

1                   **MINUTES OF THE REGULAR SCHEDULED MEETING**  
2                   **OF THE EMERALD ISLE BOARD OF COMMISSIONERS**  
3                   **TUESDAY, OCTOBER 11, 2011 – 7:00 P.M.**  
4                   **TOWN BOARD MEETING ROOM**  
5  
6

7                   **1. Call To Order**  
8

9                   The regular monthly meeting of the Emerald Isle Board of Commissioners was  
10                  called to order by Mayor Art Schools at 7:00 PM in the Emerald Isle Town Board  
11                  Meeting Room.  
12

13                  **2. Roll Call**  
14

15                  Present for the meeting: Mayor Art Schools, Commissioners Nita Hedreen, Tom  
16                  Hoover, Floyd Messer, and Maripat Wright.  
17

18                  Absent for the meeting: Commissioner John Wootten.  
19

20                  ***Motion was made by Commissioner Messer to excuse the absence of***  
21                  ***Commissioner Wootten. The Board voted unanimously 4-0 in favor.***  
22                  ***Motion carried.***  
23

24                  Others present during the regular meeting: Town Attorney Richard Stanley, Asst.  
25                  Town Manager/Finance Officer Mitsy Overman, Town Clerk Rhonda Ferebee,  
26                  and Planning Director Kevin Reed.  
27

28                  Also present: Greg 'Rudi' Rudolph, Carteret County Shore Protection Manager.  
29

30                  **3. Opening Prayer**  
31

32                  Clay Olsen, Pastor of Emerald Isle Chapel by the Sea offered the Opening  
33                  Prayer for the meeting.  
34

35                  **4. Pledge of Allegiance**  
36

37                  All who were present recited the Pledge of Allegiance.  
38

39                  **5. Adoption of Agenda**  
40

41                  ***Motion was made by Commissioner Hedreen to adopt the Agenda. The***  
42                  ***Board voted unanimously 4-0 in favor. Motion carried.***  
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1 **6. Proclamations / Public Announcements**

2  
3 Mayor Schools noted the following announcements for the public:

- 4  
5 • **Friday Free Flick – October 14 – Hoodwinked Too – Community**  
6 **Center**  
7 • **8<sup>th</sup> Annual Emerald Isle Triathlon – Saturday, October 15<sup>th</sup> – 8 am –**  
8 **Eastern Ocean Regional Access**  
9 • **Blood Drive – October 21<sup>st</sup> – 2pm–7pm – Community Center**  
10 • **Gordie McAdams Speckled Trout Tournament – October 22 –**  
11 **December 3**  
12 • **Halloween Carnival – October 28<sup>th</sup> – 6pm-8pm – Community Center**  
13 • **Planning Board Meeting – No meeting scheduled for October**  
14 • **Special Board of Adjustment Meeting – October 25<sup>th</sup> – 9am – Town**  
15 **Board Meeting Room**  
16 • **Board of Commissioners Meeting for November will be Wednesday,**  
17 **November 9<sup>th</sup> – 7pm – due to elections**  
18

19 Mayor Schools noted two upcoming events scheduled for the Western Carteret  
20 Public Library; first the Friends of the Library card party on October 14, and a  
21 BBQ on Saturday, October 29 at 6 pm at the Western Park, funds raised would  
22 be used for the children's wing.  
23

24 Mayor Schools also announced the Happy Heart Benefit planned for Suzanne  
25 Rush, Town Manager Frank Rush's wife, who received a heart transplant on  
26 October 2. The event, coordinated by friends and family of Suzanne, was  
27 scheduled to take place on November 3 at the Swansboro Rotary Civic Center,  
28 5:30-8:30 pm and would include a silent auction, food, beverage, and DJ. Mayor  
29 Schools encouraged everyone to spread the word about this event.  
30

31 **7. Consent Agenda**

- 32  
33 a. **Minutes of September 13, 2011**  
34 b. **Tax Refunds / Releases**  
35 c. **General Fund Budget Amendment**  
36

37 ***Motion was made by Commissioner Wright to approve the items on the***  
38 ***Consent Agenda. The Board voted unanimously 4-0 in favor. Motion***  
39 ***carried.***  
40

41 **Clerks Note:** A copy of all Consent Agenda items as noted above are incorporated herein by  
42 reference and hereby made a part of these minutes.  
43  
44  
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48 **8. Public Comment**

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1  
2 **Brief Summary:** The public has the opportunity to address the Board about any  
3 items of concern not on the agenda.

4  
5 There were no comments from the public.

6  
7 **9. Public Hearing – Ordinance Amending Chapter 6, Unified Development**  
8 **Standards, UDO, in order to add development standards for signs for**  
9 **churches in the R2, RMF and MH Zoning Districts (11-10-11/01)**

10  
11 Planning Director Kevin Reed addressed the Board regarding this agenda item.  
12 The following excerpt from his memo to the Town Manager is provided for  
13 additional background:

14  
15 Town staff met recently with a representative from the Chapel by the Sea regarding the installation of a new sign for  
16 the church. During these discussions, it was noted by Town staff that there are currently no provisions in the Town's  
17 Unified Development Ordinance (UDO) to regulate signage for churches located in the Residential-2 (R-2), Residential  
18 Multi-Family (RMF) and Mobile Home (MH) Zoning District. The Chapel by the Sea property is currently zoned R-2.  
19 The end result of the meeting was that Town staff agreed to present this issue to the Planning Board so that a possible  
20 amendment to the UDO could be considered in order to properly regulate and permit signs for churches in the R2,  
21 RMF and MH Zoning Districts.

22  
23 This issue was discussed with the Planning Board at its meeting held on September 26, 2011. It was noted during  
24 the meeting that an amendment to the UDO would allow for reasonable regulations permitting a freestanding sign for  
25 churches. Following its discussion of the proposed amendment, the Planning Board voted unanimously (6 to 0) to  
26 recommend to the Board of Commissioners that the attached amendment to the UDO be approved. Attached to this  
27 memorandum is a copy of the proposed amendment in ordinance format. In the ordinance, text being added is shown  
28 in an underlined format.

29  
30 Planning Director Reed provided the highlights of the amendment to include; a  
31 sign no larger than 50 square feet, no higher than 6 feet, located at least 10 feet  
32 from the street and off the right-of-way of Highway 58.

33  
34 In response to a question from Commissioner Hedreen about what the height  
35 requirements would be in the commercial zone, Mr. Reed noted that in the  
36 commercial zone the sign could be as large as 50 square feet but could be as  
37 high as 15 feet. Mr. Reed said he wasn't comfortable proposing a sign of that  
38 height in a residential district, and currently a residential identification sign for a  
39 development could be as high as 6 feet. Mr. Reed said he tried to keep the  
40 height standards similar to what was currently found in residential districts but at  
41 the same time be lenient enough to allow up to 50 square feet as a church would  
42 be allowed to have in a commercial zone.

43  
44 ***Motion was made by Commissioner Wright to open the Public Hearing.***  
45 ***The Board voted unanimously 4-0 in favor. Motion carried.***

46  
47 There were no comments from the public.

48  
49 ***Motion was made by Commissioner Messer to close the Public Hearing.***  
50 ***The Board voted unanimously 4-0 in favor. Motion carried.***

1  
2 **Motion was made by Commissioner Messer to approve the ordinance**  
3 **amendment to Chapter 6, Development Standards – Unified Development**  
4 **Ordinance in order to add standards for signs for churches in a R2, RMF**  
5 **and MH Zoning District.**

6  
7 **It was further stated that this amendment was consistent with the Town of**  
8 **Emerald Isle’s 2004 CAMA Land Use Plan, as amended, and was both**  
9 **reasonable and in the public interest (for the following reasons as noted in**  
10 **the amendment):**

- 11  
12 • **The Town currently allows for churches as a permitted use in the R2,**  
13 **RMF and MH Zoning Districts, and**  
14 • **The amendment will allow for churches to identify themselves by**  
15 **installing a freestanding sign, and**  
16 • **the creation of development regulations for a freestanding sign for a**  
17 **church is consistent with the Town’s desire to maintain its small**  
18 **town atmosphere.**

19  
20 **The Board voted unanimously 4-0 in favor. Motion carried.**

21  
22 **Clerks Note: A copy of Ordinance Amendment 11-10-11/O1 as noted above is incorporated herein by**  
23 **reference and hereby made a part of these minutes.**

24  
25 **10. Consider a Request from Jordan Building Company on behalf of**  
26 **Chapel by the Sea for Proposed Addition to the Church located at 6712**  
27 **Emerald Drive**

28  
29 Planning Director Kevin Reed addressed the Board regarding this agenda item.  
30 The following excerpt from his memo to the Town Manager is provided for  
31 additional background:

32  
33 A request has been submitted by Jordan Building Company on behalf of Chapel by the Sea for commercial review of a  
34 proposed addition to the existing church building located at 6712 Emerald Drive. The property is currently zoned  
35 Residential-2 (R-2) and the existing church is a permitted use in the R-2 Zoning District. The existing church building  
36 on the property will be renovated in order to create a new sanctuary containing 176 fixed seats and other additional  
37 interior spaces.

38  
39 You will find attached a copy of a site plan for the project. Also attached are copies of the proposed building  
40 elevations, interior floor plan of the addition and a color rendering showing proposed building colors. The applicants  
41 are proposing the use of windows and other exterior finish treatments in order to create an aesthetically pleasing  
42 addition that is also in architectural harmony with the existing building. The applicants are proposing to install exterior  
43 lighting in the new parking. The Town’s Technical Review Committee (TRC) reviewed the project at its meeting held  
44 on September 7, 2011. Following that meeting, Town staff requested several revisions to the plan and additional  
45 information.

46  
47  
48  
49 This request was discussed by the Planning Board at its September 26, 2011 meeting. At that meeting, Town staff  
50 informed the Board that is was comfortable in concluding that the current site plan and other submitted materials are  
51 consistent with the Town’s development requirements for building setbacks, parking, building colors, building height  
52

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1 limitations, and natural area requirements. The Town's Unified Development Ordinance (UDO) requires that churches  
2 provide parking based on the number of fixed seats in the sanctuary. Based on the planned 176 fixed seats, the  
3 church is required to have forty-four (44) off-street parking spaces, three of which must be handicap accessible  
4 spaces. The proposed parking lot is utilizing a design that has standard size (9' x 19') parking spaces oriented at a  
5 90-degree angle and two-way vehicular traffic requiring a 24-foot access isle. The handicap spaces will be located  
6 near the entrance to the new sanctuary.

7  
8 The Town has received information from the applicant that Carteret-Craven Electric Cooperative and Bogue Banks  
9 Water Corporation are currently serving the property and can serve the proposed expansion. The applicants have also  
10 received the necessary permit from the Carteret County Health Department for improvements to the existing septic  
11 system and those improvements have been completed. The Town's consulting engineer is currently reviewing the  
12 stormwater plan for the proposed development. It should be noted that the stormwater facility for the Emerald Isle  
13 Boating Access Facility was designed and constructed to handle the runoff associated with 45,000 square feet of  
14 impervious surfaces from the church's property. The stormwater plan currently under review incorporates this concept.  
15 The current site plan for the church indicates a total of approximately 30,196 square feet of impervious surfaces. To  
16 date, no stormwater plan as been approved for the project.

17  
18 As previously mentioned, the Planning Board discussed this request at its meeting held on September 26, 2011.  
19 Following its discussion of the request, the Board voted unanimously (5 to 0) to recommend to the Board of  
20 Commissioners that the commercial review be approved subject to the following conditions:

- 21  
22 1. Approval from the Town's consulting engineer that the stormwater plan prepared for the project is consistent  
23 with the Town's stormwater regulations.  
24 2. Approval of a Minor CAMA Permit for the proposed development.  
25

26 Planning Director Reed noted that they had received confirmation just recently  
27 that the Town's consulting engineer was comfortable with the stormwater plan,  
28 and as they had passed the permitting date for minor CAMA permits, that was  
29 also ready to issue. Mr. Reed stated that if the Board considered approval  
30 tonight as recommended unanimously by the Planning Board, it was not  
31 necessary to attach these two conditions as included in the Board's  
32 memorandum.

33  
34 ***Motion was made by Commissioner Hoover to approve the proposed***  
35 ***expansion from Jordan Building Company on behalf of Chapel by the Sea.***  
36 ***The Board voted unanimously 4-0 in favor. Motion carried.***  
37

38 **11. Rudi Rudolph, Carteret County Shore Protection Manager – Update on**  
39 **sand lost during Hurricane Irene**

40  
41 Carteret County Shore Protection Manager Rudi Rudolph updated the Board on  
42 sand lost during Hurricane Irene and provided a PowerPoint presentation  
43 featuring: 1) a description and summary of Irene's characteristics and hurricanes  
44 in general, 2) a pictorial review of Irene's impacts, and 3) the result of our post-  
45 Irene beach survey and nourishment effort. It was noted that Emerald Isle lost  
46

47  
48  
49 approximately 952,000 cubic yards collectively across the west, central and east  
50 management reaches.

51  
52 Mr. Rudolph discussed and answered questions from the Board and public.

1  
2 **12. Update on Debris Cleanup – FEMA Reimbursement Process**  
3

4 Asst. Town Manager / Finance Officer Mitsy Overman updated the Board on the  
5 debris cleanup efforts and the status of the FEMA Reimbursement Process. Ms.  
6 Overman stated that the Town had disposed over 30,000 cubic yards of  
7 vegetative debris and approximately 800 cubic yards of C&D, and the contractors  
8 were done. Public Works was now going through a checklist picking up  
9 remaining debris and the Town was back on normal schedule.

10  
11 Ms. Overman noted that the request to FEMA for beach nourishment had been  
12 submitted and the Town's FEMA consultant, Barry Johnson was compiling all  
13 other data and they hoped to have everything else done and submitted to FEMA  
14 by the end of the month.

15  
16 **13. Appointment – Bicycle and Pedestrian Advisory Committee**  
17

18 **Brief Summary:** There is currently one vacancy on the Bicycle and Pedestrian  
19 Advisory Committee. The term of the vacancy expires in December 2012. Mr.  
20 Ken Ambrose has expressed interest in serving on the Bicycle and Pedestrian  
21 Committee Advisory Board.

22  
23 ***Motion was made by Commissioner Hedreen to appoint Ken Ambrose to***  
24 ***the Bicycle and Pedestrian Advisory Committee to fill a term that expires in***  
25 ***December 2012. The Board voted unanimously 4-0 in favor. Motion***  
26 ***carried.***

27  
28 **14. Comments from Town Clerk, Town Attorney, and Asst. Town Manager**  
29

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

31  
32 Asst. Town Manager Mitsy Overman added that she had not included in her  
33 memo that bike path donations were now approximately \$1,900. The following is  
34 an excerpt from her comments memo to the Board providing additional  
35 background information for all items of importance:

36  
37 **Regional Access Parking Fees**

38 The Town collected \$110,036 in parking fees since the inception of the program in mid-April. The collection of parking  
39 fees for the Western and Eastern Ocean Regional accesses ended on September 30<sup>th</sup>. Our budget estimate for the  
40 entire season was \$111,000.

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43  
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45 **Repairs to Emerald Isle Woods Pier, Cedar Street Pier, Park Street Pier, 24<sup>th</sup> Street sound**  
46 **side walkway and 11<sup>th</sup> Street ocean side walkway.**

47 Informal bids were sought from contractors who have been bidders on other town projects. Alesia obtained prices from  
48 Deane Rice Construction ,B&P Services and Turner Marine Construction. Turner Marine of Morehead City was the  
49 low overall bidder. The bid from Dean Rice Construction was an incomplete bid as he only bid on three of the five  
50 requests. Chris Ferri requested to submit a bid but withdrew due to not being insured. CAMA exemption permits were

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1 obtained in September. Local building permits will be required for this project. Turner Marine was given the go ahead  
2 to start the necessary repairs.  
3

4 Turner Marine Construction \$10,300  
5 B&P Services \$16,800  
6 Deane Rice Construction Incomplete  
7

8 **Boating Access Area Restroom Building**

9 The bath house at the boat ramp opened at 4PM on Friday, September 30<sup>th</sup>. The bath house is functional, however,  
10 there are issues with the internal plumbing that need to be resolved. Alesia is working with the manufacturer, Smith  
11 Carolina to iron out these issues in the next few days.  
12

13 **Fundraising Efforts for New Veterans Memorial**

14 We have a donation page on the Town website for the future Veterans Memorial to be located at the new public  
15 boating access facility. Our goal is to raise \$20,000 dollars, and we have already received \$3,538 to date.  
16

17 **Fundraising Effort for Future Dog Park**

18 We have a donation page on the Town website for a future Dog Park to be located at the new public boating facility.  
19 Our goal is to raise \$50,000. We have received a total of \$547 to date.  
20

21 **Beach Driving Season**

22 The 2011-2012 beach driving season began on Thursday, September 15<sup>th</sup>. Beach permits went on sale on Tuesday,  
23 September 6<sup>th</sup>. To date, we have issued 920 permits and collected \$34,590.  
24

25 **15. Comments from Board of Commissioners and Mayor**

26  
27 There were no further comments from the Board of Commissioners or Mayor.  
28

29 **16. Adjourn**

30  
31 ***Motion was made by Commissioner Hoover to adjourn the meeting. The***  
32 ***Board voted unanimously 4-0 in favor. Motion carried.***  
33

34 ***The meeting was adjourned at 7:55 pm.***  
35

36 Respectfully submitted:  
37

38  
39 Rhonda C. Ferebee, CMC  
40 Town Clerk