

1 Mayor Barber was pleased to honor Chief Reese for his service to the Town. Mayor Barber
2 stated Chief Reese was an outstanding example of what it meant to be a good Police Officer as
3 he was loving and caring with a lot of compassion and the Town was blessed to have him as the
4 Chief of Police in Emerald Isle.

5
6 Chief Reese thanked the Town and community for the opportunity. Chief Reese said it was a
7 pleasure to serve and to lead the men and women of this department. Chief Reese said the
8 people he worked with in the Police Department cared about this town and community and it
9 showed in the way they had been able to connect with them and reduce crime in Emerald Isle.

10
11 Mayor Barber thanked Chief Reese's wife Cristy Reese too for her support as he knew it was a
12 sacrifice for the family as well.

13
14 Town Manager Matt Zapp thanked Chief Reese's spouse Cristy Reese as well for the dedicated
15 sacrifice by she and her family because they knew how many hours Chief Reese spent with the
16 Town and he thanked her for that. Town Manager Zapp commented to Chief Reese that it had
17 been an absolute pleasure the last year working beside him.

18 19 **7. Proclamations / Public Announcements**

20
21 Mayor Barber noted the following proclamation and announcements for the public:

- 22
23 **a. Proclamation – Municipal Clerks Week (20-06-09/P1)**
24 **b. Proclamation – National Police Week (20-06-09/P2)**
25 **c. Proclamation – National EMS Week (20-06-09/P3)**
26 **d. Proclamation – National Public Works Week (20-06-09/P4)**

27
28 **Clerks Note:** A copy of Proclamations 20-06-09/P1, 20-06-09/P2, 20-06-09/P3, and 20-06-09/P4 as noted above are
29 incorporated herein by reference and hereby made a part of these minutes.

30 31 **8. Public Comment**

32 33 **Brief Summary:**

34
35 The public will have the opportunity to address the Board about any items of concern not on the agenda. The
36 Mayor and Board welcome and appreciate all comments from the public, and will take these comments into
37 consideration as they make decisions on Town issues and provide direction to Town staff. Public comment is a time
38 for the Board to listen to the public's concerns and ideas, and is not intended for a lengthy dialogue or question
39 and answer session.

40
41 The Mayor, Board, and Town staff are happy to meet with any citizen during normal business hours or at any other
42 mutually agreeable time to discuss Town issues and answer any questions.

1 Town Clerk Rhonda Ferebee read aloud a written general public comment received in advance
2 due to continuing COVID-19 restrictions.

3 Taney Browder, 7515 Sound Drive commented for the record:

4 "A majority of the development I've observed over the last few years in my professional opinion
5 has either stretched or ignored the required 35% Natural Area requirements of the
6 ordinance. All the permanent residents I've spoken to have agreed there seems to have been a
7 change in way lots are being allowed to develop. Numerous new residential & renovations
8 developments have essentially clear cut their parcels, significantly changing EI's characteristic
9 Topography that significantly alters the natural beauty of this island. I don't believe that is the
10 intent of the ordinance.

11 After noticing several more of these occurrences I emailed our Town Planner my concerns
12 including a few examples w/ GIS aerial photographs with delineation of "natural" area left at
13 time of the flyover. The reply explanation was that GIS info for Sound Front lots don't
14 accurately depict property corners, that they also look at topography (implying topography
15 means you can denude/grade it), & ordinance allows removal of vegetation that is diseased,
16 dying or less than 3" diameter vegetation.

17 Nothing in the ordinance I've seen indicates clear cutting, especially due to topography is
18 allowed. To the contrary, it specifically says that building sites shall be planned to minimally
19 impact natural vegetation. The 4 lots I sent him appear to clear cut the majority of the lots,
20 significantly altering the topography, which in my opinion, is in violation of our ordinance
21 requirements. These concerns also apply to renovation of older lots with plenty of healthy
22 trees that are being cleared, again raising the question as to how they meet this ordinance, how
23 that get approval, and if there is any monitoring process in place.

24 In closing, it appears older lot development compared to these newer lots something has
25 changed. I am asking for renewed attention to maintaining these natural areas for future
26 generations benefit.

27 EI is unique because of our topo, our maritime forest areas, & to great extent that natural
28 vegetation is maintained, the Beaches and Sound. I know from my involvement with local
29 issues, that we all want to maintain what has been so successfully achieved. Thank you for your
30 time & consideration regarding this issue."
31

32 **9. Consent Agenda**

33 **a. Tax Releases**

34 **b. Resolution Accepting Offer for Purchase of Ladder Truck (20-06-09/R1)**

- 1 **c. Ordinance Amendment – Solid Waste Management – Burning of Yard Debris –**
- 2 **Personal Camp Fire Exception (20-06-09/O1)**
- 3 **d. Capital Project Ordinance Amendment – Islander Drive Project**
- 4 **e. Budget Amendment – General Fund**

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

7 **Clerks Note: A copy of Resolution 20-06-09/R1, Ordinance Amendment 20-06-09/O1 and all other consent agenda items as**
8 **noted above are incorporated herein by reference and hereby made a part of these minutes.**
9

10 **10. Flood Map and Ordinance Adoption**

- 11 **a. Public Hearing**
- 12 **b. Consider Adoption of Flood Map**
- 13 **c. Consider Adoption of Ordinance Amendments (20-06-09/O2 through 20-06-09/O6)**

14 Town Planner Josh Edmondson presented this item to the Board for their consideration. The
15 following excerpt from his memo to the Town Manager is provided for additional background:

16
17 The Commissioners are scheduled to hold a public hearing regarding amendments to the Towns flood map and
18 flood regulations. Staff has worked with the North Carolina Floodplain Mapping Department for adherence to
19 FEMA Section 60.3(e) standards and the States model flood ordinance. After two reviews by the State, the
20 amendments proposed for the Commissioners review meet all the required minimum standards as found in
21 Section 60.3(e). These amendments include the adoption of new flood panels effective June 19, 2020. At this time
22 only one panel will become effective on this date as this is a boarder panel adjacent to Onslow County and must
23 move forward with adoption as part of this process. Panel 3720537300L (attached) is being propose for adoption.
24 This panel encompasses the area of Coast Guard Rd (Dolphin Ridge to the Pointe).

25 Please note the following highlights on the panel which I will discuss in more detail at the meeting:

- 26
- 27 • Some ocean front properties removed from flood zones
- 28 • Base flood elevations have decreased
- 29 • VE zones on sound (just ocean previous)
- 30 • New LIMWA area
- 31

32 The remaining panels are at least a year from being released for final adoption. Adoption of the new fris report,
33 flood map and amendments to the flood regulations are very important to Emerald Isle’s CRS rating. Community
34 Rating System (CRS) is a program with the NFIP that the Town participates in through our flood damage prevention
35 regulations that allows all Emerald Isle property owners who have flood insurance to receive a 15% reduction in
36 insurance premium.

37
38 Below you will find the sections of the ordinance that have been amended to comply with the NFIP and model
39 ordinance. All regulations pertaining to flood damage prevention have been highlighted for your review with the
40 amendments underlined.

- 41
- 42 Chapter 1 – General Provisions
- 43 Chapter 2 – Administration
- 44 6.2 – Flood Damage Prevention
- 45 Chapter 9 – Enforcement

MINUTES OF THE REGULAR MEETING
OF THE EMERALD ISLE BOARD OF COMMISSIONERS
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1 10.2 – Definitions

2
3 There numerous amendments/revisions that were necessary for compliance. The NFIP provides a set of minimum
4 standards for communities with a flood program which must be adhered to. Communities are encouraged to
5 incorporate additional standards that go above and beyond those set forth in the NFIP. These additional standards
6 help lower the CRS class thus leading to the percentage discount on flood insurance premiums. The proposed
7 amendments meet the minimum standards of NFIP and keep Emerald Isle’s standards that are more strict. An
8 example would be the NFIP requires all construction for living square feet to be at based flood elevation. Emerald
9 Isle has a freeboard requirement of 2’ above base flood elevation for all living square feet. This remains
10 unchanged with the amendment.

11
12 I have highlighted a few amendments below as examples from each section being update. We can discuss in
13 further detail questions concerning any of the amendments at the Commissioners meeting. .

- 14
15 • Chapter 1 – General Provisions

16
17 1.3 - AUTHORITY **(THIS IS NEW LANGUAGE NOT PREVIOUSLY IN ORDINANCE)**

18 The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Article 6 of
19 Chapter 153A; Article 8 of Chapter 160A; and Article 7,9, and 11 of Chapter 160D (Effective January 1, 2021) of
20 the North Carolina General Statutes, delegated to local governmental units the authority to adopt regulations
21 designed to promote the public health, safety, and general welfare.

22
23 Therefore, the Board of Commissioners of the Town of Emerald Isle, North Carolina, does ordain
24 as follows:

- 25
26 • Chapter 2 – Administration **(UPDATED LANGUAGE FROM PREVIOUS ORDINANCE)**

27
28 **(4) Determination for Existing Buildings and Structures**

29 For applications for building permits to improve buildings and structures, including
30 alterations, movement, enlargement, replacement, repair, change of occupancy, additions,
31 rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other
32 improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination
33 with the Building Official, shall:

- 34
35 (i) Estimate the market value, or require the applicant to obtain an appraisal of the market value
36 prepared by a qualified independent appraiser, of the building or structure before the start of
37 construction of the proposed work; in the case of repair, the market value of the building or structure
38 shall be the market value before the damage occurred and before any repairs are made;
39 (ii) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-
40 damaged condition, or the combined costs of improvements and repairs, if applicable, to the market
41 value of the building or structure;
42 (iii) Determine and document whether the proposed work constitutes substantial improvement or repair
43 of substantial damage; and
44 (iv) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of
45 substantial damage and that compliance with the flood resistant construction requirements of the NC
46 Building Code and this ordinance is required.

- 47
48 • 6.2 – Flood Damage Prevention

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6.2.4(5)(C)(iii)(a) **(EXAMPLE OF ONE OF NUMEROUS AMENDMENTS NOT INCLUDED IN PREVIOUS ORDINANCE)**

Breakaway walls shall have flood openings that allow for the automatic entry and exist of floodwaters to minimize damage caused by hydrostatic loads, per the North Carolina Residential Building Code.

6.2.3(2) **(UPDATE FROM PREVIOUS ORDINANCE)**

The special flood hazard areas are those identified under the Cooperating Technical State (CTS) agreement between the State of North Carolina and FEMA in its FIS dated June 19, 2020, for Carteret County and associated DFIRM panels, including any digital data developed as part of the FIS, which are adopted by reference and declared a part of these regulations and all revisions thereto after January 1, 2021. Future revisions to the FIS and DFIRM panels that do not change flood hazard data within the jurisdiction authority of the Town of Emerald Isle are also adopted by reference and declared a part of these regulations. Subsequent Letter of Map Revisions (LOMRs) and /or Physical Map Revisions (PMRs) shall be adopted within 3 months.

- Chapter 9 – Enforcement

9.5.1(1) **(UPDATED LANGUAGE FROM PREVIOUS ORDINANCE)**

(1) **Violations to be Corrected**

When the Floodplain Administrator finds violations of applicable state and local laws; it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notifications.

- 10.2 – Definitions **(NEW DEFINITION IN ORDINANCE)**

FLOOD RESISTANT MATERIAL

Means any building product (material, component or system) capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, Flood Damage-Resistant Materials Requirements, and available from the FEMA Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

The Planning Board voted unanimously at their May meeting to approve the amendments to the flood regulations which included the June 19, 2020 effective fris report and flood map. If you have, any questions about any of the information before the meeting please to no hesitate to contact me. I look forward to discussing this with the Commissioners at their June meeting.

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

3
4 There were no public comments.

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

8
9 ***Motion was made by Commissioner Normile to adopt the Flood Map Panel as Presented. The***
10 ***Board voted unanimously 5-0 in favor. Motion carried.***

11
12 Commissioner Normile thanked Town Planner Josh Edmondson for getting the material out
13 early for the Board to review in detail. Commissioner Normile also noted that all of the data
14 the Board was about to vote on was vetted by the Planning Board in a several hour session in
15 detail and he thanked the Planning Board for their due diligence as well.

16
17 ***Motion was made by Commissioner Finch to adopt Ordinance Amendments of the Unified***
18 ***Development Ordinance in Order to comply with the Floodplain Management Requirements***
19 ***as Defined in Title 44 of the Code of Federal Regulations Section 60.3. The Board voted***
20 ***unanimously 5-0 in favor. Motion carried.***

21
22 Clerks Note: A copy of Ordinance Amendments 20-06-09/O2 through 20-06-09/O6 are incorporated herein by reference and
23 hereby made a part of these minutes.

24
25 **11. FY 2020-21 Budget Adoption**

- 26 **a. Official Budget Public Hearing**
27 **b. Budget Ordinance**
28 **c. Fee Schedule**
29 **d. 5-Year Capital Replacement / Improvement Program**
30 **e. FY 20-21 Pay Plans**

31 Town Manager Matt Zapp addressed the Board regarding the proposed FY 2020-21 Budget
32 noting that the budget as fully outlined at the May 12 meeting was a culminated result of a
33 tremendous amount of work by the Board to set goal setting for the next 12, 24, and 36 months
34 with each of the department heads submitting their requests. Manager Zapp said they had
35 worked through a near \$670,000 reduction in requested needs as a team to bring forth a
36 balanced budget with a tax rate remaining at 15.5 cents keeping us one of the lowest across the
37 beach front communities in the State. Manager Zapp said considering the rate of inflation they
38 brought forth what was believed to be a balanced budget to meet and or exceed the needs
39 established by the goals of the community and of the Board during planning sessions. Manager
40 Zapp noted the minor changes within the budget included an increase from \$240 to \$255 per
41 year for solid waste. Manager Zapp noted the increase was a direct pass through of industry

1 cost for disposal of recycling. Manager Zapp noted they had a proposition to use up to \$55,000
2 of fund balance which was if every dollar was expended and every dollar anticipated in revenue
3 came in they would utilize up to \$55,000 of fund balance to meet our obligations. Manager
4 Zapp noted that again holding the tax rate at 15.5 cents it was imperative to share with the
5 community that the revenue neutral rate would be 14.2 cents, and with that being said he
6 would answer any question from the community, team, and Board.

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

9 There were no public comments.

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

12 ***Motion was made by Commissioner Dooley to adopt the FY 20-21 Budget Ordinance. The***
13 ***Board voted unanimously 5-0 in favor. Motion carried.***

14 ***Motion was made by Commissioner Normile to adopt the FY 20-21 Fee Schedule. The Board***
15 ***voted unanimously 5-0 in favor. Motion carried.***

16 ***Motion was made by Commissioner Finch to adopt the 5-Year Capital Replacement /***
17 ***Improvement Program. The Board voted unanimously 5-0 in favor. Motion carried.***

18 ***Motion was made by Commissioner Messer to adopt the FY 20-21 Pay Plans. The Board voted***
19 ***unanimously 5-0 in favor. Motion carried.***

20 Mayor Barber thanked Town Manager Matt Zapp, Finance Director Laura Rotchford and staff
21 for their hard work and leadership on the budget.

22 **Clerks Note: A copy of FY 2020-21 Budget Ordinance, Fee Schedule, 5-Year Capital Replacement / Improvement Program,**
23 **and 20-21 Pay Plans as noted above are incorporated herein by reference and hereby made a part of these minutes.**
24

25 **12. Comments from Town Clerk, Town Attorney and Town Manager**

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

27 Town Manager Matt Zapp reported to the Board they were pleased to announce that Cedar
28 Street was repaired and open, the Eastern Access was repaired and open, and they were at 95%
29 at the Western Access which was now improved and open. Manager Zapp noted they had
30 opened Islander Drive and were continuing with landscaping, and planting. Manager Zapp
31 noted there was a stormwater project nearing completion on Reed Drive, and had made major
32 improvements under the Board's leadership within the last six months but specifically the last
33 six weeks. Town Manager Zapp thanked the public for their patience, involvement, and again
34 for helping us through Hurricane Florence, Dorian, and the general impact Covid-19 had on all
35 operations. Town Manager Zapp noted unfortunately we still hadn't opened our Parks and
36 Recreation Center but the parking lot was being repaired tonight. So our public access points

1 were being repaired and opened, piers replaced and opened, Emerald Isle Woods opened,
2 kayak launch there but we had much to be thankful for and were thankful in general for the
3 amount of work that had been completed. It was also noted that James Street golf cart parking
4 spaces had been completed as well.

5 **13. Comments from Board of Commissioners and Mayor**

6 Commissioner Taylor said he wanted to look back and how he wondered how they would
7 replace Frank and he had been amazed under Matt's leadership how the Town had come
8 together and he was truly impressed with his leadership and the way things were looking so
9 good. Commissioner Taylor commenting about the banner program asked that the committee
10 reviewed further and stretched out to look at possibly supporting banners on Town sponsored
11 events that gave back to the Town.

12 Commissioner Finch thanked the town employees for a wonderful job from the budget
13 especially to the job on Cedar Street. Commissioner Finch also noted as a member of the
14 banner committee they had met and had looked at a couple of banners they would possibly be
15 ordering in the near future and they would be meeting in a couple of weeks to look at other
16 guidelines and procedures and banners to come in the future. He felt it was promising and
17 would be beneficial to everyone here on Emerald Isle.

18 Commissioner Messer referenced the gentlemen with the public comment about clear cutting
19 the soundfront lots. Commissioner Messer noted that he had received a couple of calls about
20 this and had gotten with Town Planner Josh Edmondson to look at the lots. Commissioner
21 Messer noted from the street it did look like they were clear cut but Josh had assured him that
22 the 35% was in effect and on the soundside which was not visible from the street.

23 Commissioner Messer said they did have concerns but had addressed them and he was
24 satisfied that they were meeting the current ordinance.

25 Commissioner Dooley addressed Commissioner Taylor's comments as a member of the banner
26 committee and said they were going to meet to set guidelines and rules and if events fall within
27 that category they were happy to move forward to see what they could do. Commissioner
28 Dooley said personally she would love to see a Memorial Day banner but before anything else
29 they had two great banners picked out that she couldn't wait to see put up in town – a
30 Welcome to Emerald Isle and a holiday banner that was absolutely beautiful. Commissioner
31 Dooley said they had worked very hard over 3 years to get this program in line and she thought
32 it was going to be great. Commissioner Dooley said these things all take time but they heard
33 Commissioner Taylor's request and would address it going forward.

34 Commissioner Dooley stated her second item was that she had the privilege and heartache to
35 watch our lifeguards in action today as she walked the beach. Commissioner Dooley said they
36 were swift, professional and amazing and she felt they didn't get enough credit so kudos to our
37 lifeguards, EMS, Fire, Police who did such amazing work. Commissioner Dooley also noted we
38 were fortunate in Emerald Isle that they were not having to take on what our Country was

1 currently and asked that each in their own way prayed for our Country during these difficult
2 times, our great American heroes had fought hard for us to have freedom of speech but to
3 peacefully protest but we needed to come together as a Nation and asked they pray for peace
4 and balance in our Country.

5 Commissioner Normile congratulated Town Manager Matt Zapp on his one-year anniversary
6 here in Emerald Isle and had told him his feelings and that he was the right man at the right
7 place at the right time and thanked Matt and his family for being here. Commissioner Normile
8 also wanted to share some data he had been toting since before COVID. Commissioner Normile
9 stated that later in the year when funding was right and the right person was found and Matt
10 was ready to do this was the Town would be having at some point a Public Information Officer.
11 Commissioner Normile was excited about that as they looked at the dissemination of
12 information and how they handled the platforms that handled the information and how they
13 could do better. Commissioner Normile shared some great stats to build upon with the right
14 Public Information Officer. Commissioner Normile noted that in the monthly statistical report
15 looking back over 3 years beginning January 2020. Commissioner Normile noted the email
16 newsletter in the past 3 years had grown 72% to over 10,000 subscribers, our Twitter had
17 increased 54% in 3 years, Facebook 51% to close to 40,000 followers, text message alert
18 recipient's had grown 28% to 6,000 recipients, and finally our unique visitors to our website
19 averaged each year half a million unique visitors which was amazing for Emerald Isle.
20 Commissioner Normile thought over the past many years they had all played a role in building
21 these platforms and technology and he felt it was time to bring in that Public Information
22 Officer when Matt was ready and funding was available.

23 Mayor Barber echoed Commissioner Dooley's comments as he felt we needed to be in prayer
24 for our Country. Mayor Barber said we all needed to take a deep breath and realize how
25 fortunate we were to live in this great County; God had blessed us in so many ways we should
26 pray for one another and our Nation at this time. Mayor Barber thanked Matt for his
27 leadership, he felt blessed to work with Matt almost every day. Mayor Barber thought what
28 impressed him the most was Matt was such a genuine and compassionate person. Mayor
29 Barber said he had a great rapport with Frank and now had a great rapport with Matt so he had
30 been blessed to have two great Town Managers. Mayor Barber appreciated Matt, his
31 leadership, and his family. Mayor Barber also thanked the entire staff for the wonderful job
32 during the COVID-19 crisis, and the wonderful way they led and served the citizens of Emerald
33 Isle.

34 In closing, Mayor Barber noted speaking of anniversaries that Ronnie Watson called him today
35 and today was the 44th anniversary of the Holiday Trav-L Park being in business in Emerald Isle.

36 **14. Adjourn**

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

1 ***The meeting was adjourned at 6:40 pm.***

2 Respectfully submitted:

3

4 Rhonda C. Ferebee, CMC, NCCMC

5 Town Clerk