets with a speed limit higher than 35 mph. In Emerald Isle, NC 58 has a 45 mph limit everywhere except between the Welcome Center and Fire Station 1, which is 35 mph. In order to promote safety and to eliminate confusion, the Town ordinance was written to simply prohibit golf carts along the entire length of NC 58.
- Other NC traffic laws, including NC laws for driving while impaired, alcohol consumption, etc. also apply to golf carts.

#### Increasing Popularity of the Golf Cart Program

- The program has continued to increase in popularity since it was first initiated in 2011, and as of August 4, 2016 there are a total of 691 golf carts registered for calendar year 2016.
- Historical data is presented below (note that data is for fiscal year, July 1 – June 30, but is comparable to calendar year data):

FY 11-12216 permits	\$ 16,200 permit fee revenue
FY 12-13308 permits	\$ 22,650
FY 13-14435 permits	\$ 31,875
FY 14-15530 permits	\$ 39,600
FY 15-16655 permits	\$ 49,725.

- The number of local golf cart companies serving Emerald Isle has increased from 2 to 3 during this time, and 2 companies have now established storefronts in Emerald Isle.
- The number of rental golf carts registered during this time has increased from 14 to 61.
- In an effort to expand the ability of property owners in central Emerald Isle to use golf carts, the Board of Commissioners specifically amended the golf cart ordinance in April 2013 to allow golf carts to use the 5 short “bicycle path connectors” on Ocean Drive (near East Summer Place, Sea Crest, Periwinkle Drive, Santa Maria Drive, and Seagull Drive). This action legally allowed a golf cart to travel from the Ocean Drive “dog-leg” to the Emerald Plantation area, and was well-received.

#### Golf Cart Parking Spaces

- As of March 2016, the Town has created a total of 48 golf-cart only parking spaces at public beach access locations in Emerald Isle. A complete list is attached.
- Town staff generally honor all requests to create golf-cart only spaces, as time and funds permit, and if sufficient public right-of-way exists. Town staff make every effort to locate the new spaces in a location that is not offensive to adjacent property owners.

#### Most Common Violations, Enforcement Issues

- EIPD has always aggressively enforced alcohol-related laws for golf cart operators, and has revoked / suspended the golf cart permit (for a period of up to one year) for 3 such violations since 2013.
- EIPD has also revoked / suspended golf carts with three or more golf cart ordinance violations. There have been 5 golf cart registrations revoked / suspended since July 2015 for this reason.

- Town staff have consistently received complaints about golf carts traveling illegally on Coast Guard Road, NC 58, and the bicycle path since the program was initiated. Because the Town has a relatively small Police force, it is impossible to catch all violations.
- Increasing signage has been installed along Coast Guard Road and the bicycle path to remind golf carts they are not permitted in these areas.
- Initial enforcement efforts focused primarily on public education, both by the Police Officers in the field and by Town staff via official publications.
- Due to the increasing number of golf carts permitted, and the lengthy period of “friendly enforcement”, the Police Department is now being more aggressive in golf cart enforcement and is issuing more citations.
- I have attached a brief memo from Police Chief Waters, along with summary of golf cart citations issued over the past 25 months.
- EIPD will continue to be aggressive in its enforcement of golf cart violations in the future.

There are Certain Areas Where Golf Cart Usage is Limited or Simply Not Possible Due to Geographic Constraints and the Restrictions on Golf Cart Usage on NC 58, Coast Guard Road, and the Bicycle Path

- Town staff made it very clear when the golf cart program was established in 2010 that golf cart usage would be limited or not possible due to the nature of the street network in Emerald Isle and the restrictions on NC 58, Coast Guard Road, and the bicycle path.
- There are essentially 4 areas that are limited or where golf cart usage is simply not possible: Coast Guard Road area, eastern Emerald Isle, the Welcome Center area, and NC 58 property owners whose only access is via NC 58.

Coast Guard Road Area

- The only connection between Reed Drive and residential areas along Coast Guard Road is Coast Guard Road itself, and the bicycle path. This means that no golf carts registered to property owners along the Coast Guard Road corridor can access the Emerald Plantation area and other commercial areas.
- Prior to summer 2016, it was possible for golf cart operators in Osprey Ridge, Deer Horn Dunes, Sea Dunes, Ocean Oaks, and Cape Emerald to take a circuitous route through a private street in Bell Cove Village (residential and commercial) to travel legally to Reed Drive. (See attached maps.) However, that route is no longer feasible due to a change in gate codes in the Bell Cove Village residential subdivision. Town staff have been contacted by several golf cart operators concerned about this issue, however, because it is a private street those property owners have the right to prevent golf cart traffic if desired.
- There are a total of 93 golf carts registered in the Coast Guard Road area that are now limited to travelling only within that area. Many in the Coast Guard Road area use golf carts primarily to access the beach.
- There are approximately 2,200 property owners in this area of Coast Guard Road.

#### Eastern Emerald Isle

- The only connection between 25<sup>th</sup> Street and the Ocean Drive “dog-leg” is NC 58 and the bicycle path. This means that no golf carts registered to property owners in this area can access any points west of 25<sup>th</sup> Street. (See attached maps.)
- There is only 1 golf cart currently registered to a property owner located east of the Ocean Drive “dog-leg” (presumably used for beach access).
- There are approximately 1,000 property owners in this area of eastern Emerald Isle.
- There have also been requests by golf cart operators to access the Flip Flops store and Dollar General in this area. These stores are only accessible via NC 58 and the bicycle path, and thus a golf cart cannot be legally used to access these stores.

#### Welcome Center Area

- Prior to 2015, some golf cart operators would travel through the Merchants Park lot to access the Dairy Queen and other nearby businesses. In 2015, the Town was informed by the owners of the mobile home park on Lamroc Drive / Block Drive that Block Drive was private, and that the Town could not direct the public (in cars, golf carts, or other means) onto Block Drive without paying a significant annual fee. Because the Town was planning the new Welcome Center at that time, and had no practical need for an eastern driveway to Block Drive, the Town decided not to pay the fee and simply abandoned that driveway connection. This had no negative impact on the Welcome Center project, and a single driveway was installed off East Seaview Drive.
- Golf cart operators who previously used the Merchants Park “cut-through” (to access the Dairy Queen, and also residents in the mobile home park off Lamroc Drive / Block Drive) could no longer cut-through, and blamed the new Welcome Center for this issue. Town staff explained the private nature of Block Drive, and suggested that an alternate connection could be pursued in the future but that it would require cooperation from the owners of the mobile home park. Town staff offered to assist in any way. No efforts by the golf cart operators ever progressed.
- Golf cart operators have been advised they could park in the Welcome Center parking lot and walk to the Dairy Queen if desired.
- Golf cart operators in the Lamroc Drive and Block Drive area can potentially travel across private property over to Bogue Inlet Drive to access other areas of Emerald Isle via Sound Drive. This would require permission from the Ocean View Inn or Bogue Inlet Pier, as they appear to be the only potential routes. (See attached map.)

#### NC 58 Property Owners Whose Only Access is Via NC 58

- There are approximately 530 property owners between Black Skimmer Drive and the Indian Beach town limits who can only access their property via NC 58. Because golf carts are not permitted on NC 58 or the bicycle path, these property owners cannot utilize a golf cart in Emerald Isle. (See attached example map, and map of property owners impacted.)

- There have been a few instances where individuals in this situation purchased golf carts, only to learn they could not be used. There is also at least one instance where that issue led the property owner to sell his home so that he could live in an area where a golf cart could be used.

#### Ideas to Consider if Adjustments Are Desired

The Board should note that I am not advocating for or against any of the ideas presented below, but rather attempting to put forth ideas for the Board to consider if you determine that any adjustments to the Town's golf cart ordinance are desired.

1. *Amend the Town's ordinance to allow golf carts to travel on Coast Guard Road.* This would allow every property owner in the Coast Guard Road area to travel to the main commercial areas and also allow others to access The Point. The speed limit on Coast Guard Road is 35 mph, and the maximum permitted speed of golf carts is 20 mph. The Board has consistently expressed safety concerns about mixing cars travelling at 35 mph (or greater) with golf carts only travelling 15 – 20 mph. Some golf cart proponents have suggested that the speed limit on Coast Guard Road could be reduced to 25 mph in conjunction with any decision to allow golf carts on Coast Guard Road.
2. *Amend the Town's ordinance to allow golf carts on the bicycle path.* This would allow every property owner in the Town to utilize a golf cart, and would eliminate the concerns from the 4 areas highlighted above. The bicycle path is often very crowded with bicyclists, walkers, runners, etc., both young and old, and the addition of golf carts would likely create a significant safety concern. The Bicycle and Pedestrian Advisory Committee is opposed to this idea, and Town staff also have serious concerns about this idea.
3. *Amend the Town's ordinance to allow golf carts to use NC 58 in the 35 mph zone between the Welcome Center and Fire Station 1.* This would open this area up to nearly all golf cart operators, and may assist some of the local businesses in this area. This would eliminate the concerns discussed above in the Welcome Center area. This change likely also presents safety concerns by mixing cars travelling at 35 mph (or greater) with golf carts only travelling 15 – 20 mph. This change could also create a perception that golf carts are allowed on the other areas of NC 58 that have a 45 mph speed limit.
4. *Construct new golf-cart only dedicated paths along Coast Guard Road and NC 58.* This approach would likely satisfy nearly everyone, however, it comes with a significant cost. To put this in perspective, each mile of the Town's bicycle path cost approximately \$300,000. The total length of golf-cart only path needed along Coast Guard Road would be approximately 2 miles, and the cost would likely be at least \$600,000. The Town could certainly pursue this approach in shorter segments, at a reduced cost. Similarly, the length of golf-cart only path needed to connect the Ocean Drive "dog-leg" with 25<sup>th</sup> Street is approximately 0.4 mile, and could potentially be constructed for approximately \$120,000 +/- . Unless a golf-cart only path is constructed along the entire length of NC 58 between Black Skimmer Drive and the Indian Beach town limits, it would still not be possible for property owners whose only access is via NC 58 to use a golf cart.

As noted earlier, golf cart registration fees now generate nearly \$50,000 annually. These revenues support the General Fund, and are intended to cover the cost of Town staff administering the program (administration, inspections, etc.), the construction of the golf-cart only parking spaces, and Police enforcement. The Board could potentially earmark a portion of this annual revenue for "future golf-cart only path construction" if desired, and begin to reserve funds for this purpose or construct small golf-cart only paths incrementally over time. Additionally, the Board could consider increasing the annual golf cart

permit registration fee from \$75 to \$100 annually, and earmark the additional \$25 for this purpose. An additional \$25 annual fee would generate approximately \$17,500 annually for this purpose.

5. *Make no adjustments, and continue to advise our property owners that there are some areas where a golf cart can simply not be operated.* Despite the restrictions and limitations described above, the local golf cart program continues to increase in popularity. In the end, there are simply situations where it's just not possible to accommodate everyone's concerns. Additionally, the option to purchase a street-legal golf cart remains an option for many of our property owners. The Board should note that street-legal golf carts can be operated on Coast Guard Road and also on NC 58 in the 35 mph zone, but are not permitted on NC 58 in the 45 mph zone, and thus would not be legal for the property owners whose property has access only via NC 58. The cost of a brand-new, street-legal golf cart ranges from \$10,000 - \$15,000. This compares with a cost of approximately \$4,000 and up for a golf cart outfitted to meet the Town's local golf cart program requirements.

We look forward to reviewing the Town's golf cart program with the Board at the August 9 meeting, and we are also happy to explore any other ideas the Board or the public may have regarding golf carts.

Town Manager Frank Rush said following the last meeting in July they had talked briefly about some of the issues occurring recently with regard to the Golf Cart Program. Mr. Rush said that in response to discussion he had individually with the Board after that meeting he thought it would be a good idea for the Board and the public's benefit to review the Town's Golf Cart Program. Mr. Rush gave the thought process for when the program was created, clarifying what was permitted and not permitted, and discussed some of the issues they were currently dealing with in the interest of - a) better educating the Board and public, and b) hearing their thoughts and ideas about the program for the future. Mr. Rush provided a PowerPoint with graphics as well as discussed in great detail the information as outlined in his memo located above as provided to the Board including ideas to consider if adjustments were desired.

Police Chief Jeff Waters spoke about the Police Department's recent approach of increasing the enforcement and the education pertaining to the golf cart issues. Chief Waters noted that when the program was implemented several years ago they did take a very sincere educational approach, issuing pamphlets, warning citations, and verbal warnings. Chief Waters said that within the past two years with the increased number of permits issued for golf carts there had come an increased number of issues. Chief Waters said there were people using the golf carts that were not reading the rules and regulations, and he had instructed his department to implement more enforcement actions on golf cart violations to deter people from driving in areas where they should not be driving, and driving while impaired of which they were seeing more cases. Chief Waters said right now there 700 + permits and he anticipated those permits would increase to close to 1,000 by this time next year. Chief Waters said they needed to look at the safety of folks on the golf carts and he thought golf carts in 35 mph zones was a safety issue due to the visibility of the golf carts, the speeds they could go, unless they were licensed by the NC Department of Motor Vehicles as a low speed vehicle. Chief Waters said he had concerns about the violations being committed on the golf carts and he was not hesitant to revoke a golf cart permit when 3 or more violations were committed.

Commissioner Messer said that he was on the Board when they approved the golf cart program and the intent in his mind at that time was to get people to the beach, and he didn't think they would ever get people to go to every location in Town, that was what automobiles were for. Commissioner Messer addressed the ideas as presented by the Town Manager stating that he would oppose amending the ordinance to allow golf carts on Coast Guard Road as he agreed with Chief Waters that would just be dangerous. Secondly, Commissioner Messer said that allowing golf carts on the bike path would be a dangerous situation. Commissioner Messer said allowing golf carts to travel on 58 in a 35 mph zone would also be dangerous – with golf carts running 15 mph and cars running 35 mph. Commissioner Messer said as Town Manager Rush had noted when the golf cart program was implemented safety was the main thing discussed. Commissioner Messer thought that constructing golf cart paths costing \$600,000-\$1,000,000 was out of the question, however, he would be in favor of alternate short run paths to get someone from one place to another and that could be looked at but as far as golf carts on NC58 or Coast Guard Road he would be opposed. Commissioner Messer said he felt they could look at some alternate paths but there were certain places you would just have to drive your car.

Commissioner Normile was concerned with golf carts on Coast Guard Road from a safety aspect. Commissioner Normile said that the consumer had the option of purchasing a street legal golf cart. Commissioner Normile said when he purchased their golf cart he had opted not to do the street legal and they knew where they could and couldn't go, and felt if they wanted to travel down Coast Guard Road they should purchase a street legal golf cart; he didn't think they should mix and match those carts on the bike path or allow the non-street legal carts to proceed on Coast Guard Road as it was a common sense safety issue. Commissioner Normile agreed with Commissioner Messer about possible connectors.

Commissioner Wright agreed with Commissioner Messer as that was what they decided from the beginning of the golf cart program that it was for two reasons only – for people who lived on the sound side to get to the beach, and for people who were older or with mobility problems to get to the beach – that was it, and agreed the other choices were not safe.

Mayor Barber asked for any comments from the public.

Ron Ryan, Hwy 58 Bicycles, commented about the family that sold their golf cart who lived down around the 7000 block, noting they actually came down and purchased bicycles so they didn't completely lose out totally. Mr. Ryan said they were able to get to the beach and were actually more environmentally friendly. Mr. Ryan said several years ago when the bike paths started and grew and grew, many on the bicycle committee signed up to donate either all at once or over time, along with having fundraisers, and said the donor plaque by Emerald Isle Wood park had 66 names listed. Mr. Ryan said he could only speak for himself but could only presume that most of those people who donated money did not chip in a whole lot of money to build a bike path/pedestrian path for golf carts. Mr. Ryan said he liked the idea of finding little sections and moving people around, he thought it was a great mode of transportation but not on any portion of the bike path.

Jim Rogers, John's Golf Carts and Emerald Isle Golf Cart Rentals, said that he agreed with Mr. Ryan and he felt that a golf cart should not be allowed on the bike path, as Mr. Ryan said it was designated for pedestrians and bicycles. Mr. Rogers said that he agreed with adding some sections where the golf carts could travel further. Mr. Rogers stated the street legal golf carts were separate because they complied with NC DMV laws. Mr. Rogers said he could understand being on Coast Guard Road running 15-20 mph and someone came up behind you that could be dangerous but there were ways to make a golf cart go as fast as you wanted really.

Commissioner Messer said that a golf cart running that fast could be dangerous also.

Mr. Rogers said they could be but golf carts were made better and constructed better now but he wanted to let them know that he was in complete agreement with golf carts not being allowed on the bike path. Mr. Rogers said they would be glad to help in any way to improve the program.

Commissioner Normile asked if you could legally rent or lease the street legal version of a golf cart. Mr. Rogers said he thought you could but they hadn't gotten that far – he felt you could rent anything. Commissioner Normile asked Mr. Rogers to forward that information to Town Manager Rush so he could disseminate to the Board what the book answer was so that the residents on the Coast Guard Road segment or any resident who wanted to lease or purchase one would know what the actual law indicated.

Commissioner Finch asked whether there was a maximum speed limit that the golf carts were designed for or was there a listing on the golf cart in general that indicated a maximum speed limit. Mr. Rogers said that a standard golf cart with nothing added to it ran anywhere from 13 to 17 mpg and could not run over 19.2 mph before it went into the next classification which was street legal. Mr. Rogers said to have a cart that was street legal it had to run 19.5 mph or better.

Carole Lanier, Archers Creek, said she had paid the additional fee to get her golf cart street legal and now when driving her DMV registered, legal golf cart down Coast Guard Road at 35 mph her 11-year-old daughter wouldn't ride with her because they got beeped and yelled at by everybody seeing the golf cart but not paying attention to her NC license plate registered just like their car, so she agreed driving down Coast Guard Road would certainly not be a good option. Ms. Lanier felt that in the future they needed to come up with something because she felt they were limiting those folks and whether they started with a small path from Dolphin Ridge to Spinnakers Reach, she would ask the Board to start thinking ahead over the next 5 years for a plan for the future because she felt there was a great need from the owners. Ms. Lanier said that she also rented golf carts probably 10-12 a week paying sales tax which was revenue back to the Town and State. Ms. Lanier said she saw the program continuously growing and as far as the rentals she had checked on that with the street legal and that was like renting a car, much more in-depth than renting a golf cart. Ms. Lanier mentioned that the sound side of Coast Guard Road down NC 58 to the Town they could look at possibly using the sound side of the road. Ms. Lanier said her name was on that Emerald Woods plaque for

supporting the bike path financially and time-wise as she was on the Bicycle and Pedestrian Committee as well and she did not at that time pay to allow golf carts on the bike path either however, that was 10 years ago so she would also put back on the Board to think of the future, and thought having golf carts on the sound side may assist with congestion in the main area through town from the Welcome Center to Town Hall. Ms. Lanier also suggested like Salter Path - the possibility of reducing the speed limit in that one congested area during certain times of year by slowing down cars too.

Commissioner Messer said that he didn't think Salter Path even let their golf carts cross NC 58 which was why you saw them all parked over in front of Frank and Clara's restaurant.

Ted Harrell, Georgia Street, said he met with Commissioner Messer and Town Manager Rush several months ago and agreed that golf carts shouldn't be on the bike path, but he would be glad to discuss connectors. Mr. Harrell felt you only needed 1.5 miles to fix the whole situation so it shouldn't cost too much.

Town Manager Rush clarified one comment noting that the area on the north side of NC 58 between Coast Guard Road and Lee Street was referred to as a sidewalk so he was not talking about that as part of this issue but they did have an ordinance that prevented golf carts on the sidewalk as well.

Town Manager Rush stated that the feedback he received from the Board was that they were comfortable with the current ordinance, to work hard on developing some plan that created small connectors where it made sense, and where it was affordable. Mr. Rush said they could certainly build 1.5 or 2 miles of connectors but you were looking at a cost of \$450,000-\$600,000 and that was a lot of money for any Town, particularly for Emerald Isle, and ultimately the Board would need to decide if that was a higher priority than some other things that folks would like to see in the Town. Mr. Rush said he would take the feedback from the Board as being comfortable with current regulations, comfortable with our enforcement approach, and would work toward developing a plan to fund some small connectors where they could help the most people.

## **15. Review – Emerald Isle Mosquito Control Efforts**

Public Works Director Artie Dunn addressed the Board concerning this Agenda item. The following excerpt from his memo to the Town Manager is provided for additional background:

Frank – with regards to the recent outbreak of vector transmitted Zika, my fear is that it will move up the coast reasonably quickly. I would like to tell you that we could put a protective net over Emerald Isle we cannot. As with most things our best defense is a good offense and even a good offense is only as good as the plan being used by neighboring towns. Our good offense should be as follows:

1. We need to bombard or citizens with information such as:

a. Tip & Toss (tip anything that can hold water of any amount and toss any trash that is lying around)

b. Avoid going outside early in the morning and at dusk (most mosquitos bite during the cooler periods of the day) they don't like the HEAT either! Also, beware there are some daytime biters.

c. Use a mosquito repellent containing DEET. The higher the amount of DEET the better the protection. There are products available that contain 98% and above, these work the best. There are also products that are DEET free if you are allergic to DEET.

d. Avoid wearing dark clothing, mosquitos are attracted to dark clothing.

e. Mosquitos are most attracted to CO<sub>2</sub> (carbon dioxide), this is the gas that you exhale as you breathe, therefore if you are working or exercising you are more likely to attract mosquitos.

f. Don't forget your gutters! Keep your gutters clean and free flowing. Any buildup of leaves and pine straw will create a perfect breeding site for mosquitos.

g. There is FREE Larvacide available at the Administration building. This can be used to treat STANDING water on your property in ditches, woodland ponds and stormwater retention areas. The Larvacide needs to be reapplied every 25 days and there are instructions in each packet.

## 2. Larvacide application by town staff.

a. We will begin applying larvacide to all ditches, accessible woodland ponds and stormwater devices throughout town and reapplying every 25 to 30 days.

3. Public Works staff will begin performing regular landing counts daily. These landing counts will be conducted from 6:30 to 7:30 each morning and I will record the results and report them to you daily. Industry standard is 10/minute. If 10 mosquitos or more land on you in a minute or less there is cause to use adulticide (Spray). So far this year all of our landing counts have not indicated a need for adulticiding. (since March 1, 2016 we have conducted 163 landing counts none of which have resulted in more than a 3/minute landing rate.) The landing counts are conducted as follows, we have an employee go to 3 randomly selected locations. The employee then gets out of the truck and walks to the edge of the tree line and stands still for 1 minute then begins his count for 1 minute. He then records the number of mosquitos that land on him within that one minute.

4. Adulticiding or spraying of mosquitos. As landing counts warrant we will put together a schedule for spraying mosquitos. Some factors to keep in mind about adulticiding or spraying for mosquitos.

a. Cost – The chemical that we use to spray for mosquitos' costs around \$50.00/gallon and we use approximately 3 to 5 gallons on a single night's application. I don't have any problem spraying if it is being effective.

b. Wind – Wind is one factor that can make spraying for mosquitos ineffective. If the wind speed is above 10 MPH the chemical cloud that is emitted by the spray machine will be dispersed too quickly and not make contact with many mosquitos and therefore lower your kill rate which wastes time and chemical.

c. Air Temperature – Air Temp. is another factor that can have an adverse effect on your spray cloud. If the air temp. is above 75 – 80 degrees the spray cloud will rise too quickly, if the air temp. is below 65 – 70 degrees the sink cloud will sink to the ground and in both cases become ineffective wasting time and chemical.

d. Health Risks – The pesticide that we use in the amounts that we use it would not, to my knowledge, have any lasting health effects. I know most folks prefer not to be exposed to it directly and I would prefer that they not be exposed to it directly. We typically spray at night for this reason and also because most mosquitos are active at night and are more likely to come in contact with the spray cloud.

As I stated earlier, I have no problem spraying, I just don't want to waste town resources if they are not being effective. Another thing to keep in mind is that we have mosquitos that live in the marsh and they are EXTREMELY hard to combat just due to the area in which they inhabit, thick vegetation, persistent wind and a large area to try and cover.

I am also going to reach out to the county to see if they will provide some mosquito traps and analysis of trapped mosquitos so we can confirm or dispel any suspicions that we may have. I am also going to reach out to our neighboring communities to see what their plans are because as I stated earlier, our plans will be for naught if those around us are not practicing some similar plans.

Public Works Director Artie Dunn reviewed for the benefit of the Board and public the Town's mosquito control efforts which included public education, larvacide application in public water bodies, availability of free larvacide to our property owners, regular mosquito landing counts, and mosquito spraying as necessary and warranted. Also available for the public were handouts about the Zika virus from the US Centers for Disease Control and Prevention.

#### **16. Appointment – Board of Adjustment (1 Vacancy)**

**Brief Summary:** With the recent appointment of two new members of the Board of Adjustment, there now remains only one vacancy on the Board of Adjustment. The vacant seat is for Alternate #2, and is the remainder of an unexpired term that expires in May 2017.

If the Board knows of an individual interested in serving on the Board of Adjustment, it may wish to appoint this individual to bring the Board of Adjustment to full membership. As you know, the Board of Adjustment is tasked with considering variances and appeals of staff decisions, and operates under quasi-judicial procedures. Although the Board of Adjustment has not met since November 2011, it is important to have full membership in case a new case arises.

If the Board is not aware of anyone with an interest in serving, it may be advantageous to advertise for applicants for the vacant seat.

Town Manager Rush noted that if the Board didn't have anybody in mind they could go another month or several months as the Board of Adjustment hadn't met in 5 years, but he just wanted to keep it on the forefront because he thought they may actually be meeting sometime soon and he wanted to be sure they were prepared in case two people were out of town.

The Board took no action to fill the vacancy on the Board of Adjustment Alternate #2 seat.

#### **17. Comments from Town Clerk, Town Attorney, and Town Manager**

There were no comments from the Town Clerk or Town Attorney.

Town Manager Rush reminded the Board of the scheduled Land Use / Comprehensive Plan Public Forum taking place on Saturday, August 20 at 10am at the Community Center. Mr. Rush also updated the Board on a few items they were working on for their September meeting. In addition, Mr. Rush said that Commissioner Normile earlier this morning had commented on some of the things he had noted in the statistical reports and Mr. Rush wanted to make everyone aware that they put a lot of effort into that because they wanted to track what they were doing, learn from that information, and communicate to the public exactly what our folks were doing. Mr. Rush encouraged everyone to take a look at that monthly report as they were trying - 1) to be as effective as possible in achieving their goals, and 2) to be as efficient as possible.

The following is an excerpt from the Town Manager Comments memo to the Board providing additional background information for all items of importance:

**Comprehensive Plan / Land Use Plan – Special Public Input Meeting**

The special public input meeting is scheduled Saturday, August 20 from 10 am – 1 pm in the Community Center gymnasium. We will continue to publicize this meeting, which is being held on a Saturday to hopefully encourage absentee property owners to also attend.

Following this meeting, the steering committee will consider the background information assembled, the online survey results, the input received at the August 20 meeting, and their own insights, and begin to update the Town’s development policies and future goals.

**Osprey Ridge Pump Station**

Design work is nearly complete, and we expect to solicit informal bids during the week of August 8. I hope to have all bids in hand by September 1 in order to present a construction contract recommendation to the Board at the September 13 meeting. Our goal is to have the new pump station operational by January 1 or soon thereafter.

**Coyotes**

We are planning staff from the NC Wildlife Resources Commission at the September 13 meeting to discuss the management options developed by Police Chief Waters and distributed to the Board earlier this summer. If the Board decides to pursue the elimination of coyotes, efforts will likely be scheduled for January and/or February 2017.

**Property Tax Bills Set to Go Out**

Tax Collector Gayle Parker and Finance Director Laura Rotchford are finalizing the 2016 property tax bills, and the bills should be in the mail by August 15, if not sooner. For the first time, the Town is using a private mailing contractor to generate and mail the bills.

**Beach Driving Permits On Sale Beginning August 15**

Beach driving season begins on September 15, and Town staff will begin selling annual permits on August 15.

2016 has been a record year for sea turtle nests in Emerald Isle, with a total of 49 nests discovered so far this year. Depending on how many nests remain in mid-September, it may be necessary to close certain small areas of the beach strand for a short period of time.

**Lifeguard Services, Parking Fees End in September**

Labor Day (Monday, September 5) will be the last day of lifeguard services at the two regional beach access facilities and on ATVs for 2016. The final day for daily parking fees at the regional beach access facilities will be Sunday, September 11.

### **Community Center Security System Installed**

A new video security system was installed in the Community Center in July, and is now fully functional. We hope to install a similar system in the Town Administration Building in the next year.

### **New Beach Wheelchairs**

The Town recently received two new beach wheelchairs, and now has a total of 7 available for daily use on a first-come, first-serve basis. This program remains very popular, and all 7 are checked out by mid-morning on most summer days.

### **Bogue Inlet Navigation Dredging**

All local governments have approved funding requests, and a total of \$262,500 is available for future dredging in Bogue Inlet connecting channel and ocean bar. The total is \$37,500 less than the \$300,000 targeted because Onslow County contributed only \$35,000 instead of the \$47,500 requested, which also reduced the State contribution by \$25,000.

We are awaiting new survey results from the Corps of Engineers, which will determine if the Corps pursues the new connecting channel delineation in the center of Bogue Inlet. We remain hopeful that the Corps will complete a new dredging event in Bogue Inlet prior to fall fishing season.

### **Carteret County Sales Tax Referendum – Navigation Dredging Funding**

Carteret County has scheduled a new sales tax referendum for November, with proceeds earmarked for navigation dredging throughout the County. The proposed ¼ cent sales tax increase could generate nearly \$3 million annually for navigation dredging. I expect that the Town will be asked to consider a resolution supporting the referendum in September or October.

### **New Beach Access Walkway Adjacent to The Point Vehicle Ramp**

We have awarded a contract for the construction of the new walkway to B&P Services, Cedar Point, NC, in the amount of \$13,480. The FY 16-17 budget includes \$15,000 for the new walkway, which will be located on the north side of the vehicle ramp. B&P has committed to complete the walkway prior September 15, the start of beach driving season.

### **Bogue Inlet Drive Bicycle Path**

Alesia Sanderson, Parks and Recreation Director, Ken Stone, Bicycle and Pedestrian Advisory Committee Chairman, and I will be working to determine the best layout for the new Bogue Inlet Drive bicycle path in the coming weeks. I hope to finalize plans by September, and present a construction contract recommendation to the Board by November at the latest.

### **Discussions with CVS Regarding Aesthetic Improvements, Better Traffic Flow**

I have made initial contact, and plan to discuss possible aesthetic and traffic flow improvements with CVS management in the coming weeks. I remain hopeful that we can reach agreement on the construction of a more defined driveway system, ideally with a new sidewalk in that area, and also encourage aesthetic improvements to the existing building.

### **Rusty Pelican Sign**

As you know, the Rusty Pelican was demolished last winter by the property owner, immediately after the Board approved an order directing staff to proceed with demolition. Unfortunately, the owner left the old sign post and frame on the property, and we have received complaints about the sign post and frame. I have asked Josh Edmondson, Town Planner, to contact the owner to encourage the removal of the sign post and frame.

### **Realtor Sign, Coastal Awnings Sign**

Josh Edmondson continues to work with both sign owners to have them removed due to the fact that neither business has a physical location in Emerald Isle, as required by the Town's sign ordinance.

### **Joint Meeting with Planning Board?**

Josh Edmondson will be organizing another training session for the Planning Board in September to better educate the new members about the various provisions in the Unified Development Ordinance. I think it would be helpful to also have the Board of Commissioners attend this meeting, and then spend some time in general discussion with the Planning Board so that the Planning Board can better understand the Board of Commissioners' philosophy and goals for regulating new development in Emerald Isle in the future. Please let me know your thoughts on this idea.

### **Cape Emerald Pipe Expansion / Replacement**

I have not yet been able to devote time to this project, but still hope to solicit informal quotes for this work later in August or September. I remain hopeful that the budgeted amount will be sufficient to award a contract in September or October. Permit authorization is still necessary, but we don't anticipate any hurdles.

### **New Deer Population Estimate**

Police Chief Jeff Waters will be working with NC Wildlife Resources Commission staff to complete a new deer population estimate in September. This new estimate will be used to determine the need for another controlled deer hunt in January / February 2017.

### **Nies v. Emerald Isle**

The Town's brief to the NC Supreme Court was submitted on July 27. Amicus briefs were submitted by all 8 oceanfront counties, all 21 oceanfront municipalities, the NC Departments of Environmental Quality / Commerce / Cultural Resources, the NC Coastal Resources Commission, the NC Attorney General, the NC Beach – Inlet - and Waterway Association, the NC Vacation Rental Managers Association, the NC Travel and Tourism Coalition, the Surfriider Foundation, the NC Beach Buggy Association, the NC Coastal Federation, and the NC Wildlife Federation.

The plaintiff's attorney will now have an opportunity to respond to the Town's brief later this month. It is expected that the NC Supreme Court will hear oral arguments sometime in October or November, with a decision expected sometime in spring 2017.

### **Police Community Relations Officer**

The Police Department will be working to fill the new Community Relations Officer position in the coming weeks, and we hope to have the new officer begin work sometime in September. It is likely that the new position will be filled from among the existing EIPD staff, and that one of the reserve Police Officers will then be promoted to a full-time position in EIPD.

### **Transfer of Golf Cart Program Exclusively to Police Department**

As discussed during the FY 16-17 budget process, we are planning to transfer the application, permit issuance, and fee collection components of the golf cart program from Town Administration staff to EIPD staff this fall. Town Administration and EIPD staff will likely make this transition in October.

### **Emerald Isle Woods Walkway**

I am planning to award this small project to B&P Services, Cedar Point, NC this fall to construct a low-profile elevated walkway over wetland areas at Emerald Isle Woods Park. The new walkway will create a safer and more user friendly park trail, and will make it much easier to monitor storm water levels in EI Woods Park and flows between Cape Emerald and EI Woods Park. Total cost of the work is approximately \$7,000.

### **Cape Emerald Pipe Failure**

A private storm water pipe in Cape Emerald recently failed, in part, due to poor workmanship by the Town's contractor on a Town storm water pipe in 2012. I am still working to secure compensation from Southeast Pipe

Survey, the Town's contractor for the original work on the Town storm water pipe, but have not yet resolved this issue.

#### **Town Dumpster Service**

I continue to review different options for dumpster service at condominium complexes. The Town's existing contract with Waste Industries expires on December 31, 2016, and has an annual value of approximately \$80,000. I hope to make a recommendation to the Board at either the October or November meeting.

#### **New Small Storm Water Relay Pumps – 6400 Block**

Public Works has completed much of the work for this new system, however, a high water table has prevented them from installing the pump housing. I am hopeful this work will be completed in the next few weeks.

#### **NC 58 Traffic Improvements**

NC 58 traffic improvements at the Bogue Inlet Drive intersection, Coast Guard Road intersection, Emerald Plantation intersection, and at the NC 24 intersection have all scored well, and were included on the priority list for both the Carteret County Transportation Committee and the DownEast Rural Planning Organization. I remain hopeful that these projects will ultimately be included in the Statewide Transportation Improvement Program when it is released later this year. I remain hopeful that the projects will be scheduled for construction sometime in the next 5 years.

#### **Potential Partnership To Provide Staff Assistance for Emerald Isle Business Association**

I have not yet had an opportunity to pursue this idea, but still hope to develop a cost-effective plan to create a paid staff position for the EIBA, ideally in partnership with the Tourism Development Authority. I envision that such a new position would better promote EI to our visitors and potential visitors, help with existing special events (i.e., St. Patrick's Festival, Christmas Parade, etc.), help with new events (i.e., new "EI Beach Music Festival", etc.), organize special shopping experiences among Emerald Isle businesses (i.e., Christmas shopping deals throughout the entire Town), and better galvanize the brick-and-mortar businesses in Emerald Isle.

#### **Design Students to Develop Plan for Additional "Downtown" Streetscape Improvement**

I am still planning to contact the NC State School of Design in the coming weeks to hopefully arrange a student project to recommend and develop graphics illustrating additional streetscape improvements in Emerald Isle. The project would be focused on the area between the Welcome Center and the Town Government complex.

### **18. Comments from Board of Commissioners and Mayor**

There were no further comments from the Board of Commissioners or Mayor.

### **19. Adjourn**

***Motion was made by Commissioner Messer to adjourn the meeting. The Board voted unanimously 5-0 in favor. Motion carried.***

***The meeting was adjourned at 7:45pm.***

Respectfully submitted:

Rhonda C. Ferebee, NCCMC, CMC  
Town Clerk

