

- 1 • Emerald Isle EMS Pancake Breakfast – Saturday, April 15 – 7 am – 11 am – EMS Station
- 2 • Sea Turtle Protection Volunteer Meeting – Saturday, April 15 – 10 am – Community
- 3 Center
- 4 • Police Educating the Public (PEP) – Tuesday, April 18 – 10 am – Town Board Meeting
- 5 Room
- 6 • Bicycle & Pedestrian Advisory Committee Regular Meeting – Wed, April 19 – 9 am –
- 7 Community Center
- 8 • American Red Cross Blood Drive – Friday, April 21 – 2 pm – 7 pm – Community Center
- 9 • Summer Day Camp Registrations – LOTTERY PROCEDURE – Submit Forms Between
- 10 April 24 and 28
- 11 • Planning Board Regular Meeting – Monday, April 24 – 6 pm – Town Board Meeting
- 12 Room
- 13 • Coffee With A Cop – Thursday, April 27 – 9 am – 4Js Coffee Shop
- 14 • American Heart Association Heart Saver CPR – AED Class – Thursday April 27 – 9 am
- 15 and 6 pm
- 16 • Beach Driving Season Ends Sunday April 30
- 17 • National Day of Prayer Event – Thursday, May 4 – 12 noon – Town Administration
- 18 Building
- 19 • Shred Day – Saturday, May 6 – 9 am – 1 pm – Lowe’s Food Parking Lot (Cape Carteret)
- 20 • 3rd Annual Crystal Coast Lighthouse Challenge – Bike the Banks – Sat, May 6 – 8 am –
- 21 Community Center
- 22 • Board of Commissioners Regular Meeting – Tuesday, May 9 – 6 pm – Town Board
- 23 Meeting Room

24
25 Clerks Note: A copy of Proclamation 17-04-11/P1 as noted is incorporated herein by reference and hereby made a part of
26 these minutes.

27
28 **7. Introduction of New Employees**

- 29
- 30 a. Richard Sherin, Police Officer
- 31 b. Craig Shafer, Police Officer
- 32

33 Police Chief Tony Reese introduced new full-time Police Officer Richard Sherin noting that
34 Officer Sherin was a former U.S. Marine serving in the US Infantry and also on the Presidential
35 Support detail guarding President Bush and Obama. Chief Reese stated that Officer Sherin had
36 an Associate’s degree in Criminal Justice and would conclude his Bachelors this summer in
37 Criminal Justice and planned to pursue his Masters in Public Administration. Chief Reese noted
38 that Officer Sherin attended BLET at Carteret Community College, graduating in 2015 with
39 honors as the combat course high shooter and basic driving best time. Chief Reese stated that
40 Officer Sherin was hired with Emerald Isle in May 2015, and had previously worked with the

1 Onslow County Sheriff's Office as a Detention Officer and also with the Embassy Protection for
2 the US State Department.

3
4 Police Chief Tony Reese introduced new full-time Police Officer Craig Shafer noting that Officer
5 Shafer was a former U.S. Marine serving as a Tactics Instructor at the Officer Candidate School,
6 Infantry Platoon Sergeant, Company Gunnery Sergeant, a Recruiter, and a staff NCIC for a
7 recruit station in the State of Washington. Chief Reese stated that Officer Shafer completed
8 BLET at Coastal Carolina Community College, graduating in 2014, and was hired originally with
9 the Town in April 2015, and was also now a full-time Officer with the department.

10
11 The Board and public provided a warm welcome to the Police Department's two newest full-
12 time Officers.

13
14 **8. Presentation of Race Proceeds – Emerald Isle Marathon, Half-Marathon, and 5k Races**

15
16 Commissioner Candace Dooley, Race Director for the Emerald Isle Marathon, Half-Marathon, &
17 5K Races recognized the members of the Race Committee and asking that they join with her –
18 Frank Rush, Suzanne Rush, Patrick Dooley, Amy Reardon, Dorla Pake, Noelle Ricks, Bryson
19 McLean, Stephanie White, Emily Egerton, Annita Best, and Emily Sylvester. Commissioner
20 Dooley expressed her appreciation for the work of the committee members who worked year
21 round, making the race possible. Commissioner Dooley stated that the race was a huge
22 community effort taking about 300 volunteers, and what an incredible feeling it was to have so
23 many people to offer their free time and work so hard to provide such a great race experience
24 for our runners who travel sometimes across the world, but always across the United States
25 just to be a part of the race here in Emerald Isle. Commissioner Dooley also thanked the Town
26 of Emerald Isle as a whole, noting the tremendous support from the Town departments, taking
27 great pride knowing they had incredible employees who supported all of the Emerald Isle
28 events.

29
30 Commissioner Dooley stated that they had 1,023 registered participants for the 3 races – 115
31 marathoners, 379 half-marathoners, and 527 participated in the 5K, and since they were a
32 Boston qualifier they had several of their runners to actually qualify for the 2018 Boston
33 Marathon.

34
35 Commissioner Dooley was proud to present two checks totaling \$50,000 raised this year.
36 Commissioner Dooley presented a check in the amount of \$25,000 to the Town for the Bicycle
37 and Pedestrian Committee for future bicycle path and pedestrian improvements.

38
39 Ken Stone, Bicycle and Pedestrian Advisory Committee Chair expressed thanks and appreciation
40 for the funds to benefit future bicycle and Pedestrian improvements. Mr. Stone also noted that
41 May 6 was Bike the Banks and encouraged all to participate.

1
2 Commissioner Dooley then presented the second check in the amount of \$25,000 to the charity
3 chosen by the race committee this year, which was the Crystal Coast Autism Center, located in
4 Morehead City and they were run 100% by donations, grants, and scholarships. Commissioner
5 Dooley said the Autism Center had 300 children who attended classes on a weekly basis.
6 Commissioner Dooley said they were honored to have some of the children in attendance who
7 also participated on race day, and asked that they come forward along with Director Bill Knecht
8 to accept the donation, along with t-shirts, and race medals. Director Bill Knecht expressed
9 thanks on behalf of the Crystal Coast Autism Center Board of Directors and youth.

10
11 Mayor Barber thanked the committee for their hard work and outstanding job in bringing such
12 a great day here in Emerald Isle.

13
14 Town Manager Frank Rush mentioned that the grand total raised in the entire 4 years of the
15 race event was \$202,000.

16
17 **9. Public Comment**

18
19 There were no comments from the public.

20
21 **10. Consent Agenda**

- 22
23 a. Tax Releases
24 b. Resolution Authorizing Emergency Operations Agreement (Off-Island EOC) (17-04-11/R1)

25
26 *Motion was made by Commissioner Finch to approve the items on the Consent Agenda. The*
27 *Board voted unanimously 5-0 in favor. Motion carried.*

28
29 Clerks Note: A copy of Resolution 17-04-11/R1 and all Consent Agenda Items as noted above are all incorporated herein by
30 reference and hereby made a part of these minutes.

31
32 **11. Real Property Acquisition – Surfside Realty Tract**

- 33
34 a. Public Hearing
35 b. Resolution Authorizing NC Parks and Recreation Trust Fund Grant Application
36 (17-04-11/R2)
37 c. Resolution Authorizing Funding Request to MCAS Cherry Point (17-04-11/R3)
38 d. Resolution Authorizing Clean Water Management Trust Fund Grant Application
39 (17-04-11/R4)
40 e. Resolution Authorizing Real Property Acquisition (17-04-11/R4)

41

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

3
4 The Board of Commissioners is scheduled to consider 4 formal actions associated with the Town's potential acquisition of a
5 vacant 29.7 acre tract of land (the Surfside Realty tract) located directly adjacent to the Town Government Complex. The
6 property would be acquired for future park development, with both active and passive recreational facilities. The total
7 purchase price for the Surfside Realty Tract is \$3 million, and would be funded by a combination of Federal (\$1.5 million), State
8 (\$1.045 million) and Town funds (\$455,000).
9

10 The Surfside Realty Tract

11 The Surfside Realty tract is the last remaining large vacant parcel available in Emerald Isle, and is strategically located directly
12 adjacent to the Town Government Complex. The total land area is 29.7 acres, and is approximately 1,100 feet by approximately
13 1,100 feet. The property is bounded by Archers Creek to the south (which separates it from the Town Government Complex),
14 residential units along Live Oak Street to the west, residential units along Sound Drive to the north, and residential units along
15 Archers Creek Court and Coral Court to the east. The property includes significant maritime forest, and the vast majority of the
16 property (approximately 26 acres +/-) is upland area with sandy soils that are suitable for significant residential development.
17 An estimated 4 acres of coastal wetlands are located in the southeastern corner of the property adjacent to Archers Creek.
18

19 A preliminary subdivision plat with 57 single-family residential lots was approved by the Town more than 25 years ago,
20 however, the subdivision was never constructed. With the exception of very limited clearing completed to delineate the new
21 streets planned for the residential subdivision, the property is completely vegetated and includes many significant pine and live
22 oak trees and dune features. The Surfside Realty tract is currently zoned Residential Multi-Family (RMF), and it is the only
23 undeveloped parcel anywhere in Emerald Isle on which new condominium units would be permitted (other than the Village
24 East, Village West, and Marina Village districts that are targeted for redevelopment and allow mixed-use development). RMF
25 zoning allows up to 8 condominium units per acre by right, and the Surfside Realty Tract could accommodate as many as 237
26 condominium units.
27

28 Potential Park Plans, Benefits to the Community, and Limits on Town Use

29 Although the Town has no immediate plans for the property, it would likely be very beneficial for the Town in the long-term. As
30 you know, the Town currently does not offer any athletic fields to our residents, property owners, and visitors. The Town's
31 recently adopted Comprehensive Land Use Plan includes a goal to develop a large park facility with athletic fields in the future,
32 and the Surfside Realty tract is likely the only parcel in Emerald Isle that could accommodate such a facility. The property is
33 strategically located directly adjacent to the Town Government Complex, and would complement other public recreation
34 facilities offered by the Town. If the Town completes the acquisition of the Surfside Realty tract, I envision the property
35 ultimately being developed with some combination of a baseball field, soccer field, tennis courts, dog park, and/or any other
36 active recreational facilities desired by the community. In essence, if the Town is ever going to have such a facility, this is likely
37 the only place it would / could be located. In addition to future active recreation facilities, I also envision maintaining much of
38 the Surfside Realty tract as a nature park, including the construction of new nature trails throughout the property.
39

40 Additionally, and most importantly from a financial perspective, the Surfside Realty tract is located directly within the Bogue
41 Field flight path. The Town's Comprehensive Land Use Plan also includes a goal to acquire land to reduce the potential for
42 conflicts between Bogue Field and residents in Emerald Isle. The acquisition of the Surfside Realty tract by the Town would
43 prevent future residential development and thereby prevent additional encroachment that could limit or restrict military
44 training, testing, and operations conducted at Bogue Field. The Town has maintained a cooperative relationship with MCAS
45 Cherry Point, which utilizes Bogue Field, over the past 15 years, and MCAS Cherry Point has often noted its desire to prevent
46 development of the Surfside Realty tract. Federal funding for up to 50% of the land acquisition cost is available through the
47 military's Readiness and Environmental Protection Integration (REPI) program, and officials at MCAS Cherry Point have
48 expressed high confidence in securing these funds to assist in the acquisition of the Surfside Realty tract. The use of REPI funds
49 for the land acquisition would limit the Town's use of the land for recreational purposes only, and MCAS Cherry Point will
50 require a limited use easement on the property to insure that no significant new buildings are constructed on the property.
51

52 Additionally, the acquisition of the Surfside Realty tract would also assist promote the Town's water quality goals and natural
53 preservation goals by maintaining a significant portion of the property in its natural condition. As noted later in this memo,
54 another potential source of State funding is the NC Clean Water Management Trust Fund, and if CWMTF grant funds are

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1 awarded the Town will be required to preserve a significant portion of the property in its natural condition. I expect that the
2 CWMTF will require a conservation easement on a portion of the property, primarily along the approximately 1,100 ft.
3 shoreline of Archers Creek.
4

5 Ultimately, after balancing the Town's goals, MCAS Cherry Point's goals, and other grant funding restrictions, I envision the
6 Town allocating approximately 10 acres for future active recreational facility development (athletic fields, etc.), with the
7 remaining approximately 20 acres preserved in its natural condition (including the development of nature trails, etc.). This
8 allocation should provide the Town with several options for future park development, and should provide significant benefits
9 for the residents, property owners, and visitors of Emerald Isle for many years. To provide a general understanding of the
10 possibilities, I have listed the required land area for various athletic fields and other recreation facilities:
11

- 12 • baseball field – approximately 400 feet by 400 feet, or 3 – 4 acres,
- 13
- 14 • soccer field – approximately 300 feet by 400 feet, or nearly 3 acres (could potentially be constructed in the outfield of
15 a new baseball field),
- 16
- 17 • tennis court – approximately 60 feet by 120 feet each; or approximately 1/6 of an acre,
- 18
- 19 • dog park – sizes vary, but could likely construct very nice park on approximately 1 acre (could potentially be
20 constructed within the natural area component of the new park, among existing trees),
- 21
- 22 • skate park – sizes vary, but could likely construct very nice park on approximately ¼ - ½ acre, and/or
- 23
- 24 • splash park – sizes vary, but could likely construct very nice park on approximately ¼ acre or less.
- 25

26 Additionally, it will likely be necessary to provide some amount of additional parking for park patrons. On average, including
27 access driveways, each parking space will require approximately 400 – 600 sq. ft. It is likely that approximately 80 +/- parking
28 spaces could be constructed within a 1-acre area.
29

30 The Board should note that the ideas presented above are provided simply to give the Board and the community an idea of the
31 range of possibilities. Ultimately, I would envision the Board soliciting additional public input on desired park amenities in the
32 future, and using that public input to develop a specific park plan.

33 Funding Plan for Land Acquisition

34 As Town Manager, I have executed a purchase contract for the Surfside Realty tract for a total purchase price of \$3 million. The
35 contract is contingent upon formal Board approval at the April 11 meeting.
36

37 As detailed later in this memo, the following potential funding sources are identified for this land acquisition:
38

39 NC Parks and Recreation Trust Fund	\$ 500,000
40	
41 MCAS Cherry Point – REPI Program	\$ 1,500,000
42	
43 NC Clean Water Management Trust Fund	\$ 545,000
44	
45 Town of Emerald Isle	<u>\$ 455,000</u>
46	
47 TOTAL	\$ 3,000,000.
48	

49 The Town's acquisition of the Surfside Realty tract is essentially contingent upon our ability to secure significant grant funding.
50 The executed contract includes a due diligence period that extends until October 2, and I expect to receive a funding decision
51 from each of these grant funding partners prior to that date. Based on historical funding decisions and recent discussion with
52 various officials, I am optimistic that the Town will ultimately secure the necessary grant funding. If, however, the Town is
53 unable to secure sufficient grant funding, the Town will likely not proceed with closing (scheduled for October 31).
54

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1 Unless the Board wishes to identify other Town funds for this purchase, the required Town funds (\$455,000) would be financed
2 over a 5-year or 10-year term later in 2017. The initial debt service payment would not be due until FY 18-19, and would be
3 included in the FY 18-19 budget. Depending on the length of the term and the exact interest rate, I estimate the required debt
4 service payment will be approximately \$53,000 – \$99,000 annually.
5

6 Resolution Authorizing NC Parks and Recreation Trust Fund Grant Application

7 The attached resolution formally authorizes a \$500,000 grant application to the NC Parks and Recreation Trust Fund (PARTF).
8 PARTF is a popular grant program, and the Town has received previous PARTF awards for park improvements at Emerald Isle
9 Woods, land acquisition for the Emerald Isle Public Boating Access Area, and land acquisition for the Senator Preston Memorial
10 Park. The maximum grant award under PARTF is \$500,000.
11

12 PARTF applications are due by May 1, and a public hearing is required before submitting a grant application. A public hearing
13 has been advertised for the April 11 meeting. If approved, the PARTF application will be submitted prior to the May 1 deadline,
14 and I would expect to receive a PARTF funding decision by early September.
15

16 PARTF will require that the Town execute an easement or deed restrictions on the property that will require the property to be
17 used for public recreation in perpetuity.
18

19 Resolution Authorizing Funding Request to MCAS Cherry Point

20 The attached resolution formally authorizes a \$1.5 million funding request to MCAS Cherry Point through the Readiness and
21 Environmental Protection Integration (REPI) Program. REPI is a Federal program that provides funding to enable military bases
22 to acquire nearby land to prevent additional encroachment that could limit or restrict military training, testing, and operations.
23 As noted earlier and indicated on the attached map, the Surfside Realty tract is directly within the Bogue Field flight path. Thus,
24 MCAS Cherry Point is very interested in acquiring this property, and MCAS Cherry Point officials have expressed high confidence
25 that REPI funds will be made available for the Surfside Realty tract.
26

27 MCAS Cherry Point officials have initiated the internal Federal process to secure the REPI funds, and it is a long and
28 cumbersome process that will likely take several months to be completed. Based on discussion with MCAS Cherry Point
29 officials, we expect to have a definitive commitment no later than September, however, the actual cash for the land acquisition
30 may not be available until a few months later. If the actual cash is not available by the planned October 31 closing date, the
31 Town will enter into a short-term financing arrangement with The Conservation Fund of North Carolina.
32

33 The Conservation Fund of North Carolina is part of a national organization whose mission is to assist communities in the
34 acquisition and conservation of public land, and they are serving as the Town's partner on the acquisition of the Surfside Realty
35 tract. Under the REPI program, MCAS Cherry Point can only provide Federal funding to previously authorized partners, and The
36 Conservation Fund has been involved in previous deals with MCAS Cherry Point and is thus an authorized partner. Although the
37 Town is the lead entity on this land acquisition, and will ultimately hold title to the Surfside Realty tract, The Conservation Fund
38 will be the actual entity that will purchase the property from the owners. The Conservation Fund will acquire the property from
39 the current owners, as an authorized partner for REPI funds, and will then subsequently convey the property to the Town of
40 Emerald Isle for future public use.
41

42 The REPI program will require that the Town execute an easement or deed restrictions on the property that will limit the use of
43 the property to public recreation facilities, and also limit the extent of building construction that may occur on the property. I
44 anticipate that the Town will have the flexibility to construct a small bathroom building, storage building, concession building
45 and / or other similar features, however, the Town will not be permitted to construct other, larger buildings on the property.
46

47 Resolution Authorizing Clean Water Management Trust Fund Grant Application

48 The attached resolution formally authorizes a \$545,000 grant application to the NC Clean Water Management Trust Fund
49 (CWMTF). CWMTF is also a popular grant program, and its primary mission is to protect and enhance water quality through land
50 acquisition and storm water management initiatives. An additional component of CWMTF's mission is to protect land adjacent
51 to and near military bases to prevent additional encroachment. Because the Surfside Realty tract has approximately 1,100
52 linear feet of frontage on Archers Creek and will provide significant water quality benefits, and because of the importance of
53 this acquisition to MCAS Cherry Point, the Town's CWMTF application should be very competitive.
54

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1 CWMTF grant applications were due on February 6. As you know, the Town was involved in negotiations for the Surfside Realty
2 tract at that time, but no contract had been executed. In the interest of not missing the 2017 CWMTF grant cycle (which would
3 have required the Town to wait an additional year), the grant application was submitted at that time. The Board is thus asked
4 to approve the attached resolution retroactive to February 6. I expect to receive a CWMTF funding decision by early
5 September.
6

7 CWMTF will require a conservation easement on a portion of the property, primarily along the approximately 1,100 ft.
8 shoreline of Archers Creek, and this portion will essentially be required to remain in its natural condition.
9

10 Resolution Authorizing Real Property Acquisition

11 As noted above, I have executed the attached purchase contract, contingent upon formal Board approval at the April 11
12 meeting. The attached resolution formally satisfies this contingency.
13

14 The significant terms of the purchase contract are as follows:
15

- 16 • the contract is assignable to The Conservation Fund, and it is anticipated that they will be the actual entity that
17 purchase the Surfside Realty tract on the Town's behalf,
18
- 19 • the purchase price is \$3 million,
20
- 21 • the contract includes a \$5,000 due diligence fee that is fully refundable up until Board approval of the contract on
22 April 11, and not refundable thereafter,
23
- 24 • October 2, 2017 is the Town's deadline to complete due diligence; the Town should have a definitive answer on
25 the 3 grant funding sources by this date,
26
- 27 • the scheduled closing date is October 31, 2017, and
28
- 29 • the Town commits to use the land as a public park, and to assign the name "McLean-Spell Park" to the new park in
30 perpetuity.
31

32 As noted above, the Town's acquisition of the Surfside Realty tract is essentially contingent upon our ability to secure significant
33 grant funding, and I am optimistic that the Town will ultimately secure approval of the necessary grant funding by the October
34 2 due diligence deadline, and proceed with closing no later than October 31. In the event that the Town does not receive
35 approval for the entire amount requested, and/or the Board would like to secure additional time to enable the Town to apply
36 for additional grant funding, it will likely be possible to have The Conservation Fund proceed with the acquisition on the Town's
37 behalf. The Conservation Fund would provide the balance of funding necessary to acquire the property, and would then hold
38 the property for some mutually agreeable time period. Because the Town would not yet own the property, the Town would
39 remain eligible for grant funding, and could apply for funding from the same grant programs in 2018 or could apply for funding
40 through other eligible grant programs. In essence, The Conservation Fund would be financing the balance of the purchase price
41 for the Town until the necessary grant funds are awarded, and the Town would simply cover the interest cost associated with
42 the outstanding balance. If it ultimately becomes necessary or advantageous to consider this approach, I will present relevant
43 information for the Board's consideration in September.
44

45 As explained above, there are many moving parts associated with the Surfside Realty tract acquisition, however, I remain
46 optimistic that the Town will ultimately succeed in securing significant grant funding to acquire the property. Eventually, the
47 residents, property owners, and visitors of Emerald Isle will be able to enjoy a beautiful new park that will further enhance the
48 quality of life in our community.
49

50 I look forward to discussing the Surfside Realty tract acquisition with the Board at the April 11 meeting.
51

52 Town Manager Frank Rush described the 29.7-acre tract of land that was being considered for
53 acquisition, explaining the four actions associated. Town Manager Rush pointed out the 29.7-
54 acre tract of land was the last remaining largest undeveloped piece of land in Emerald Isle.

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1 Town Manager Rush noted this was also the last parcel of any significant size zoned residential-
2 multi-family (RMF) which would allow condominium development of up to 8 units per acre as a
3 matter of right; equating to the potential of 237 condominium units on that tract of land. Town
4 Manager Rush stated that this land was essentially undisturbed with a few trails cut through
5 many years ago, but very significant dune features – large pine trees, oak trees, with Archer’s
6 Creek running through the southern boundary.

7
8 As noted in detail in his memo to the Board provided above the Town Manager discussed the
9 proposed funding methods and the concept for potential active and passive recreational
10 activities for the future park. Town Manager Rush said the Board of Commissioners would
11 develop plans for the park over the coming months and years if acquired. Town Manager Rush
12 stated if acquired approximately 20 acres of the property would remain in a natural state
13 probably developed in a manner similar to Emerald Isle Woods Park with trails and other nature
14 park type amenities, with 10 acres of active recreational facility development in the future.
15 Town Manager Rush said he did not see moving forward with park development in the near
16 term but felt it was more of a long-term investment. Town Manager Rush said realistically
17 knowing the fiscal conservatism that existed in our community and budget limitations more
18 than likely it would require additional grant funds in future years to develop the associated park
19 amenities.

20
21 Town Manager Rush introduced Justin Boner, with the Conservation Fund that was an
22 important partner for the Town because ultimately even though the Town had executed the
23 contract with the owners for the purchase of the property, if we proceeded the Town would
24 actually assign that contract to the Conservation Fund. The Conservation Fund would take
25 ownership of the land ultimately conveying it back to the Town. Town Manager Rush stated
26 that there would be conservation easements, deeds of restriction, etc. placed upon the land
27 that would require the Town to use certain areas as natural, certain areas reserved in
28 perpetuity for Parks and Recreation and finally one of the stipulations in the contract was that
29 that they were committed to the current owners of the property that the land be used in
30 perpetuity for park purposes with a commitment to name the park McLean Spell Park in honor
31 of two of the original developers of Emerald Isle in the 1950s.

32
33 Justin Boner, Conservation Fund, Director of Real Estate for the State of North Carolina, spoke
34 to the Board about the Conservation Fund founded in 1985 on the premise that land
35 conservation and economic development could actually occur hand in hand and he felt this
36 project was a perfect example of that premise. Mr. Boner said that their role in the project was
37 similar to their role in a lot of land conservation projects where an opportunity like this one
38 comes up that can’t be passed up, and where land owners wanted to close on the property in
39 short order; they had the ability to step in and acquire the property and hold it until their
40 partner was able to take them out of the property at an agreed up date in the future. Mr.
41 Boner felt that Town Manager Frank Rush had put together an incredible project and he agreed

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1 that it would do very well through their Management Trust Fund, and they looked forward to
2 helping the Town make this happen. Mr. Boner pointed out that they had helped the State
3 acquire the 300-acre addition to Hammocks Beach State Park recently from the Hurst and
4 Turner families, helping them to settle the legal battle so they had worked with some
5 interesting projects. Mr. Boner looked forward to helping the Town create an awesome park
6 for their residents and visitors.

7
8 The Board thanked Mr. Boner for coming and touring the land today and for attending the
9 meeting.

10
11 ***Motion was made by Commissioner Messer to open the Public Hearing. The Board voted***
12 ***unanimously 5-0 in favor. Motion carried.***

13
14 Ken Stone, 9701 Ashley Place, felt this was an opportunity that shouldn't be missed as this
15 island was not getting any bigger and he felt it was important to preserve as much recreational
16 green space they could. Mr. Stone would hate to see them miss out on this and have
17 developers come in and pack it in with condo's and housing.

18
19 Tony Browder, 7515 Sound Drive, thought everything he had heard sounded good and they
20 were in favor of a natural facility that would embellish the character of Emerald Isle. Mr.
21 Browder was leery of the light pollution with a ball field and dust on baseball fields. Mr.
22 Browder felt it was a good acquisition and the details could be worked out later.

23
24 Bernie Whalley, 5306 Ocean Drive, said he knew this piece of land had been looked at over the
25 years for its potential and opportunities for profit and for community growth, but he wanted to
26 say this was a golden opportunity to be stewards of this natural bit of land and a chance to
27 preserve it for the use and enjoyment of any who may come to this island to enjoy the wonders
28 of nature. Mr. Whalley felt it was an opportunity to think for not only what we may enjoy in
29 our lifetime but also what future children and their families may enjoy. He felt it was a time to
30 do what was right for now and for the future.

31
32 Gary Hardee, 7528 Sound Drive, shared everyone's comments that this was a good thing. Mr.
33 Hardee said his concern looking at the plot was that there would be a lot of traffic on Sound
34 Drive and his question was whether they were in a position to tell the approximate location of
35 the ball fields, and what they would do to help with the traffic and speed limit on Sound Drive.

36
37 Town Manager Rush responded that they were not in a position to make any commitments on
38 where certain facilities might be located and for that matter any commitments on exactly what
39 types of facilities would be there. Town Manager Rush said he envisioned the Board would go
40 through a process, solicit additional public input, and make those decisions after the land was
41 acquired. Town Manager Rush said that he was certain that there would be at least 20 acres

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1 preserved in a natural condition. Mr. Rush stated that there would be a lot of input from both
2 the grant funding partners as well as the residents of Emerald Isle, and encouraged staying
3 engaged in the process going forward.

4
5 Malcolm Boartfield, 5307 Emerald Drive, noted that he had served on the Land Use Plan
6 Committee and felt this looked like a perfect match for enhancing Emerald Isle, an opportunity
7 that couldn't be passed up.

8
9 Jim Hackett, 6410 Ocean Drive, said that if traffic was a concern he would ask them to think
10 what the traffic would be like if they put all those condo's there rather than a nice natural place
11 where people would go once in a while, just as something to keep in mind.

12
13 Mara Browder, 7515 Sound Drive, said she was leery of these types of projects as there was
14 little information about what would be put there, where located, and how they would facilitate
15 traffic. Ms. Browder said she understood comparing that with the condo's but questioned why
16 ball fields, as she didn't see anyone coming on vacation to use the ball fields because they came
17 on vacation to go to the ocean. Ms. Browder wondered whether they were planning on holding
18 tournaments or that type of activity. She was concerned that the residents in the area that
19 would be impacted be given consideration.

20
21 Commissioner Messer said that the purpose of the meeting tonight was to determine whether
22 they would buy the land. Commissioner Messer said that he would anticipate that two years
23 down the road when they had the property and started planning there would certainly be
24 public hearings as to what was going where but he felt no one could answer those questions
25 tonight. Commissioner Messer stated the main purpose for purchasing the property was for
26 conservation, to keep the condos and townhouses, and traffic away. Commissioner Messer
27 said if they put a ball field or dog park that would be something extra, but the main purpose of
28 the purchase was for conservation.

29
30 Town Manager Rush added that if the Clean Water Management Trust Fund awarded the grant
31 money to the Town they would require that the Town put a conservation easement across 20
32 acres of the property, and that would essentially say all you could use those 20 acres for was
33 nature trails and associated amenities, whereas obviously if it was a single family subdivision or
34 condominium complex, there wouldn't be the preservation of any acreage associated with that
35 subject to whatever development regulations were in place at the time.

36
37 Rick Walling, 7509 Sound Drive, mentioned that he lived on Maritime Forest Drive on the
38 corner of Sound, and his concern along with the other residents on Sound Drive was the
39 location of the main parking area and asked that they consider this in their thought processes.

40

1 Ginger Miller, 7523 Sound Drive and Bluebird Lane, said she was very supportive of purchasing
2 the land for conservation. She was concerned with parking when they had events in Emerald
3 Isle, as she wanted to be able to get out of her driveway. Ms. Miller said if the park was
4 developed in that particular area, it could impact the quality of her life in Emerald Isle and she
5 hoped they would consider the residents and the fact that they moved here because of the
6 wonderful atmosphere of the island. She did support the purchase but wanted them to be very
7 cognizant of what had been discussed in terms of noise, pollution, and traffic, which were
8 negative when looking at conservation.

9
10 ***Motion was made by Commissioner Messer to close the Public Hearing. The Board voted***
11 ***unanimously 5-0 in favor. Motion carried.***

12
13 ***Motion was made by Commissioner Wright to approve the Resolution Authorizing NC parks***
14 ***and Recreation Trust Fund Grant Application. The Board voted unanimously 5-0 in favor.***
15 ***Motion carried.***

16
17 ***Motion was made by Commissioner Finch to approve the Resolution Authorizing Funding***
18 ***Request to MCAS Cherry Point. The Board voted unanimously 5-0 in favor. Motion carried.***

19
20 ***Motion was made by Commissioner Messer to approve the Resolution Authorizing Clean***
21 ***Water Management Trust Fund Grant Application. The Board voted unanimously 5-0 in***
22 ***favor. Motion carried.***

23
24 ***Motion was made by Commissioner Dooley to approve the Resolution Authorizing Real***
25 ***Property Acquisition. The Board voted unanimously 5-0 in favor. Motion carried.***

26
27 **12. Ordinance Amending Chapter 5 – Density, Intensity, and Dimensional Standards – of the**
28 **Unified Development Ordinance to Eliminate Residential Density Limits in the Village East,**
29 **Village West, and Marina Village Zoning Districts**

30
31 **a. Public Hearing**

32 **b. Ordinance Amending Chapter 5 of the Unified Development Ordinance**

33
34 Town Planner Josh Edmondson addressed the Board concerning this Agenda item. The
35 following excerpt from his memo to the Board is provided for additional background:

36
37 At the Planning Board's February meeting, staff discussed with the Board a potential amendment to the requirement of the
38 number of units per acre in the VE, VE-C, VW, VW-C, MV and MV-C zoning districts. The proposed amendment would eliminate
39 the current unit per acre requirement. This number would be established by compliance with the current development controls
40 outlined in the UDO. Staff discussed some of these controls at the February meeting that included but are not limited to:

- 41
42
 - Current 40' building height

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- 1 • Waste water system requirements
- 2 • Setbacks
- 3 • Stormwater requirements
- 4 • Vegetative requirements
- 5 • Parking standards

6
 7 While discussing the current unit per acre requirement, a concern about public access arose. The current unit per acre in the
 8 VE, VW and MV zoning districts is 6 & 4. There is the opportunity to increase that number to 10 units per acre through the
 9 conditional zoning process in the VE-C, VW-C and MV-C if areas for public access are proposed. The Board directed staff to
 10 incorporate this into the proposed amendment for review at their March 2017 meeting. At the Board's March meeting the
 11 amendment was proposed which included a public access component. This was included by amending note 2 & 3 of the Table
 12 of Dimensional Standards.
 13

14 The following are the current regulations concerning density requirements in the above mentioned districts:

	VE, VW and MV	VE-C, VW-C and MV-C
15		
16		
17		
18	Maximum allowable	6 in VE and VW
19	Density (dwelling units	Up to 10 in VE-C,
20	per acre)	VW-C and MV-C
21		
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Notes:

2. Residential density in VE, VE-C, VW and VW-C districts shall not exceed six (6) dwelling units per acre, unless specifically otherwise authorized by a condition of approval of a Conditional Zoning Overlay District. Residential density shall be calculated on the basis of the entire development site subject to an application, without removal of acreage dedicated to non-residential uses, including public uses and areas designated for public use. In no case shall the allowable density exceed ten (10) dwelling units per acre.

3. Residential density in the MV and MV-C districts shall not exceed four (4) dwelling units per acre, unless specifically authorized by a condition of approval of a Conditional Zoning Overlay District. Residential density shall be calculated on the basis of the entire development site subject to an application, without removal of acreage dedicated to non-residential uses, including public uses and areas designated for public use. In no case shall allowable density exceed ten (10) dwelling units per acre.

The amendment proposed to the Table of Dimensional Standards is as follows:

	VE, VW and MV	VE-C, VW-C and MV-C
39		
40		
41		
42	Maximum allowable	6 in VE and VW
43	Density (dwelling units	Up to 10 in VE-C,
44	per acre)	VW-C and MV-C
45		
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1 Notes:

2 2. There shall be no residential density requirement in VE, VE-C, VW and VW-C districts provided all
3 applicable regulations in Chapters 2, 3, 4, 5, 6 and 7 of the Unified Development Ordinance are met. At the
4 discretion of the Town, areas designated for public uses and access shall be required
5 dependent upon each proposed development plan and location.

6 3. There shall be no residential density requirement in the MV and MV-C districts provided all
7 applicable regulations in Chapters 2, 3, 4, 5, 6 and 7 of the Unified Development Ordinance are met. At the
8 discretion of the Town, areas designated for public uses and access shall be required dependent upon
9 each proposed development plan and location.

10
11 The Planning Board voted unanimously to recommend approval of the amendment as presented to the Board of
12 Commissioners. The current density requirements have been in place for well over 10 years with no significant
13 improvements in these areas. It could be that a fresh approach such as the proposed is what is needed. Staff considers this
14 amendment further proof of the desire of the Town to promote and encourage the development and/or redevelopment of
15 the Village Districts. This was a supported topic of discussion as we went through the update to the Land Use Plan.

16 Town Planner Josh Edmondson discussed with the Board the proposed ordinance amendment
17 that would eliminate the current residential density limits in the three Village zoning districts,
18 with the Town relying on the cumulative application of the Towns other development
19 regulations to govern residential density in these districts as further outlined in his memo
20 above. Town Planner Edmondson stated the intent was to promote and encourage
21 development / redevelopment opportunities. Town Planner Edmondson said it was very
22 important to the Planning Board and they were supportive of doing away with setting a limit
23 and letting our development regulations set the limit for units per acre, though it was very
24 important to the Planning Board that they keep the public access component in the rules and
25 regulation. Town Planner Edmondson said they accomplished that by amending Note 2 and 3
26 on the density table to read -“At the discretion of the Town, areas designated for public uses
27 and access shall be required dependent upon each proposed development plan and location”.
28 Town Planner Edmondson used the language as suggested by Town Attorney Stanley.

29
30 Town Planner Edmondson said they had also spoken to property owners around the Marina
31 Village District regarding their concerns about the potential development of an RV park as
32 pertaining to this ordinance amendment, and it was noted that the density requirements for
33 mobile homes and RV parks were different from what was being discussed tonight. Town
34 Planner Edmondson noted there were other regulations that governed the amount of space
35 per RV park, per Mobile Home, and that was separate and this ordinance amendment would
36 not change those requirements that were in place.

37
38 Town Manager Frank Rush pointed out that this ordinance amendment applied to just the
39 three village districts – Village West (along Islander Drive generally), Village East (along Bogue
40 Inlet Drive generally), and Marina Village. Town Manager Rush wanted to note that the grand
41 total was about 125 acres of land in Emerald Isle out of about 3,200 acres total, less than 4%
42 of the total land area of the Town of Emerald Isle that the density restrictions would be
43 eliminated. Town Manager Rush said that the density of the entire rest of the Town would

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1 never change as it was already platted for single family homes and duplexes, and the existing
2 condominium complexes.

3
4 ***Motion was made by Commissioner Messer to open the Public Hearing. The Board voted***
5 ***unanimously 5-0 in favor. Motion carried***

6
7 Georgia Ricks, 8728 Emerald Plantation Road, owner of property in each of these districts,
8 had questions about the public access piece that would have them donate to the Town, and
9 asked how much area they would have to donate. Ms. Ricks said regarding the Marina Village
10 district, if they got approval to do the RV Park, whether this ordinance would require more
11 public access than in the current ordinance. Ms. Ricks asked how much more public access
12 were they requiring the owners to give the Town for public use.

13
14 Town Planner Edmondson said that the way it was written it would be up to the type of
15 project and location.

16
17 Ms. Ricks felt that seemed a little unfair.

18
19 Town Planner Edmondson said they wanted to give the flexibility of the Town working with
20 the developer to determine what type of public use may be appropriate for a particular site.

21
22 Ms. Ricks understood the point but it seemed like it was just at the Town's whim being
23 whatever the Town wanted to ask if they wanted to develop.

24
25 Town Manager Rush felt these were very valid concerns and to give this some context, stated
26 that our current development ordinances required that any new subdivisions provide those
27 access easements to the water, generally being roughly 10 ft. wide, usually 3 every 1,100 feet,
28 and these easements were in place all along Emerald Isle to the ocean and sound. Town
29 Manager Rush said in the case of the Village districts under current ordinances that would
30 theoretically be amended by Board action tonight allowing the Board to negotiate with the
31 developer or the land owner and essentially provide a residential density bonus in exchange
32 for significant public amenities. Town Manager Rush said that not all of the properties were
33 on the water but Marina Village clearly was, and the goal behind the original creation of the
34 Village districts and the density bonus, was to try to make it easier for folks to develop their
35 property and make it more lucrative for someone willing to take the risk and improve the
36 overall appearance and function of those areas. Town Manager Rush said that at that time
37 the ordinance included the density bonus and the significant public amenities that was
38 outlined for Village East and Village West where it initially began with Marina Village being
39 added on later, was essentially to create a vibrant center of commercial and residential
40 activity, a downtown environment. Town Manager Rush said that in Village East for example
41 it may not be a beach access in the future, maybe it would be a large public park, or a beach

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1 access easement down to the water, but it would have to be considered by the Planning
2 Board and the Board of Commissioners in relation to the scale of the project. Town Manager
3 Rush said there would be that negotiation and discretion involved, but the intent behind the
4 Village concept and this ordinance amendment was to remove limitations, making it more
5 flexible, increasing the return that a developer or property owner could receive and that
6 public access component fit with the vision.

7
8 Ms. Ricks said that was what she had been told but no one had told her about giving up
9 property and that it would be a negotiating tool. Ms. Ricks asked the Board to please discuss
10 and not take action until they talked to some of the landowners.

11
12 Gary Hardee, 7528 Sound Drive, commented that he was not an attorney but he felt the Town
13 was setting itself up for someone buying a piece of property next door and they not be
14 granted the same ability to develop the property. Mr. Hardee said right now they were
15 talking about property that was large in acreage so they were saying the person with a
16 smaller piece of property had a different law.

17
18 Commissioner Normile asked Town Planner Edmondson whether there had been any
19 comments offered during the Planning Board sessions, the two months the issue had been
20 discussed.

21
22 Town Planner Edmondson said no comments had been offered.

23
24 Town Manager Frank Rush suggested that there might be some value in determining
25 parameters that were more specific. Town Manager Rush said that under the current
26 ordinances for the Village districts you could do 4 or 6 residential units per acre by right
27 without any significant public amenity provided, and if you want to get the bonus and go to
28 10 units then it became a negotiation between the Town and the applicant for that particular
29 project. Town Manager Rush said the difference in the new ordinance was that it made a
30 blanket statement that any project, any size, would require the public amenity, public access
31 component and there was potential for confusion between small and large parcels. Town
32 Manager Rush said the Board may want to consider referring this issue back to the Planning
33 Board for additional work on that particular provision assuming they were comfortable with
34 the rest.

35
36 Commissioner Normile stated that he liked the spirit and intent of the new language in
37 promoting future redevelopment but there was maybe just a small concern in regards to the
38 large parcel ownership and it was a smidge ambiguous. Commissioner Normile thought the
39 Planning Board could solicit some additional public comment before they take action.

40

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

3
4 **Motion was made by Commissioner Messer to table this item until the May meeting. The**
5 **Board voted unanimously 5-0 in favor. Motion carried.**

6
7 **13. Emergency Medical Services Contracts**

- 8
9 a. **Emergency Medical Services Contract with Emerald Isle EMS, Inc.**
10 b. **Financial Administration Services Contract for Emerald Isle EMS, Inc.**
11 c. **Appointments – New Emerald Isle EMS, Inc. Board of Directors – 2 Vacancies**

12
13 Town Manager Frank Rush addressed the Board concerning this Agenda item. The following
14 excerpt from his memo to the Board is provided for additional background:

15
16 The Board of Commissioners is scheduled to consider two new contracts between the Town and Emerald Isle EMS, Inc. at the
17 April 11 meeting. The Board of Commissioners will also appoint two individuals to serve on a newly constituted Board of
18 Directors charged with the governance of Emerald Isle EMS, Inc. in the future.

19
20 Background

21 Emerald Isle EMS, Inc. has provided emergency medical services for the residents and visitors of Emerald Isle for several
22 decades, initially as a completely volunteer organization with no affiliation or formal relationship with the Town. Since 2001, EI
23 EMS, Inc. has operated as the authorized emergency medical services provider in Emerald Isle under formal contract to the
24 Town.

25
26 EI EMS, Inc. is a separate non-profit entity, with a fully-paid staff providing services at the Paramedic level of care, and is
27 supplemented by volunteer emergency medical technicians. EI EMS, Inc. is currently governed by a 5-member Board of
28 Directors elected annually by the volunteer membership of EI EMS, Inc. In an effort to promote clear communication between
29 the Town and EI EMS, Inc., a separate Joint EMS Committee (consisting of 3 representatives from each) meets periodically to
30 review the EMS budget and consider other issues.

31
32 The Town's current contract with EI EMS, Inc. was extended in July 2015, and expires on June 30, 2017. The Town also provides
33 financial administration services for EI EMS, Inc. under a separate contract, and that contract was also extended in July 2015
34 and expires on June 30, 2017. The total FY 16-17 operating budget for EI EMS, Inc. is \$560,000, with a total of \$390,000
35 provided by the Town's General Fund and \$170,000 derived from service fees. In addition, EI EMS, Inc. also receives donations
36 and generates fundraising proceeds, and this amount varies each year depending on specific initiatives. The Town owns the
37 EMS station and leases it to EI EMS, Inc. at no cost, and EI EMS, Inc. owns all other assets used to provide emergency medical
38 services (ambulances, defibrillators, etc.).

39
40 For the past decade, there has been discussion by the Joint EMS Committee about the eventual transition of EI EMS, Inc. to a
41 department of the Town government (similar to the Police Department, Fire Department, etc.). This transition has not
42 occurred, primarily because service quality has remained high and due to concerns from by EI EMS, Inc. about losing autonomy.
43 Over the years, EI EMS, Inc. has fully evolved from a completely volunteer organization to a fully-paid staff, the annual budget
44 has increased significantly, the complexity of emergency medical services has grown, and many of the core volunteers who built
45 EI EMS, Inc. over the years have moved on and are no longer active. As discussed previously, I believe there comes a certain
46 point at which any organization utilizing that much public money and operating with a fully-paid staff should fall under the
47 direction of a unit of local government and be more directly accountable to a group of elected officials, and I believe we are at
48 or fast approaching that point. The actions presented for Board consideration at the April 11 meeting recognize this reality, and
49 represent another step toward the eventual transition of EI EMS, Inc. to a Town department.
50

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1 Emergency Medical Services Contract with Emerald Isle EMS, Inc.

2 The attached contract incorporates several new provisions intended to increase EI EMS, Inc.'s accountability to the Town. The
3 new provisions provide for greater Town involvement in the governance of EI EMS, Inc., and also implement a better-defined
4 management structure for EI EMS, Inc. The new provisions are highlighted in RED in the attached contract.
5

6 The Town's current contract with EI EMS, Inc. expires on June 30, 2017, however, a new contract is presented that would take
7 effect on April 15, 2017, prior to the expiration of the current contract. The attached contract would expire on March 1, 2018,
8 and purposely adjusts the expiration to a date in the "offseason" in order to provide for an easier transition for EI EMS, Inc. to
9 become a Town department in the future without the pressure of higher call volumes during the summer months. (All previous
10 contracts included a June 30 expiration date.) The attached contract notes that the Town and EI EMS, Inc. will work
11 cooperatively and diligently toward the transition of EI EMS, Inc. to a department of the Town, and this transition could occur
12 as early as March 1, 2018, or in March of a subsequent year, at the future discretion of the Board of Commissioners.
13

14 The attached contract incorporates a newly constituted Board of Directors charged with the governance of EI EMS, Inc. As
15 stipulated, EI EMS, Inc. would appoint 3 members of a 5-member Board of Directors, and the Town would appoint 2 members.
16 This 5-member Board of Directors would choose officers (including a Chair) from among its 5-members, and would then be
17 responsible for the governance of EI EMS, Inc. beginning on April 15. The EMS Board of Directors would be responsible for the
18 selection of the EMS Chief and the establishment of policies pertaining to all other EMS employees.
19

20 The attached contract also includes a provision stipulating that all EI EMS, Inc. assets will be transferred to the Town (or other
21 new entity approved by the Town to provide emergency medical services) at such time that EI EMS, Inc. is no longer the
22 authorized service provider in Emerald Isle. This provision is important because all EI EMS, Inc. assets were originally funded by
23 the residents and visitors of Emerald Isle through tax payments, service fees, donations, contributions, or fundraising activities,
24 and it is prudent to insure that these assets benefit the people of Emerald Isle in perpetuity.
25

26 EI EMS, Inc. formally approved the new contract at its April 4 meeting, and appointed members Arlayne Calhoun, Angel Hamlin,
27 and Rebecca Gaffney to the new Board of Directors. If the Board approves the attached contract, I expect that the new Board
28 of Directors will convene on or before April 15, begin its work, and select an EMS Chief (they are currently operating with an
29 interim EMS Chief) in the coming weeks. I also expect that the Joint EMS Committee will continue its discussions about the
30 future transition of EI EMS, Inc. to a Town department in the coming months, and provide a recommendation to the Board of
31 Commissioners in late 2017 or early 2018. The Board of Commissioners would then consider whether to execute another 1-
32 year extension of the attached contract or to proceed with the transition of EI EMS, Inc. to a Town department at that time.
33

34 Financial Administration Services Contract for EI EMS, Inc.

35 The attached contract is identical to the current contract (that expires on June 30), and would simply extend this contract to
36 match the term of the emergency medical services contract. The new contract would be effective April 15, 2017 and expire on
37 March 1, 2018.
38

39 The Town has been providing financial administration services for EI EMS, Inc. since 2011, and Town staff handle all accounts
40 payable, payroll, and related functions for EI EMS, Inc. in a manner similar to the overall Town organization. The Board should
41 note that all expenditure decisions and personnel decisions are made by the leadership of EI EMS, Inc., and the Town's role is
42 limited to administrative functions.
43

44 Appointments – New Emerald Isle EMS, Inc. Board of Directors – 2 Vacancies

45 As stipulated in the new contract, the Board of Commissioners should appoint two individuals to serve on the EI EMS, Inc.
46 Board of Directors. One appointment should be an individual with a medical background, and one appointment should be an
47 individual with a business background. Both individuals must reside in Emerald Isle, and one appointment will serve an initial 2-
48 year term and one will serve an initial 1-year term (in order to implement staggered terms initially). All future appointments
49 would serve a 2-year term.
50

51 Town Manager Frank Rush discussed with the Board the two new contracts between the Town
52 and Emerald Isle EMS, Inc. providing background historical information about the separate non-
53 profit Corporation that provides emergency medical services for the Town of Emerald Isle in
54 detail in his memo above. Town Manager Rush stated that the actions being considered

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1 tonight would extend two contracts that had been in place between the Town and Emerald Isle
2 EMS, Inc., the most significant contract being the actual contract for the emergency medical
3 services. Town Manager Rush said that contract did not transition them to a Town Department
4 at this time but it did however extend the existing contract to March 1, 2018, taking effect on
5 April 15, 2017. Town Manager Rush stated that the contract included several new provisions all
6 aimed at improving accountability, improving the governance of the organization, and then
7 ultimately moving them toward some future Town or perhaps County department at some
8 point in the future. Town Manager Rush said the most significant provisions were that the
9 Board of Commissioners for the first time would appoint two members of their five member
10 Board of Directors. Town Manager Rush noted that up until now they had operated with a five
11 member Board of Directors selected by their membership, their volunteers, and the Town had
12 no role; this new contract established a role for the Board of Commissioners to appoint two
13 individuals to their governing body. Town Manager Rush said that newly constituted Board of
14 Directors would convene theoretically later this week and they would be the policy making
15 body for that organization very similar to the relationship between the Board of Commissioners
16 and the Town Manager and the rest of the organization. Town Manager Rush stated that the
17 Board of Directors would ultimately be responsible for selecting a Chief and determining all the
18 other policies for that organization, and also being stewards of the funds that were received.

19
20 Town Manager Rush noted that the new contract was intentionally structured to expire on
21 March 1, 2018 so that if and when a transition to make them a Town department or County
22 department would occur it would be much easier to make that transition in the off-season.

23
24 Town Manager Rush stated that since 2011 the Town had provided financial administration,
25 payroll type services for EMS through a separate contract with the Town, and the Board would
26 also consider an extension of that contract as well just lining up the dates to match the service
27 contract with an expiration of March 1, 2018 as well.

28
29 Lastly, Town Manager Rush noted that if the Board approved the new contract for services they
30 were asked to appoint the two new Board appointments to the EMS Board of Directors, and the
31 stipulation in the contract was that one of the individuals would have a medical background,
32 and one individual would be someone with a business background.

33
34 Town Manager Rush noted that Emerald Isle EMS, Inc. had considered the service contract at
35 their meeting on April 4 and had approved the contract and appointed 3 members from their
36 membership to the new Board of Directors – Arlayne Calhoun, Angel Hamlin, both of whom
37 currently serve on the EMS Board and also Rebecca Gaffney a new member.

38
39 Town Manager Rush suggested that between the time the contract became effective on April
40 15 and the time that the new Board of Directors could actually meet, take action and pick their

1 Chairman and leadership positions, that they designate someone to serve as an interim Chair in
2 EMS just for that time period so that there was a clear line of authority.

3
4 Mayor Barber asked for comments from the public. There were no public comments.

5
6 ***Motion was made by Commissioner Finch to approve the Emergency Medical Services***
7 ***Contract with Emerald Isle EMS, Inc. The Board voted unanimously 5-0 in favor. Motion***
8 ***carried.***

9
10 ***Motion was made by Commissioner Wright to approve the Financial Administration Services***
11 ***Contract for Emerald Isle EMS, Inc. The Board voted unanimously 5-0 in favor. Motion***
12 ***carried.***

13
14 ***Motion was made by Commissioner Normile to appoint Jack Bunyan to a 1-year term that***
15 ***expires April 2018 on the Emerald Isle EMS, Inc. Board of Directors. The Board voted***
16 ***unanimously 5-0 in favor. Motion carried.***

17
18 Commissioner Normile stated that Jack Bunyan would represent the business position, a very
19 nice gentleman that would volunteer his services, a retired CEO/CFO.

20
21 ***Motion was made by Commissioner Finch to appoint Dr. Jerry Albright to a two-year term***
22 ***that expires April 2019 on the Emerald Isle EMS, Inc. Board of Directors. The Board voted***
23 ***unanimously 5-0 in favor. Motion carried.***

24
25 Commissioner Finch stated that Dr. Albright was a retired MD, and full-time resident of Emerald
26 Isle, a very fine and outstanding individual.

27
28 Commissioner Messer suggested that they move forward from this point to the EMS becoming
29 a Town department on or before March 1, 2018. Commissioner Messer felt they did a fantastic
30 job but the Town was paying close to \$400,000 a year for a service that we had very little input
31 on their administrative procedures. Commissioner Messer said it would eliminate this Board of
32 Directors just voted on, it would eliminate the independent contractors, and the employees
33 would be Town employees that he thought would be beneficial to most of them. Commissioner
34 Messer said the biggest concern to him was that they were spending the taxpayer's money and
35 really didn't have control of the entire situation and he felt it should be handled exactly like the
36 Police, Fire and other Town departments.

37
38 Town Manager Rush said that if that was the Board's will they would work toward that with the
39 Joint EMS Committee and the leadership of Emerald Isle EMS to pursue that goal.

40

1 Commissioner Normile thought that was a great idea and adding to what Commissioner Messer
2 mentioned about the valuable people who did a valuable service and he wanted to note that
3 the volunteers did as well. Commissioner Normile said that many people that volunteer, not on
4 payroll, provided a valuable service, they were appreciated too, and he looked forward to
5 working with everyone and continuing that valuable service.

6
7 Town Manager Rush said based on the direction by the Board they would work toward that and
8 come back to the Board at the appropriate times with official actions.

9
10 ***Motion was made by Commissioner Messer to designate Arlayne Calhoun to serve as Interim***
11 ***Chair. The Board voted unanimously 5-0 in favor. Motion carried.***

12
13 **14. Appointments – Board of Adjustment – 4 Vacancies**

14
15 This agenda item was tabled until the May meeting.

16
17 **15. Comments from Town Clerk, Town Attorney, and Town Manager**

18
19 There were no comments from the Town Clerk or Town Attorney.

20
21 Town Manager Rush was happy to report the dredge was in Bogue Inlet dredging the channel.
22 Town Manager Rush also noted that they were scheduled to go to the Carteret County Board of
23 Commissioners meeting the next Monday, April 17, to make the formal request for County
24 economic development funds for the purchase of the go-kart track that was
25 discussed in March for the meeting and events center. Town Manager Rush noted that beach
26 access parking fees would start on Friday (Good Friday) at the Eastern and Western accesses,
27 \$10 per car on Saturday, Sunday, and holidays. He also noted that they did not get any
28 sufficient interest in the food vendor program and had decided not to offer that this year.

29
30 The following is an excerpt from the Town Manager Comments memo to the Board providing
31 additional background information for all items of importance:

32
33 **Pre-Positioned Hurricane Debris, Pump, Generator Contracts**

34 Town staff are currently working with our FEMA consultant on these contracts, and we expect to present contract
35 recommendations to the Board at the May 9 meeting.

36
37 **FY 17-18 Recommended Budget**

38 Finance Director Laura Rotchford and I are working to finalize the FY 17-18 Recommended Budget, which will be presented to
39 the Board at the May 9 meeting.

40
41 **Bogue Inlet Dredging**

42 The US Army Corps of Engineers dredge “Merritt” is currently working in Bogue Inlet. The dredge will be clearing a new, more
43 central connecting channel in the area northwest and north of The Point, and the aids to navigation will be repositioned by the
44 US Coast Guard upon completion of dredging work later this month.

45

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1 This work is funded by the State-local reserve assembled last year by the Town. There is currently a balance of approximately
2 \$269,000 in the reserve. The current work is expected to require more than half of that amount. I am hopeful that the current
3 dredging will leave the inlet in generally good shape as the boating season begins.
4

5 **Draft EIS for Beach Nourishment "Master Plan" to Be Released**

6 After several years of hard work by many (under the direction of the Carteret County Beach Commission), the Draft
7 Environmental Impact Statement for the "Master Plan" for future beach nourishment activities in our area is finally set to be
8 released for public comment this month. The Draft EIS outlines planned future beach nourishment activities for all of Bogue
9 Banks, including Emerald Isle, and also outlines future management efforts in Bogue Inlet. The Draft EIS covers a 50-year
10 planning period, and will be followed by a Final EIS later this year or early next year. The Final EIS should then enable the
11 issuance of a 50-year Federal and State permit authorization for future beach nourishment and inlet management activities in
12 Emerald Isle.
13

14 **County Funding Request for Land Purchase**

15 The Carteret County Board of Commissioners will consider the Town's request for \$450,000 of economic development funding
16 to assist in the purchase of the old go-kart track at its meeting on April 17.
17

18 **Dedication Ceremony – New Disc Golf Course – Friday, April 14 at 10 am**

19 Thanks to the efforts of US Coast Guard member and resident Andy Johnson, other volunteers, and sponsors, a new disc golf
20 course has been installed in Emerald Isle Woods Park. The 9-hole course weaves through the natural maritime forest, and ends
21 near the Bogue Sound shoreline. A public dedication ceremony for the new course will be held on Friday, April 14 at 10 am at
22 the park.
23

24 **Publix Building Plans Submitted**

25 Detailed building plans for the new Publix grocery store have been submitted, and Town and County staff are reviewing the
26 plans. We expect permits to be issued later this month, and that Publix will break ground soon thereafter. Publix' goal is to
27 open in spring 2018.
28

29 Publix is tentatively planning to begin construction of the new NC 58 / Mallard Drive roundabout in November 2017. They will
30 be working hard to complete the road improvements prior to March 2018. Construction activities will be closely coordinated
31 with the Town and NCDOT.
32

33 **New Construction Activity Increasing**

34 The Town permitted a total of 9 new single-family homes in March, and the total for the first 9 months of the fiscal year is now
35 34 new homes. This total exceeds last fiscal year (33 new homes for the entire year), with 3 months still left in the fiscal year.
36

37 **Beach Access Parking Fees Begin April 14**

38 Town staff will begin collecting beach access parking fees on Friday, April 14 (Good Friday holiday), and will continue each
39 weekend and holiday until mid-September. As part of the FY 17-18 Recommended Budget, we are considering expanding the
40 fee and charging on other days of the week, and I may ask the Board to consider this approach at the May 9 meeting.
41

42 **No Beach Access Food Vendor Program This Summer**

43 After soliciting both Emerald Isle and non-Emerald Isle food vendors over the past two months, we have decided not to offer
44 this program this summer. We received only minimal interest from potential vendors, and no definitive commitments.
45

46 **Beach Swing Installed at Western Ocean Regional Access, Available for Sponsorship**

47 A prototype beach swing has been installed at the Western Ocean Regional Access, and we are offering the opportunity for our
48 residents and property owners to "sponsor" additional beach swings at other public beach access locations. The program will
49 be identical to the popular bench program along the bike path, and will allow for family and friends to be honored with a beach
50 swing. The cost to produce and install a beach swing is \$1,000, and the Town will simply pass that cost along to the sponsor.
51

52 **Police and Fire Departments Gearing Up for Summer Season**

53 EIPD is currently recruiting for additional reserve Police Officers to provide additional presence on the beach strand this
54 summer. EIPD will have additional officers on the beach daily during Easter week and each weekend until mid-May. Beginning
55 mid-May, additional staffing will be in place each day throughout the summer months.

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1
2 The Fire Department is currently recruiting lifeguards to staff the two regional beach accesses and provide roving lifeguard
3 services on the entire beach strand. Lifeguard training is scheduled to be held from May 13 – 21, and May 22 will be their first
4 day on the beach strand. Lifeguard services will continue daily through Labor Day weekend.
5

6 **“Shred Day” – Saturday, May 6**

7 The Town of Cape Carteret has organized a local "Shred Day" for area residents and businesses, and the Town of Emerald Isle is
8 a partner in this effort. The "Shred Day" will be held on Saturday, May 6 at the Lowe's Foods parking lot in Cape
9 Carteret. Emerald Isle residents can dispose of sensitive documents between 9 am and 12 noon, followed by businesses from
10 12 noon - 1 pm.
11

12 **Bike The Banks – Saturday, May 6**

13 The Bicycle and Pedestrian Advisory Committee and Parks and Recreation staff are finalizing plans for the 3rd annual event on
14 Saturday, May 6. Riders can choose from a 100 mile, 50 mile, and 10 mile ride. As of April 3, a total of 35 riders have
15 registered. We hope to exceed 100 riders for this year's event, and hopefully more. All proceeds benefit the Town's bicycle
16 path network.
17

18 **“Mobi-Mat” To Be Tested at Randy’s Way Beach Access**

19 After beach driving season ends on April 30, Town staff will install a “Mobi-Mat” at the Randy’s Way beach access to test its
20 effectiveness. The mat is designed to make it easier for wheelchairs, mobility-impaired individuals, and strollers / carts to
21 access the beach. The manufacturer has provided this sample product to the Town to test it during the summer beach season.
22

23 **PEP Program To Focus on 911 Center Protocols, Caller Questions**

24 We sometimes receive complaints from our residents and property owners about the seemingly long list of questions asked by
25 County 911 dispatchers when someone calls 911 to report a concern. In all instances, the Police, Fire, and/or EMS responder is
26 dispatched early in the dialogue after the dispatcher has the most important information, and the subsequent questions occur
27 while the responder is en route. In an effort to better educate our residents and property owners, Chief Reese has arranged for
28 County officials to present information about 911 protocols at the April 18 PEP (Police Educating the Public) meeting.
29

30 **Citizen Recognition Program Being Developed**

31 Town staff are currently reviewing a potential “citizen recognition” program, and we may present a recommendation to the
32 Board of Commissioners at the May or June meeting. The program would outline the criteria and selection process for the
33 presentation of awards or special recognition to individuals who have made a significant contribution or performed a specific
34 heroic act in Emerald Isle.
35

36 **Senate Bill 126 – Sales Tax Redistribution**

37 Town officials met with Senator Harry Brown, Senator Norman Sanderson, and Representative Pat McElraft on March 29 to
38 discuss the impact of Senate Bill 126 on tourism-dependent communities like Emerald Isle and Carteret County. Two
39 alternative proposals were presented for consideration, both of which would preserve current sales tax revenues for Emerald
40 Isle and Carteret County. I am hopeful that Senator Brown will ultimately pursue a solution that does not harm Emerald Isle
41 and/or that Senate Bill 126 will be defeated, and, at this point, I plan to assume no negative impacts for our sales tax estimate
42 in the FY 17-18 Recommended Budget.
43

44 **School Calendar Bills**

45 There appear to have been more bills filed this legislative session to change the school calendar than in previous years, and we
46 continue to monitor the various bills. Two bills, H375 and H389 have been passed by the NC House and will soon be considered
47 by the NC Senate. H375 essentially allows any school system to set its school start date to match the local community college,
48 but not earlier than August 15. H389 establishes a pilot program whereby 20 school systems would be permitted to begin the
49 school year as early as August 10, with corresponding studies on the impact of this change on student achievement. I remain
50 hopeful that neither bill will ultimately be approved by the NC Senate.
51

52 **Emerald Isle Beach Music Festival Funding Request**

53 We have submitted a funding request to the TDA Board of Directors for \$35,000 for the 2017 Emerald Isle Beach Music Festival
54 (BMF), and expect to receive their funding decision later in April or early May. The 2017 BMF will again be held on the beach at
55 the Western Ocean Regional Access – on Saturday, September 30.

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Osprey Ridge Storm Water Pump Station

This project is approximately 95% complete, and SunLand Builders is awaiting delivery of a specialized part before completing necessary work to make the pump station operational. The nature trail near the pump station will be restored to a usable and attractive condition upon completion of the final pump station work. I am hoping to have this work complete in the next 1 – 2 weeks.

Bogue Inlet Drive Improvements, Bike Path

This project is approximately 80% complete, with all road base work complete. Paving is scheduled to occur prior to Good Friday, weather permitting. Upon completion of paving, the new street lights, pavement markings, and landscaping will be installed. We expect to have the entire project complete before the end of April.

We have made several minor adjustments to the scope of the project during construction, and each adjustment is aimed at enhancing the finished product. For example, the road was “flared” at the entrance to Bogue Inlet Pier to provide for a more comfortable entry and this required the installation of small retaining wall. Additionally, we will be expanding the road surface from 20 ft. (planned) to 22 ft. to provide for more comfortable vehicle travel lanes along the main segment.

Street Resurfacing

The only street remaining from the 2017 street resurfacing contract is the small segment of Louise Avenue at the entrance to the Western Ocean Regional Access. We intentionally delayed this work due to heavy equipment using the roadway to install the wastewater system at The Islander. The wastewater work is nearly complete, and we intend to have Louise Avenue paved at the same time as Bogue Inlet Drive.

Damage to Western Ocean Regional Access Parking Lot

As a result of work on the wastewater system at The Islander, a small area (approximately the size of 1 parking space) of the Western Ocean Regional Access parking lot has subsided, causing asphalt and sub-surface damage. The white vinyl fence in this area was also damaged. The Islander has committed to complete the necessary repairs when their parking lot is resurfaced later this spring.

Beach Access Walkway Replacements

The Town’s contractor, B&P Services, has completed the Sea Crest walkway. The Georgia Street walkway has been removed, and the contractor is now constructing the new walkway. Upon completion of Georgia Street, the contractor will move to the Hubert Street walkway.

Western Ocean Regional Access Stage Expansion

In an effort to improve the stage for performers, a Town contractor will be adding an additional 200 sq. ft. to the stage at the Western Ocean Regional Access. We hope to have this expansion completed before Memorial Day weekend, and used by performers for EmeraldFest concerts this summer and at the Beach Music Festival in September.

Special Concert at Western Ocean Regional Access – Thursday, April 27

Grammy-nominated singer / songwriter / entertainer Paul Colman will perform a special free concert on the beach stage at the Western Ocean Regional Access on Thursday, April 27 at 6:30 pm. Paul Colman has performed all over the world, garnered numerous awards, and has sold hundreds of thousands of records. He still travels the world sharing his songs, thoughts, and faith, and will play 4 special concerts in our area in late April. He has released 15 recordings featuring his songs, and was also the guitarist for the Australian rockers The Newsboys from 2005 - 2008.

Retire NC

Commissioner Normile and I are scheduled to meet with Carla Abee, a local realtor, on April 19 to discuss her interest in coordinating a committee to introduce / welcome potential retirees to Emerald Isle through the Retire NC program. As you recall, the Town previously considered participating in this State program aimed at attracting retirees from other states to North Carolina, however, we did not receive sufficient interest from the Emerald Isle Business Association to proceed at that time.

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1 **Comprehensive Land Use Plan**

2 Town Planner Josh Edmondson and the Town's consultant are currently working with NC Division of Coastal Management staff
3 to address comments and provide clarifications regarding the Town's 2017 Comprehensive Land Use Plan. We hope to resolve
4 these concerns and present a final version of the plan for formal Board approval at the May or June meeting.

5 **NC 58 Traffic Improvements Funding Request**

6 I continue to work with Representative Pat McElraft to hopefully secure State funding for the installation of 5 pedestrian
7 crosswalks along NC 58 (\$75,000) and NC 58 / Bogue Inlet Drive intersection improvements (\$350,000).
8

9 **US Congressman Walter Jones Supports Emerald Isle, Opposes CBRS Unit**

10 Congressman Jones recently sent the attached letter to House committee leaders to express opposition to the proposed new
11 Coastal Barrier Resources System in Bogue Inlet. We greatly appreciate Congressman Jones' assistance, and are hopeful that
12 Senator Burr and Senator Tillis will also send similar letters of opposition.
13

14 **Potential Closure of Old Ferry Road Between Mangrove Drive and NC 58 (Behind CVS)**

15 I have not yet received feedback from one of the three property owners affected by a potential closure of this street segment. I
16 remain hopeful that all three will support this closure, and if so I will present a Resolution of Intent to the Board at a future
17 meeting.
18

19 **Cape Emerald Discharge Pipe Replacement**

20 I continue to work with the Town's engineer, Cape Emerald residents, and State officials on a strategy that will satisfy Cape
21 Emerald's concerns and result in the issuance of the necessary CAMA permit to replace the existing 15-inch discharge pipe. I
22 am not certain if we will be able to secure a permit to install a new 24-inch pipe, and may need to "settle" for an 18-inch pipe or
23 a new 15-inch pipe. Regardless of the pipe size, it will need to be replaced at some point in the near future due to
24 deterioration. The FY 16-17 budget includes a total of \$32,500 for this work.
25

26 **New Small Storm Water Relay Pump - Bogue Court**

27 Public Works has not yet installed this new feature due to the continued presence of a high water table in this area. I have
28 asked staff to consider alternate designs so that the new system can be installed in the coming weeks. The new system will
29 discharge water into the dune field at The Point, and should effectively resolve standing water issues on Bogue Court.
30

31 **Additional Storm Water Improvement Near Speedway Gas Station, Near K&V Plaza**

32 Public Works has completed the installation of a new infiltration area on the northeast corner of Coast Guard Road and NC 58,
33 and it appears to be more effective in resolving standing water concerns at this location. I have asked Public Works to install a
34 similar system on the northwest corner of that intersection, and we hope to complete this work in the next few months. Public
35 Works is also planning to install a similar system in front of K&V Plaza near the intersection of Mangrove Drive and NC 58, near
36 the gas pumps. This area frequently accumulates standing water.
37

38 **Town Survey**

39 I have not yet had an opportunity to devote time to this effort, but still hope to devise a customer satisfaction survey to be
40 offered online early this summer.
41

42 **Emerald Isle Video / Commercial**

43 Brad Styron, a local photographer / videographer, is still working on the planned Emerald Isle video / commercial, and we hope
44 to "debut" it just before Memorial Day weekend. The new video / commercial will include footage of all the great things about
45 Emerald Isle and will be available on the Town's website and social media platforms. I also hope to eventually create a 30-
46 second version that could potentially air on television as a commercial.
47

48 **2020 US Census**

49 The US Census Bureau is gearing up for the 2020 Census. Town Planner Josh Edmondson will attend an information session on
50 April 18 to learn more about this process, and will make a presentation to the Board and the community at an upcoming Board
51 meeting.
52

53 **Condominium Deck Program**

54 Town Planner Josh Edmondson continues to work with condominium complex representatives and management companies on
55 this program, and we hope to resolve the outstanding concerns and implement the program later this spring.

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1
2 **Unified Development Ordinance Simplification**
3 Josh Edmondson and I will be working on a significantly simplified UDO to present to the Planning Board and Board of
4 Commissioners in the coming months. My goal is to eliminate all unnecessary regulations and confusing language, and create a
5 simple, reader-friendly ordinance that achieves the Town's most important development policy goals.
6

7 **16. Comments from Board of Commissioners and Mayor**

8
9 Commissioner Normile thanked Commissioner Dooley for the good job she and the committee
10 did with the race. The Mayor and entire Board echoed those comments.
11

12 **17. Adjourn**

13
14 ***Motion was made by Commissioner Messer to adjourn the meeting. The Board voted***
15 ***unanimously 5-0 in favor. Motion carried.***

16
17 ***The meeting was adjourned at 7:30 pm.***

18
19 Respectfully submitted:

20
21
22
23 Rhonda C. Ferebee, CMC, NCCMC
24 Town Clerk