

1                                   **MINUTES OF THE REGULAR SCHEDULED MEETING**  
2                                   **OF THE EMERALD ISLE BOARD OF COMMISSIONERS**  
3                                   **TUESDAY, JUNE 14, 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,  
25                  Town Manager Frank Rush, and Town Clerk Rhonda Ferebee.  
26

27                  **3. Opening Prayer**  
28

29                  Bernie Whalley, local resident and businessman, as well as Emerald Isle Parks  
30                  and Recreation Association, Inc. board member offered the Opening Prayer for  
31                  the meeting.  
32

33                  **4. Pledge of Allegiance**  
34

35                  All who were present recited the Pledge of Allegiance.  
36

37                  **5. Adoption of Agenda**  
38

39                  ***Motion was made by Commissioner Wright to adopt the Agenda. The***  
40                  ***Board voted unanimously 4-0 in favor. Motion carried.***  
41

42                  **6. Proclamations / Public Announcements**  
43

44                  Mayor Schools noted the following Proclamations and announcements for the  
45                  public:  
46

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- 1
- 2 a. **Proclamation – Rip Current Awareness Week – June 5 – 11, 2011**
- 3 (11-06-14/P1)
- 4 b. **Proclamation – Lyme Disease Awareness Month – July 2011**
- 5 (11-06-14/P2)
- 6 c. **Beach Jive After Five – Thursday, June 16 – 5:30 pm – 7:30 pm –**
- 7 **Western Ocean Regional Access**
- 8 d. **Blood Drive – Friday, June 17 – 2 pm – 7 pm – Community Center**
- 9 e. **Scrapbooking Workshop – Saturday, June 18 – 10 am – 1 pm –**
- 10 **Community Center**
- 11 f. **Bicycle and Pedestrian Advisory Committee Meeting – Tuesday,**
- 12 **June 21 – 9 am – Community Center**
- 13 g. **Youth Tennis Camp – June 20 – 24 – Blue Heron Park**
- 14 h. **Summer Tennis Clinics – June 20 – August 29 – Blue Heron Park**
- 15 i. **Soccer Shots – June 22 – July 29 – Community Center**
- 16 j. **Youth Fishing Derby – Saturday, June 25 – 9 am – 11 am – Bogue**
- 17 **Inlet Pier**
- 18 k. **Planning Board Meeting CANCELLED – Monday, June 27**
- 19 l. **July 4<sup>th</sup> Holiday – Monday, July 4 – Town Offices Closed, Community**
- 20 **Center Closed**
- 21 m. **July 4<sup>th</sup> Fireworks – Monday, July 4 – 9 pm – Bogue Inlet Pier**
- 22 n. **Friday Free Flick – Friday, July 8 – 7 pm – Community Center**
- 23 o. **Town Board Meeting – Tuesday, July 12 – 7 pm – Town Board**
- 24 **Meeting Room**

25  
26 Clerks Note: A copy of Proclamations 11-06-14/P1, and 11-06-14/P2 are incorporated herein by  
27 reference and hereby made a part of these minutes.

28  
29 **7. Consent Agenda**

- 30
- 31 a. **Tax Refunds / Releases**
- 32 b. **Minutes – May 10, 2011 Regular Meeting**
- 33 c. **Minutes – May 12, 2011 Special Meeting**
- 34 d. **Resolution Authorizing Banking Services Agreement (11-06-14/R1)**
- 35 e. **Resolution Authorizing Request for Surplus US Coast Guard Boat**
- 36 (11-06-14/R2)
- 37 f. **Budget Amendment – Various Fiscal Year End Adjustments**
- 38 g. **Capital Project Ordinance Amendments – Various Fiscal Year End**
- 39 **Adjustments**
- 40

41 ***Motion was made by Commissioner Messer to approve the items on the***  
42 ***Consent Agenda. The Board voted unanimously 4-0 in favor. Motion***  
43 ***carried.***

44  
45 Clerks Note: A copy of Resolutions 11-06-14/R1, 11-06-14/R2 and all other Consent Agenda items as  
46 noted above are incorporated herein by reference and hereby made a part of these minutes.  
47

1  
2 **8. Public Comment**  
3

4 **Brief Summary:** The public has the opportunity to address the Board about any  
5 items of concern not on the agenda.  
6

7 Paul Schwartz, Wyndtree Drive, congratulated the Board and Town for making a  
8 very difficult budget work in a way that didn't hurt anyone too much. Mr.  
9 Schwartz suggested that user fees be used wherever possible so that the folks  
10 who used the services the most paid the most – he felt the gym and community  
11 center fees were way too low and he would like to see a user fee go up on that  
12 rather than spreading it among the township who didn't use the facility that much  
13 and he felt \$3 per week or \$150 per year was the minimum that should be  
14 charged.  
15

16 **9. FY 11-12 Budget**  
17

- 18 **a. Budget Ordinance**
- 19 **b. Fee Schedule**
- 20 **c. 5-Year Capital Replacement / Improvement Program**
- 21 **d. FY 11-12 Pay Plan**  
22

23 Town Manager Frank Rush addressed the Board regarding this agenda item.  
24 The following excerpt from his memo to the Board is provided for additional  
25 background:  
26

27 The Board of Commissioners is scheduled to formally consider the FY 11-12 budget ordinance, fee schedule, capital  
28 replacement / improvement program, and the Town's official pay plan at the June 14 meeting.  
29

30 FY 11-12 Budget Ordinance

31 The attached FY 11-12 budget ordinance reflects the Town Manager's Recommended Budget as presented on May 10  
32 and reviewed by the Board at its May 12 and June 7 budget workshop meetings, and incorporates the changes  
33 directed by the Board. As you know, the required public hearing was held on June 7, and the FY 11-12 budget  
34 ordinance is presented for formal consideration and adoption at the June 14 meeting.  
35

36 The total FY 11-12 General Fund budget included in the attached budget ordinance is \$6,789,621, which is a  
37 \$227,070, or 3.24% decrease from the FY 10-11 adopted budget amount. As discussed previously, this decrease is  
38 primarily the result of a projected significant decrease in sales tax revenues next year that is associated with the sales  
39 tax distribution formula. The Town expects to receive approximately \$340,000 less sales tax revenue in FY 11-12 than  
40 included in the original FY 10-11 budget. Several revenue enhancement and expenditure reduction strategies are  
41 included in the FY 11-12 budget to offset the decrease in sales tax revenues, including a new regional beach access  
42 parking fee to fund the services provided at these facilities, a \$10 increase in the annual solid waste fee, the  
43 elimination of a full-time position in Parks and Recreation, additional inmate labor for the Public Works and Parks and  
44 Recreation Departments, and a 1% reduction to the Town's contribution to employee 401k accounts, among others.  
45 The FY 11-12 General Fund budget includes no new positions, no new capital projects, and relatively static operating  
46 expenditures across Town departments. Modest funding is included for necessary vehicle replacements and other  
47 facility maintenance items (including the replacement of the Community Center roof and two aging beach access  
48 walkways). No funding is included for employee cost-of-living or merit pay increases, however, based on the Board's

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1 direction at the June 7 budget workshop meetings, funding is included for a one-time \$500 bonus for all full-time  
2 employees.  
3

4 Despite the lean nature of the FY 11-12 General Fund budget, I believe that Town staff can continue to maintain our  
5 service levels and high service quality. The Town organization will operate with 55 paid full-time positions in FY 11-12  
6 (down from 61 in FY 08-09), but also now relies on the service of 6 inmate laborers. Although the Town's workload  
7 continues to grow, Town staff continue to meet the demands in our community, and I appreciate their hard work and  
8 commitment to maintaining our service levels and high service quality.  
9

10 The General Fund budget is balanced with an 11.5 cent tax rate, which is the "revenue-neutral" tax rate after the  
11 implementation of the 2011 tax revaluation. The new 11.5 cent tax rate will generate approximately \$3.4 million of  
12 property tax revenue for the General Fund in FY 11-12, which is nearly identical to the amount of property tax revenue  
13 generated in FY 10-11 with the current 8 cent tax rate. After the 2011 revaluation, the average property value in  
14 Emerald Isle is now approximately \$395,000, and the average-value property owner's annual General Fund tax bill will  
15 be nearly identical in FY 11-12. The new FY 11-12 General Fund property tax rate of 11.5 cents will still be among the  
16 lowest of all 21 NC beach towns, even before the impacts of tax revaluation are factored in for the other NC beach  
17 towns this year and next year. The attached FY 11-12 budget ordinance factors in a \$10 increase in the annual solid  
18 waste fee, from \$180 (or \$15 per month) to \$190 (or \$15.83 per month), and this increase will generate an additional  
19 \$62,000 in FY 11-12. These additional revenues will insure that 100% of the Town's annual solid waste expenditures  
20 are funded solely by the annual solid waste fee.  
21

22 The attached FY 11-12 budget ordinance also includes appropriations for the Town's various Other Funds, including  
23 the Beach Nourishment Debt Service Fund and the new Future Beach Nourishment Fund. The Beach Nourishment  
24 Debt Service Fund includes sufficient appropriations from fund balance to meet remaining debt service requirements  
25 for the 2004 beach nourishment bonds, as the original special district property taxes have now been eliminated. The  
26 FY 11-12 budget for the Beach Nourishment Debt Service Fund is \$1,007,000. The new Future Beach Nourishment  
27 Fund is established to budget and account for new special district property taxes to be levied to build up a reserve for  
28 future beach nourishment activities in Emerald Isle. The new Future Beach Nourishment Fund includes an FY 11-12  
29 budget of \$680,696, with revenues derived from a new 4.5 cent property tax rate in the new Primary Benefit District  
30 (oceanfront and inlet-front properties) and a new 1.5-cent property tax rate in the new Secondary Benefit District (non-  
31 oceanfront properties). Both of these rates are the "revenue-neutral" equivalent of the 3-cent and 1-cent rates  
32 discussed by the Board over the past couple of years. Based on current projections, I expect that these revenues,  
33 combined with anticipated County room occupancy tax revenues and requested State funding, will be sufficient to fund  
34 the Town's beach nourishment activities in perpetuity.  
35

36 The new Regional Access Parking Fund is established in the FY 11-12 budget ordinance to account for parking fee  
37 revenues and expenses associated with the operation and maintenance of the Western Ocean Regional Access and  
38 Eastern Ocean Regional Access, and has an annual budget of \$111,000.  
39

40 Fee Schedule

41 The Town's official fee schedule for FY 11-12 is presented in conjunction with the budget ordinance. The fee schedule  
42 includes no changes to any Town fees from the current FY 10-11 fee amounts, with the exception of 1) the \$10  
43 increase in the annual solid waste fee and 2) an increase in the fee for house moving permits. The fee for house  
44 moving permits will increase from \$100 to either \$250 (small house) or \$500 (large house) to fully cover the Town's  
45 expenses to assist with house moving activities.  
46

47 5-Year Capital Replacement / Improvement Program

48 I have also attached an updated copy of the 5-Year Capital Replacement / Improvement Program, and request that the  
49 Board formally adopt this plan in conjunction with the budget ordinance and fee schedule. The attached plan is  
50 identical to the plan included in the Recommended Budget.  
51

52 The total investment included in the 5-Year Capital Replacement / Improvement Program is \$5.36 million, and is  
53 funded with a mixture of pay-as-you-go funding and installment financing proceeds. The updated plan is much less  
54 aggressive than previous years, due to the accomplishment of many beneficial projects in recent years, and due to the

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1  
2 new economic reality and the Town's desire to maintain a stable tax rate in future years. The most significant items in  
3 the plan are the construction of additional storm water improvements at The Point (fixed pump construction with  
4 existing funds in FY 11-12, and pipeline construction to be financed with future new debt) and in Lands End (to be  
5 financed with future new debt). No additional debt for these items is included in the updated 5-Year Capital  
6 Replacement / Improvement Program until FY 14-15, and the Board will likely have significant discussion about the  
7 need for and timing of the proposed additional debt at that time.  
8

9 The 5-Year Capital Replacement / Improvement Program also includes planned future funding for replacement  
10 vehicles in various Town departments (including an ambulance, the brush truck, and a Fire Engine), annual funding for  
11 sidewalk and bicycle path projects and beach walkway replacements, and the future construction of a new façade on  
12 Fire Station 1. With the exception of the new Fire Engine (future new debt in FY 13-14), all of these items would be  
13 financed on a pay-as-you-go basis.  
14

15 FY 11-12 Pay Plan

16 I have also attached a copy of the proposed FY 11-12 Pay Plan, and request that the Board formally adopt this plan,  
17 effective at the start of the new fiscal year. The proposed FY 11-12 Pay Plan is identical to the FY 10-11 Pay Plan.  
18

19 Funding for a one-time \$500 bonus for all full-time employees is included in the General Fund in a contingency line in  
20 the NonDepartmental budget, and the one-time bonus will not affect the Town's official FY 11-12 Pay Plan.  
21

22 Additional FY 11-12 Budget Information

23 I have again included summary information about the FY 11-12 Budget in your agenda packets. This summary  
24 information is consistent with the budget totals included in the attached FY 11-12 budget ordinance and the attached 5-  
25 Year Capital Replacement / Improvement Plan.  
26

27 The following information is attached:  
28

- 29 • "Quick Summary" of the FY 11-12 Budget
- 30 • "All Funds" Summary
- 31 • General Fund Budget Summary
- 32 • Net Change in Property Tax Bill (for selected property values)
- 33 • Graph – General Fund Property Tax Rate History
- 34 • Town Organization Chart and Summary of Authorized Positions
- 35 • General Fund 5-Year Forecast
- 36 • Beach Nourishment Debt Service Fund Forecast
- 37 • General Fund Balance Projection
- 38 • Graph – Adjusted General Fund Balance
- 39 • Property Tax Rate Breakdown
- 40 • Itemized Property Tax Receipt
- 41 • 3-Year Comparison
- 42 • 5-Year Comparison
- 43 • 10-Year Comparison
- 44 • Graph – Sales Tax / Property Tax Ratio
- 45 • Graphs – Annual Solid Waste Service Fee History and Annual Solid Waste Service Fee Revenues
- 46 • Graph - Annual Bill – Average Value Property Owner
- 47 • Graph – Annual General Debt Service Expenditures
- 48 • General Fund Tax Rates for NC Beach Towns
- 49 • Graph – General Fund Revenues
- 50 • Graphs – General Fund Expenditures by Function / Category.  
51

52 As you know, the detailed FY 11-12 Recommended Budget was distributed under separate cover on May 10, and  
53 copies have been made available for public review at Town buildings since that time. The FY 11-12 Recommended

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1  
2 Budget has also been posted on the Town's website since May 6. A full copy of the FY 11-12 Approved Budget will  
3 also be made available in Town buildings and on the Town's website after Board approval.

4  
5 Mayor Schools asked for comments from the Public.

6  
7 Greg Nies, Shipwreck Lane, asked if the beach nourishment funds went into a  
8 separate fund that was not touched by anything else and whether those funds  
9 could be used for anything else.

10  
11 Mayor Schools responded that beach nourishment funds went into a separate  
12 fund and the funds could be borrowed against but not used for anything else; and  
13 if borrowed against, permission was required from the Local Government  
14 Commission.

15  
16 Mr. Nies noted that when the Board had discussed the tax rates for the new  
17 nourishment, on several occasions there was mention of the State providing  
18 40-50% of the funding, the County to provide 50% and the remainder to come  
19 from the Town. Mr. Nies said that recently he thought he had read that the State  
20 had no plans to provide funding and wondered if the State funding did not come  
21 to pass was the contingency to go back to increasing the rates for the property  
22 owners.

23  
24 Mayor Schools said the State had no plan at this time and the contingency would  
25 be to find out how much money they had and deal with it at that time.

26  
27 Mr. Nies also for clarification about the two years remaining to pay off the old  
28 bonds from a fund balance.

29  
30 Mayor Schools stated that because of the way the Town was required to set up  
31 the bonds they could not pay the bonds off early. The Town had the money and  
32 could write a check today and be done with it but that was just not allowed.

33  
34 Commissioner Hedreen asked in regard to Mr. Schwartz's question about the fee  
35 schedule whether the Parks and Recreation program was self-sustaining at the  
36 current fee rates.

37  
38 Town Manager Rush said that overall the community center memberships  
39 generated about \$40,000 per year, and all of the Parks and Recreation fees for  
40 various programs; after school, summer day camp, aerobics, etc. generated  
41 about \$130,000 per year for the Parks and Recreation department. The total  
42 budget for Parks and Recreation which included the community center  
43 operations, special events as well as the Parks Maintenance function was  
44 \$662,579, so keeping in mind a large part of that was the Parks Maintenance  
45 function, all of the right-of-way and park maintenance, beach access, he felt it  
46 was a pretty safe assumption that the community center fees did not cover the

1  
2 full cost of the employees. Mr. Rush said they could certainly take a look at the  
3 fee schedule in the future if the Board would like.

4  
5 Mayor Schools noted that any fee changes would usually not take place until  
6 January 1 anyway and so if they wanted to look at changes to the fee schedule  
7 they could possibly take a look at that in the fall.

8  
9 ***Motion was made by Commissioner Messer to adopt the FY 11-12 Budget***  
10 ***Ordinance. The Board voted unanimously 4-0 in favor. Motion carried.***

11  
12 ***Motion was made by Commissioner Wright to adopt the FY 11-12 Fee***  
13 ***Schedule. The Board voted unanimously 4-0 in favor. Motion carried.***

14  
15 ***Motion was made by Commissioner Hoover to adopt the 5-Year Capital***  
16 ***Replacement / Improvement Program. The Board voted unanimously 4-0 in***  
17 ***favor. Motion carried.***

18  
19 ***Motion was made by Commissioner Hedreen to adopt the FY 11-12 Pay***  
20 ***Plan. The Board voted unanimously 4-0 in favor. Motion carried.***

21  
22 **Clerks Note:** A copy of FY-11-12 Budget Ordinance, Fee Schedule, 5-Year Capital Replacement /  
23 Improvement Program and Pay Plan are incorporated herein by reference and hereby made a part of  
24 these minutes.

25  
26 **10. Coast Guard Road Storm Water Project**

- 27  
28 **a. Discussion – Proposed Fixed Storm Water Pump Station at Island**  
29 **Circle / The Point**  
30 **b. Resolution Authorizing Design Contract (11-06-14/R3)**  
31 **c. Capital Project Ordinance Amendment**  
32

33 Town Manager Frank Rush addressed the Board regarding this agenda item.  
34 The following excerpt from his memo to the Board is provided for additional  
35 background:

36  
37 The Board of Commissioners is scheduled to consider two items associated with the next phase of the Coast Guard  
38 Road Storm Water Project at the June 14 meeting. Specifically, the Board is asked to provide direction on a proposed  
39 fixed storm water pump station for the Island Circle area in The Point neighborhood. If the Board is comfortable with  
40 the proposed pump station, the Board is asked to consider two formal items to initiate work on the proposed pump  
41 station.

42  
43 **Discussion – Proposed Fixed Storm Water Pump Station at Island Circle / The Point**

44 As you know, the Island Circle area in The Point neighborhood regularly experiences storm water flooding after  
45 significant rainfall events, and the Town has been working to identify a solution to this problem for several years.  
46 Unfortunately, a permanent and reliable solution has been elusive over the years, due primarily to the lack of a readily  
47 available, environmentally acceptable, and cost-effective discharge location for storm water pumped from the Island  
48 Circle area.

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1  
2 Historically, the NC Division of Water Quality has allowed storm water to be pumped and discharged to the Atlantic  
3 Ocean only in extreme emergency events when the flooding was/is more than 14 inches deep over the public streets  
4 in this area. Although the storm water flooding in this area has created significant concerns for nearby property  
5 owners, it has rarely exceeded 14 inches in depth for a prolonged period of time, and the Town has often been limited  
6 in its ability to discharge to the Atlantic Ocean. Additionally, many oceanfront property owners in this area have not  
7 allowed the Town to temporarily discharge pumped storm water to the large dune field nearby, which is viewed as an  
8 environmentally acceptable and preferred practice by the NC Division of Water Quality.  
9

10 The Town has previously offered to purchase permanent storm water easements from several oceanfront property  
11 owners in this area that would have granted the Town the permanent right to discharge pumped storm water in the  
12 large dune field after significant rainfall events in the future. This solution was determined to be much less expensive  
13 than other potential discharge locations located further from Island Circle (resulting in less expense for the installation  
14 of fixed pipeline to reach the discharge area), and the Town budgeted a total of \$175,000 for the purchase of  
15 easements in the FY 10-11 Town budget. Unfortunately, the Town was not able to reach an agreement with enough  
16 individual oceanfront property owners and/or the Point Emerald Villas Property Owners Association to purchase the  
17 necessary easement(s) over the past year, and this potential discharge location has been eliminated from  
18 consideration. It now appears that the only potential discharge locations are either 1) Emerald Isle Woods Park,  
19 located approximately 1 ½ miles east (with significant fixed pipeline expense), or 2) a vacant lot or lots in the West  
20 End subdivision approximately ¼ mile north (with significant land acquisition expense and permitting challenges).  
21

22 Although the West End discharge location should still be considered and re-evaluated, it now appears likely that the  
23 storm water pumped from the Island Circle area will ultimately need to be pumped to the Town's receiving site at  
24 Emerald Isle Woods Park. As discussed previously, the estimated cost to install a fixed pump station and the  
25 necessary 1 mile+ of fixed pipeline is in excess of \$1 million. The Town can not afford to fund this entire amount  
26 without issuing new debt, and there is understandable reluctance to take on any additional debt at this time. Based on  
27 previous contract costs and a favorable construction environment, the Town's storm water engineers and I believe that  
28 we may be able to install ONLY the fixed storm water pump station (with associated groundwater infiltration features)  
29 for somewhere in the \$150,000 +/- range. Thus, I am now proposing that the Board consider utilizing the funding  
30 previously budgeted for the purchase of storm water easements to install the fixed storm water pump station at Island  
31 Circle at this time.  
32

33 The installation of a fixed storm water pump station now is 1) affordable with current revenues, 2) would be an initial  
34 step toward a permanent solution at Island Circle, and 3) could be utilized in the interim in emergency conditions when  
35 discharge is authorized in the Atlantic Ocean and/or if other temporary discharge locations can be identified at that  
36 time. (The new storm water pump station would include a "quick-connect" feature, and the Town would utilize portable  
37 6" hose to direct pumped water to an acceptable discharge location.) The installation of the fixed storm water pump  
38 now would enable the Town to then focus on determining the most cost-effective permanent discharge location (West  
39 End, Emerald Isle Woods Park, or some other site) and also develop a financing plan in the next couple of years to run  
40 fixed pipeline to the permanent discharge location. The fixed storm water pump station would then be used in  
41 emergency events when an acceptable temporary discharge location is available, thus eliminating the time delay in  
42 deploying portable pumps and the pump rental costs. The installation of the new pump station would also demonstrate  
43 the Town's commitment to solving these problems to the property owners in the Island Circle area.  
44

45 I have attached an aerial photograph indicating the general location of the proposed fixed storm water pump station.  
46 The most likely location is at the southern intersection of Island Circle and Coast Guard Road. This entire area is  
47 connected by drainage ditches, and this location is expected to draw water from the entire area. The likely pump  
48 station location is depicted with a yellow rectangle, and the yellow lines extending to the north and east depict the likely  
49 configuration of underground infiltration lines to enable the pump to draw groundwater. The pump station design will  
50 also likely include a surface water connection.  
51

52 The Board should review this proposal, and provide direction on whether or not to proceed with this solution or explore  
53 alternative solutions.  
54

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1  
2 Resolution Authorizing Design Contract for Fixed Storm Water Pump Station at Island Circle / The Point  
3 Because Moffatt & Nichol has completed the design of all other features of the overall Coast Guard Road Storm Water  
4 Project, and because the proposed pump station is very similar to previous pump stations, I solicited the attached  
5 proposal for design services from Moffatt & Nichol. The attached resolution authorizes the Town Manager to execute a  
6 contract with Moffatt & Nichol in the amount of \$22,300 for design services associated with the Island Circle pump  
7 station.  
8

9 The Island Circle pump station will be similar to the Town's previous pumps installed in Deer Horn Dunes, Sea Dunes,  
10 and Spinnakers Reach, but the design will be adjusted for actual site conditions at Island Circle, and will include the  
11 "quick-connect" feature, accommodate 3-phase electrical power, and also include a recirculation valve to allow the  
12 pump to be exercised automatically on a periodic basis. The actual pump included in the pump station will be sized to  
13 insure an output of 500 gallons per minute at the Emerald Isle Woods receiving site.  
14

15 The attached resolution does not include land surveying services or construction administration services. These  
16 services will be procured outside the scope of this contract, and these costs are not expected to be significant. Upon  
17 completion of the design and bid packages by Moffatt & Nichol, I intend to seek informal quotes for this project, which  
18 will be well below the \$500,000 formal bid threshold outlined in the NC General Statutes. A construction contract  
19 recommendation would be presented to the Board of Commissioners for approval later this summer or fall.  
20

21 Capital Project Ordinance Amendment

22 If the Board concurs with the Island Circle proposal, the attached capital project ordinance amendment would allocate  
23 a total of \$30,000 for design work, surveying, and construction administration services. This amendment would leave a  
24 balance of \$145,000 in the capital project account for construction expenses later this year.  
25

26 If additional funds are necessary for construction, the appropriate General Fund budget amendment will be presented  
27 to the Board with a resolution authorizing a construction contract.  
28

29 Mayor Schools asked for comments from the Public.  
30

31 Greg Nies, Shipwreck Lane, said the last time they had a severe rain they had  
32 what looked like 14 inches in Spinnakers and Lands End and he knew they had a  
33 pumping station at Spinnakers, and not being familiar with the design constraints  
34 as you drove through the flooded area you began to wonder if the pumping  
35 station was working or broken or did the storm just overwhelm the system.  
36

37 Town Manager Rush said that the two pump locations in Spinnakers Reach, one  
38 at Shipwreck Lane and the other at the intersection of Colonel Hanson and  
39 Shipwreck Lane, during the storm both of those areas were completely dry and  
40 those pumps worked beautifully as they did in Conch Court and Deer Horn Drive.  
41 The Town does not have a fixed pump on Coast Guard Road and we may  
42 ultimately wind up with one there but the problems they had on Coast Guard  
43 Road at that time were primarily associated with Lands End and there were plans  
44 for additional pumps in Lands End in the future but obviously these projects were  
45 done as funds allowed.  
46

47 ***Motion was made by Commissioner Wright to adopt the Resolution***  
48 ***Authorizing Design Contract for a Fixed Storm Water Pump Station at***  
49 ***Island Circle / The Point. The Board voted unanimously 4-0 in favor.***  
50 ***Motion carried.***

1  
2 ***Motion was made by Commissioner Hoover to adopt the Capital Project***  
3 ***Ordinance Amendment. The Board voted unanimously 4-0 in favor. Motion***  
4 ***carried.***

5  
6 **Clerks Note: A copy of Resolution 11-06-14/R3 and all other items noted above are incorporated**  
7 **herein by reference and hereby made a part of these minutes.**

8  
9 **11. Resolution Authorizing NC Marine Resources fund Grant Application**  
10 **for Soundside Fishing Pier at Emerald Isle Public Boating Access Area**  
11 **(11-06-14/R4)**

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

16  
17 The Board of Commissioners is scheduled to consider the attached Resolution Authorizing a NC Marine Resources  
18 Fund Grant Application for a Soundside Fishing Pier at the Emerald Isle Public Boating Access Area at the June 14  
19 meeting. The attached resolution authorizes a \$60,000 funding request from this grant program, which is funded by  
20 proceeds from the new Coastal Recreational Fishing License. This grant funding request would be matched with  
21 \$15,000 from the Town, providing a total budget of \$75,000 for this project.

22  
23 The new public boating access area includes approximately 23 acres of land and more than 1,000 feet of shoreline on  
24 Bogue Sound, and the remaining land is available for other public water-based recreational uses, including finfishing,  
25 shellfishing, wildlife viewing, and general relaxation. As you know, a soundside fishing pier has been envisioned for  
26 this site from the beginning, even prior to the pursuit of the new boating access area. Additionally, the approved site  
27 plan and CAMA permit for the boating access area project includes the future construction of a soundside pier at the  
28 site.

29  
30 The approved site plan and CAMA permit for the new public boating access area includes the construction of a new  
31 soundside pier directly adjacent to the entrance canal on the east side. The majority of the land that would be  
32 underneath the new pier at this location is technically considered upland area, and could potentially be excavated in  
33 the future if necessary or desired to widen the entrance canal. In order to preserve this option for the future, I am  
34 suggesting that the proposed soundside fishing pier now be located approximately 150 – 200 feet further east over the  
35 extensive marsh. This location would tie in nicely with the other remaining land areas at the new facility that will  
36 eventually developed with additional park amenities, and is closer to the single vehicle parking lot. An aerial photo  
37 depicting the general location of the proposed soundside fishing pier is attached.

38  
39 The proposed new soundside fishing pier would enable visitors to finfish in Bogue Sound off the end of the pier,  
40 provide easy access for shellfishing in this area, and also enable fishermen using the new boat ramp to catch bait from  
41 the soundside pier at this location before departing. The new pier would be approximately 600 ft. long and 5 – 6 ft.  
42 wide, with a small "T" at the end and steps to the water at one or more locations along the pier. The cost estimate of  
43 \$75,000 assumes a unit cost of \$125 per linear foot for the construction of the new pier.

44  
45 The proposed soundside fishing pier and grant application have been reviewed by the Emerald Isle Parks and  
46 Recreation Association, Inc., the technical owners of the land, and they support the project. The NC Wildlife  
47 Resources Commission (WRC) also supports the future development of a soundside fishing pier at the new public  
48 boating access area, and the lease agreement between the Town and the WRC authorizes the Town to develop other  
49 park amenities at the site.

50  
51 The 2011 grant application is due on July 29, 2011, and grant awards will be announced in late 2011 or early 2012.  
52

1  
2 Mayor Schools asked for comments from the public.

3  
4 There were no comments from the public.

5  
6 ***Motion was made by Commissioner Hoover to approve the Resolution***  
7 ***Authorizing NC Marine Resources Fund Grant Application for a Soundside***  
8 ***Fishing Pier at the Emerald Isle Public Boating Access Area. The Board***  
9 ***voted unanimously 4-0 in favor. Motion carried.***

10  
11 **Clerks Note:** A copy of Resolution11-06-14/R4 is incorporated herein by reference and hereby made  
12 a part of these minutes.

13  
14 **12. Comments from Town Clerk, Town Attorney, and Town Manager**

15  
16 There were no comments from the Town Clerk or the Town Attorney.

17  
18 Town Manager Rush briefed the Board on several important issues. Mr. Rush  
19 noted that the Emerald Isle Parks and Recreation Association, Inc. (EIPRA), a  
20 group created by the Town with its Board members appointed by the Town, and  
21 that technically held title to the land directly behind the Chapel By The Sea  
22 eastern portion of the boating access area had met the previous week and in  
23 addition to endorsing the soundside fishing pier, as well as a potential dog park  
24 on some of the remaining land, were also working on a Veterans Memorial and  
25 would be seeking donations for that in the coming months. In addition, they were  
26 also working on a memorial for Gordon McAdams, a former Emerald Isle  
27 commissioner.

28  
29 Mr. Rush noted they had been having some issues with the engineering  
30 inspections for the bicycle path extension on the east end of Town and he was  
31 happy to say he felt they had those issues resolved.

32  
33 Mr. Rush also mentioned that the Lands End Property Owners Association Board  
34 of Directors were very concerned with the deer population in Lands End and they  
35 were working on efforts to thin the population, and if they decided to pursue a  
36 deer thinning exercise there would need to be an amendment to the Town's  
37 ordinance to be considered by the Board later this year.

38  
39 The following is an excerpt from the Town Manager Comments memo to the  
40 Board providing additional background information for all items of importance:

41  
42 **Emerald Isle Parks and Recreation Association, Inc. Pursues Additional Improvements for New Emerald Isle**  
43 **Boating Access Area – Including a Dog Park**

44 The Emerald Isle Parks and Recreation Association, Inc. (EIPRA), the non-profit corporation created by the Town to  
45 hold title to the land behind Chapel By The Sea (the eastern portion of the new boating access area), recently met to  
46 discuss plans for additional improvements at the site.  
47

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1  
2 The EIPRA has approved the Town's plan to seek grant funds for the construction of a new soundside fishing pier at  
3 the new boating access area. The EIPRA is also planning to seek donations to create a Veterans Memorial near the  
4 boat launch ramps, and the Town has also received a donation from the parents of Gordon McAdams for the  
5 construction of a picnic table / landscape area in honor of Gordon.  
6

7 The EIPRA also approved the addition of fundraising benches and picnic tables to be added at the facility. Finally, and  
8 most significantly, the EIPRA has endorsed the idea of constructing a dog park on the site in the far northeastern  
9 corner of the property. Approximately 15,000 – 20,000 sq. ft. of area is available between the storm water wetland and  
10 the marsh. Town staff will be working with dog park proponents on fundraising for the dog park in the coming months.  
11

12 **Emerald Isle Woods Emergency Storm Water Discharge**

13 Construction is underway on the emergency discharge, and it should be complete in the next couple of weeks. A  
14 portion of the excavation is complete, and the initial concrete for the spillway / weir wall has been poured.  
15

16 **Another Delay for the NC 58 Bicycle Path Extension**

17 We were all set to begin construction on the .2 mile extension of the NC 58 bicycle path near the Eastern Ocean  
18 Regional Access, but have had to delay the project again. After finally receiving NCDOT approval for a third party  
19 construction inspection engineer, we were surprised to receive a price quote of \$25,000 for inspections. This price is  
20 unrealistic, and we are currently working to either drastically reduce the price quote or seek the services of another  
21 construction inspection engineer. The construction cost for this project is only approximately \$69,000, and the design  
22 work has already been completed and paid for. We hope to resolve this issue as soon as possible to begin  
23 construction of the bicycle path extension.  
24

25 **Restroom Building for Emerald Isle Public Boating Access Area**

26 The new restroom building is currently being constructed at the manufacturer's plant in Reidsville, NC, and is now  
27 expected to be delivered to Emerald Isle in late July. SunLand Development will handle the site work and electrical  
28 and plumbing connections for the Town for this project. The NC Wildlife Resources Commission will reimburse the  
29 Town for 100% of the cost of the new building. An existing fire hydrant located west of the new facility will be slightly  
30 relocated to insure that the new facility meets appropriate Fire protection requirements when the new building is  
31 delivered.  
32

33 **Aquarium Pier at Emerald Isle**

34 I am planning to schedule a meeting with NC Aquariums and NC Aquarium Society staff later this summer to discuss  
35 potential construction funding strategies. Design work continues, and the design team (Moffatt & Nichol / BJAC  
36 Architects) expects to have a new submittal ready for review in mid or late July.  
37

38 **Parking Fee Program Continues To Be Successful**

39 The Town has collected more than \$43,000 of parking fees between April 16 and June 5. The Town's budget estimate  
40 through June 30 was only \$45,000, thus we continue to be ahead of our projections. The Western Ocean Regional  
41 Access has routinely been full on weekends, with many parking spaces turning over, while the Eastern Ocean  
42 Regional Access has been averaging about 2/3 full in recent weekends.  
43

44 Approximately 10% of all visitors to the two regional access facilities are utilizing a free parking permit (issued to  
45 Emerald Isle taxpayers and handicapped individuals). The Town has issued a total of 975 free parking permits through  
46 June 10. Of these free parking permits, 27 have been issued to handicapped individuals, 34 have been issued to non-  
47 resident employees, and 914 have been issued to Emerald Isle taxpayers.  
48

49 **Building Inspections Workload / Timeliness of Inspections**

50 As indicated on the attached report from the Planning and Inspections Department, the Town has now issued permits  
51 for 19 new single family homes (through May 31). This compares to 14 through May 31, 2010. The number of  
52 inspections for the fiscal year-to-date is approximately 11% less than last year, however, we are likely to see a gradual  
53 increase in the coming months as more new homes get underway.  
54

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1  
2 Effective June 6, the Planning and Inspections Department is now tracking the number of inspections requests  
3 honored within 24 hours, 48 hours, and beyond so that we can get a better sense of the timeliness of our inspections.  
4 This information will be included on future monthly reports submitted by the Planning and Inspections Department.  
5

6 **Golf Cart Permits**

7 The Town has issued 90 golf cart permits so far this year. There are now a total of 10 golf-cart-only parking spaces at  
8 Bluewater Drive, Craig Drive, and Ocean Oaks Drive.  
9

10 **Unattended Beach Equipment**

11 The Public Works Department is now routinely enforcing the unattended beach equipment ordinance. As was the case  
12 last year, the vast majority of violators heed the first warning, and the Public Works Department only confiscated 3  
13 items during the month of May. The Town has issued a total of 157 unattended beach equipment exception stickers to  
14 eligible oceanfront property owners so far this year.  
15

16 **Critical, Unsigned Letter Mailed to Oceanfront Property Owners**

17 I recently received a copy of the attached letter that has supposedly been sent to all owners of oceanfront property in  
18 Emerald Isle. The letter includes several critical assertions about the Town's policies, and these criticisms are  
19 welcome in the same manner as any other public comments. However, the letter also includes many blatantly false  
20 statements that are apparently intended to support the writer(s)' position.  
21

22 The most interesting comment in the letter is an assertion that the Town intends to open a "permanent, two lane public  
23 road" on the beach strand for all vehicles, all year round. As you know, the Town has no such intent whatsoever. The  
24 writer(s) base this claim on the Town's ordinance that requires beachgoers to leave a 20 ft. emergency vehicle travel  
25 lane at the base of the dunes so that emergency responders can respond quickly and safely. As you know, the beach  
26 strand is very densely populated in certain areas at certain times of the day and year, making it difficult for our  
27 emergency responders to navigate through these areas.  
28

29 **Simmons & Simmons Solid Waste Contract**

30 The Town's 5-year contract with Simmons & Simmons expires on December 31, 2011. The contract includes an  
31 option for the Town to extend for up to 2 more years at the same terms. Simmons & Simmons recently approached  
32 me to request a 5-year extension at the same terms. Overall, I have been very pleased with the service provided by  
33 Simmons & Simmons over the past 4+ years.  
34

35 The Town's contract with Simmons & Simmons includes twice per week trash collection year-round, once per-week  
36 recycling collection year-round, and the roll-back of containers at least 30 feet from the edge of the right of way. The  
37 total cost of the contract is \$64,682 per month, and the contract includes an annual CPI adjustment in January of each  
38 year.  
39

40 Please let me know your thoughts on extending the contract.  
41

42 **Archers Creek Storm Water Study**

43 Initial surveying work has begun for the Archers Creek Storm Water Study. Moffatt & Nichol's subcontractor has been  
44 surveying various locations that drain to Archers Creek to provide drainage information for the study. This study  
45 should be complete by early 2012, and will include recommendations to handle storm water entering Arches Creek in a  
46 more environmentally-friendly manner. This study is funded by a grant from the NC Clean Water Management Trust  
47 Fund.  
48

49 **Eastern Emerald Isle Storm Water Outfall Removal Project**

50 Artie Dunn, Public Works Director, continues to work on securing NCDOT approval and a CAMA permit for this work,  
51 which involves storm water and public access improvements at several street end locations on Bogue Sound in  
52 eastern Emerald Isle. The project is funded by a NC Clean Water Management Trust Fund grant. Construction is  
53 expected to begin soon after NCDOT and CAMA approvals are granted, and work should be complete by March 2012.  
54

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1  
2 **Eastern Emerald Isle Beach Nourishment Project**

3 Due to permitting challenges, we have officially delayed the construction of this project until the winter of 2012-2013.  
4 Unfortunately, it will not be possible to secure the necessary permits for this project in time for construction during the  
5 winter of 2011-2012. We are planning on the placement of up to 300,000 cubic yards of material dredged from the  
6 Beaufort Inlet Offshore Material Disposal Area on up to 2.5 miles of beach in eastern Emerald Isle. The beach in this  
7 area of town is still in reasonably decent condition (nice large dune remains, but little flat beach), but is the area most in  
8 need of beach nourishment at this time.  
9

10 **Emerald Isle EMS, Inc. Financial Administration Services**

11 Town staff continue to work with Emerald Isle EMS, Inc. to begin providing financial administration services for the non-  
12 profit EMS squad on July 1. We expect a smooth transition.  
13

14 **Lands End Deer Management Plans**

15 The Lands End Property Owners Association is currently working with the NC Wildlife Resources Commission to  
16 secure permission to cull the deer population in Lands End this coming winter. Because the Town's ordinance  
17 prohibits hunting in Emerald Isle, the Board will need to consider an ordinance amendment that would allow the Town  
18 Manager to grant a special exception for these types of activities. I plan to present this ordinance amendment to the  
19 Board later this fall.  
20

21 **Crystal Coast Hospice House**

22 I recently sent the attached letter of support for the Crystal Coast Hospice House to the NC Department of Health and  
23 Human Services. I have also attached a flyer with information about the CCHH.  
24

25 **Consider Authorizing Food Vendors at Eastern Ocean Regional Access and Western Ocean Regional Access**  
26 **in 2012?**

27 The Town receives numerous requests from vendors interested in setting up at the Town's two regional beach access  
28 facilities each summer. To date, the Town has not allowed any vendors at these facilities.  
29

30 The Board may wish to consider authorizing vendors at these facilities in summer 2012 and/or beyond. If the Board  
31 supports this concept, I envision the Town soliciting formal proposals from interested vendors in the winter of 2011-  
32 2012, evaluating the proposals, and awarding a contract to the one or two vendors that provide the most lucrative and  
33 attractive proposal to the Town. This may be an attractive way to generate additional funds for the Town, and would  
34 provide an additional convenience for visitors at the two regional beach access facilities.  
35

36 I am somewhat concerned that this action may upset the Emerald Isle business community if they perceive additional  
37 competition from the Town, however, this concern could be mitigated by providing an equal opportunity (or perhaps  
38 even an exclusive opportunity) for Emerald Isle businesses to provide a proposal to the Town. The Town could also  
39 consider awarding two separate contracts – one for the Eastern Ocean Regional Access and one for the Western  
40 Ocean Regional Access.  
41

42 Please let me know your thoughts on this issue. If the Board is interested in pursuing this, we will begin work on the  
43 competitive process this fall.  
44

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

46  
47 There were no further comments from the Board of Commissioners or the Mayor.  
48  
49  
50  
51  
52

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**14. Adjourn**

***Motion was made by Commissioner Hedreen to adjourn the meeting. The Board voted unanimously 4-0 in favor. Motion carried.***

***The meeting was adjourned at 7:40 pm.***

Respectfully submitted:

Rhonda C. Ferebee, CMC  
Town Clerk

DRAFT