

1 **MINUTES OF THE REGULAR SCHEDULED MEETING**
2 **OF THE EMERALD ISLE BOARD OF COMMISSIONERS**
3 **TUESDAY, MAY 10, 2011 – 7:00 P.M.**
4 **TOWN BOARD MEETING ROOM**

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7 **1. Call To Order**

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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, John Wootten, and Maripat Wright.

17
18 Others present during the regular meeting: Town Attorney Richard Stanley,
19 Town Manager Frank Rush, Asst. Town Manager / Finance Officer Mitsy
20 Overman, Town Clerk Rhonda Ferebee, and Public Works Director Artie Dunn.

21
22 Also present: EI EMS Chief Doug Fleming.

23
24 **3. Opening Prayer**

25
26 Trey Ricks, youth member from Emerald Isle Baptist Church, offered the
27 Opening Prayer.

28
29 Mayor Schools asked everyone to keep in their thoughts and prayers
30 Administrative Assistant Tiffany Wood's son Hunter who was bitten by a
31 copperhead and hoped to be going home from the hospital soon, as well as
32 another Emerald Isle youth, Scott Mancini, who was hit by a car a week or so
33 earlier, and was now out of the hospital in rehab.

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35 **4. Pledge of Allegiance**

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37 All who were present recited the Pledge of Allegiance.

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39 **5. Adoption of Agenda**

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

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2 **6. Proclamations / Public Announcements**
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4 Mayor Schools noted the following Proclamations and announcements for the
5 public:
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- 7 • **Proclamation – Municipal Clerks Week – May 1-7 (11-05-10/P1)**
- 8 • **Proclamation – National Police Week – May 15-21 (11-05-10/P2)**
- 9 • **Proclamation – National Public Works Week – May 15-21 (11-05-10/P3)**
- 10 • **Proclamation – Bicycle Month in Emerald Isle – May (11-04-12/P3)**
- 11 • **Proclamation – Emergency Medical Services Week – May 15-21**
12 **(11-05-10/P4)**
- 13 • **Board of Adjustment Meeting – Wednesday, May 11 – 9 am -**
14 **CANCELLED**
- 15 • **Budget Workshop Meeting – Thursday, May 12 – 6 pm – Town**
16 **Administration Building**
- 17 • **Friday Free Flick – Friday, May 13 – 7 pm – Community Center**
- 18 • **Bicycle and Pedestrian Advisory Committee – Tuesday, May 17 – 9**
19 **am – Community Center**
- 20 • **Beach Jive After Five – Thursday, May 19 – 5:30 pm – 7:30 pm –**
21 **Western Ocean Regional Access**
- 22 • **Planning Board Meeting – Monday, May 23 – CANCELLED**
- 23 • **Memorial Day Holiday – Monday, May 30 – Town Offices Closed,**
24 **Community Center Closed**
- 25 • **Budget Workshop Meeting and Budget Public Hearing – Tuesday,**
26 **June 7 – 6 pm – Town Administration Building**
- 27 • **Friday Free Flick – Friday, June 10 – 7 pm – Community Center**
- 28 • **Race The Waves 8k Race and 5k Fun Run – Saturday, June 11 – 8 am**
29 **– Eastern Ocean Regional Access**
- 30 • **Town Board Meeting – Tuesday, June 14 – 7 pm – Town Board**
31 **Meeting Room**

32
33 **Clerks Note: A copy of Proclamations 11-05-10/P1, 11-05-10/P2, 11-05-10/P3, 11-04-12/P3, and 11-05-**
34 **10/P4 are incorporated herein by reference and hereby made a part of these minutes.**
35

36 **7. Special Presentation – John “Artie” Dunn, Public Works Director – 20**
37 **Years of Service**
38

39 Public Works Director Artie Dunn was honored for his 20 years of service to the
40 Town of Emerald Isle Public Works Department. Mayor Schools and Town
41 Manager Rush presented an engraved plaque to Mr. Dunn in recognition of his
42 years of dedicated service to the Town. Employees from Mr. Dunn’s department,
43 as well as Mr. Dunn’s family were also present as a show of support for this
44 special recognition.
45

1
2 **8. Consent Agenda**

- 3
4 a. Tax Refunds / Releases
5 b. Minutes – April 12, 2011 Regular Meeting

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

10
11 Clerks Note: A copy of consent agenda items above are incorporated herein by reference and
12 hereby made a part of these minutes.

13
14 **9. Public Comment**

15
16 **Brief Summary:** The public has the opportunity to address the Board about any
17 items of concern not on the agenda.

18
19 Jim Hackett, 6410 Ocean Drive, stated that he had at a previous meeting
20 expressed his appreciation to the Town Manager and staff for taking care of his
21 drainage problems by bringing Berger cookies from his hometown of Baltimore,
22 Maryland, and tonight he brought more of the Berger cookies back for the Board
23 to sample and to thank the Board for all the work they do.

24
25 Neil George, Beachfront RV Park, proposed that the beach access at the end of
26 Coast Guard Road known as the Point remain open for senior citizen and
27 handicapped persons. Mr. George requested that handicapped and elderly
28 people be able to access the beach at that location with 4-wheel drive vehicles in
29 order to get out onto the beach because otherwise they had no place to go.

30
31 Mayor Schools said the Board would take his comments into consideration and
32 any action taken would be at a future meeting.

33
34 **10. Hurricane Preparedness Items**

- 35
36 a. Resolution Authorizing Pre-Positioned Debris Removal Contract for
37 Hurricane Debris (11-05-10/R1)
38 b. Resolution Authorizing Pre-Positioned Emergency Generator Rental
39 Contract (11-05-10/R2)
40 c. Resolution Authorizing Pre-Positioned Emergency Pump Rental
41 Contract (11-05-10/R3)

42
43 Asst. Town Manager / Finance Officer Mitsy Overman and Public Works Director
44 Artie Dunn addressed the Board regarding this agenda item. The following
45 excerpt from his memo to the Board is provided for additional background:
46

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1
2 With hurricane season fast approaching, the Board of Commissioners is scheduled to consider three resolutions
3 associated with pre-positioned contracts to enable the Town to respond quickly in the aftermath of a hurricane in
4 Emerald Isle. The first resolution authorizes a pre-positioned debris removal contract, the second resolution authorizes
5 a pre-positioned emergency generator rental contract, and the third resolution authorizes a pre-positioned emergency
6 pump rental contract.

7
8 Resolution Authorizing Pre-Positioned Debris Removal Contract for Hurricane Debris

9 The Board of Commissioners is asked to approve the attached resolution authorizing the Town Manager to execute a
10 pre-positioned disaster debris removal contract with Disaster Recovery Group and Tree Services, Inc., Arden, NC
11 (DRGTS). This contract would only be activated if a hurricane strikes and the Town needs outside assistance to
12 remove storm debris.

13
14 The Town is wise to enter into a pre-positioned contract for debris removal, as it fosters a quick response in the event
15 that a storm does strike Emerald Isle. It also allows us to resolve contractual issues up-front, without the stress of
16 responding in the immediate aftermath of a hurricane. The Town has entered into a pre-positioned contract for the
17 past several years, and fortunately has only had to actually activate the contract once. The Town activated its contract
18 with Tarheel Specialties, Linden, NC, in 2005 due to debris generated by Hurricane Ophelia. The pre-positioned
19 nature of the contract enabled Tarheel Specialties to begin work almost immediately after the storm, and also saved
20 Town staff valuable time to devote to other storm-related issues. I am hopeful that we will not be impacted by a storm
21 this year and will thus not activate the debris contract, however, I am pleased that we will be prepared ahead of time.
22 The proposed contract with DRGTS requires debris removal operations to begin with 48 hours of notice to proceed.

23
24 Barry Johnson, the Town's FEMA consultant, Mitsy Overman, Assistant Town Manager, and Artie Dunn, Public Works
25 Director, coordinated the bid process for this pre-positioned contract. We received bids from 12 firms, and DRGTS is
26 determined to be the low bidder. Unit price costs are as follows:

27
28

Construction and Demolition Debris Removal (disposal at CRSWMA facility in Tuscarora, NC)	\$7.35 per cubic yard
Construction and Demolition Debris Removal – Beach (disposal at CRSWMA facility in Tuscarora, NC)	\$7.65 per cubic yard
Vegetative Debris Removal (disposal within 30 mile round trip)	\$6.10 per cubic yard
Vegetative Debris Removal (disposal within 30-50 mile round trip)	\$7.10 per cubic yard .

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38 As noted in the attached letter from Barry Johnson, the Town's FEMA consultant, the determination of DRGTS as the
39 low bidder is based on an assumption of the amount of debris generated by a Category 2 storm, as outlined in the
40 Town's bid documents. As noted on the bid tabulation, DRGTS is the low bidder for three of the categories and is the
41 2nd lowest bidder for the other category. The calculation of costs for debris expected from a Category 2 storm results in
42 DRGTS being lowest overall bidder. Barry Johnson has completed a thorough evaluation of DRGTS, and we are
43 confident in their ability to complete the work in a timely and quality manner. DRGTS was also awarded the 2010
44 contract by the Town, however, we (fortunately) did not have a need to activate the contract in 2010.

45
46 The Board should note that the bid process was based on assumptions that the construction and demolition debris will
47 be disposed of at the Coastal Environmental Partnership's (formerly Coast Regional Solid Waste Management
48 Authority) facility in Tuscarora, NC, however, if Carteret County establishes a closer facility in the aftermath of a storm
49 this strategy and pricing will be re-evaluated. The bid process also assumed that vegetative debris would either be
50 disposed of at a new vegetative debris disposal facility located on NC 58 near Silver Creek Golf Course or at a new
51 County location near Carl Garner Road in the Newport area, hence the alternate bid prices for the disposal of
52 vegetative debris. The new NC 58 location is obviously much more convenient for Emerald Isle, and should result in
53 lower costs and overall faster collection and disposal times. All costs for hurricane debris removal should be eligible
54 for FEMA reimbursement if Carteret County is declared a disaster area.

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1
2 The Board should again note that FEMA and the NC Division of Emergency Management (NCEM) have ruled that
3 NCDOT is the responsible entity for the removal of vegetative debris from NC 58, and that the Town would not be
4 reimbursed by FEMA for debris collection on NC 58. We remain fearful that NCDOT will not be as timely as the
5 Town's contractor in collecting debris, thus resulting in unnecessary delays in collecting debris from the most visible
6 areas of Town. It is likely that our residents who live on NC 58 will also become frustrated if NCDOT is not as timely as
7 the Town's contractor. Additionally, NCDOT is not likely to be as flexible with our residents as the Town regarding the
8 length of time that debris can be collected. Because of these concerns, we will again be working to reach an
9 agreement with NCDOT to allow them to essentially subcontract this work to the Town and our contractor. We are
10 hopeful that NCDOT will enter into such an agreement with the Town, however, if NCDOT decides not to enter into an
11 agreement with the Town, and if NCDOT's response is significantly delayed then we may direct our contractor to also
12 pick up vegetative debris along NC 58 at Town expense. We would obviously attempt to avoid this cost, however,
13 depending on the volume of debris and NCDOT's response time, it may be a better strategy from a customer service
14 and community appearance perspective. This decision will be evaluated at that time as necessary.
15

16 The Board should also again note that FEMA and NCEM have ruled that the Town will not be reimbursed for collection
17 of debris from private streets. This ruling is completely illogical, in my opinion, as the residents on private streets are
18 also Federal and State taxpayers and deserve the same level of service. Regardless of our challenge (and other
19 communities' challenges) to this ruling, FEMA and NCEM have been clear on this issue. In fact, the Town did not
20 receive reimbursement for collection from private streets after Hurricane Ophelia in 2005. Fortunately, the volume of
21 debris on private streets was relatively minor, and was not a major expense for the Town. Public Works also collected
22 some debris from private streets to minimize our additional expenses. Our intention for private streets after future
23 storms is to collect all debris in the same manner as the rest of the Town. Depending on the nature of the storm and
24 the volume of debris, Public Works may be directed to collect from private streets or the Town's contractor will be
25 dispatched to private streets at Town expense. In the event of a major debris event, one option that could be pursued
26 would be to require the private street subdivisions to contract for collection internally, with placement of debris on the
27 nearest public street right of way for collection by the Town's contractor. I sincerely hope we would not evolve to this
28 approach, but it could be considered if necessary in a worst-case scenario. I feel strongly that we owe the same level
29 of service to our citizens who live on private streets as we offer to all other residents.
30

31 The attached resolution also authorizes the execution of a contract with Byrd Brothers Emergency Services, Wilson,
32 NC, as the Town's second call contractor at specified unit prices. Byrd Brothers was the second lowest bidder in the
33 Town's recent bid process. The contract with Byrd Brothers would only be activated if DRGTS failed to perform under
34 the contract.
35

36 A copy of Barry Johnson's debris contract recommendation and the complete bid tabulation are attached for the
37 Board's information.
38

39 Resolution Authorizing Pre-Positioned Emergency Generator Rental Contract

40 The Board of Commissioners is also asked to approve the attached resolution authorizing a pre-positioned emergency
41 generator rental contract with Godwin Pumps of America, Inc. The Town has historically experienced low bidder
42 interest in this contract, and this year is no different. Godwin submitted the only responsive proposal to the Town, and
43 after additional research their proposal has been deemed "fair and equitable".
44

45 The attached resolution authorizes the Town Manager to execute a contract with Godwin that calls for the delivery and
46 initial set-up of 5 generators to provide electrical power to the Town's fixed storm water pumps located at Deer Horn
47 Drive, Doe Drive, Conch Court, Shipwreck Lane, and Colonel Henson Court. These 5 fixed pumps are already wired
48 for generator power, and no modifications to these pumps are required. The contract also calls for emergency
49 generators for Fire Station #2, the Recreation Center, the Town Administration Building, and the Public Works Building.
50 All other Town buildings have permanent generators. These four buildings are wired for generator power, and hook up
51 should be relatively easy and quick when generators are delivered in the aftermath of a storm. (An electrician's
52 services will be required for cable connection on the generator itself.) The contract also includes the rental of large fuel
53 tanks for the generators. Under the terms of the contract, all equipment would be guaranteed to be available within 24
54 hours of a notice to proceed.

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1
2 Godwin's 2011 proposal includes nearly identical pricing as their previous years' generator contracts. The attached bid
3 tabulation indicates the unit price costs for delivery, setup, and first day rental (code A), daily rental (B), weekly rental
4 (C), and monthly rental (D). Each number on the bid tabulation (1, 2, 3, etc.) represents a different generator location.
5

6 The Board should note that the emergency generator rental contract is a 2-year contract. The attached contract would
7 be in effect for the 2011 and 2012 hurricane seasons, and the Town would solicit new proposals prior to the 2013
8 hurricane season.
9

10 As is the case for the debris contract, the emergency generator rental contract will only be activated if a hurricane
11 strikes Emerald Isle and the need for this equipment exists. The Federal Emergency Management Agency (FEMA) is
12 expected to reimburse the Town for 100% of costs associated with this contract if activated.
13

14 Resolution Authorizing Pre-Positioned Emergency Pump Contract

15 The Board of Commissioners is also asked to approve the attached resolution authorizing a pre-positioned emergency
16 pump contract with Thompson Pump and Manufacturing Co, Inc. The Town received two proposals for this contract,
17 and Thompson is judged to be the low bidder. Godwin Pumps of America, Inc. was the other company that provided a
18 proposal.
19

20 The attached resolution authorizes the Town Manager to execute a contract with Thompson that calls for the delivery
21 and initial set-up of four 6" storm water pumps and associated hose for use at Island Circle, Spinnakers Reach, and in
22 Dolphin Ridge (two locations). Additionally, the contract provides for additional 3" storm water pumps and hose if
23 necessary, and these pumps would supplement the Town's existing pump equipment. Under the terms of the contract,
24 all equipment would be guaranteed to be available, and would be operational within 24 hours of a notice to proceed.
25

26 The attached bid tabulation indicates the unit price costs for delivery, setup, and first day rental (code A), daily rental
27 (B), weekly rental (C), and monthly rental (D), and each number (1, 2, 3, etc.) represents a different pump location.
28 Based on previous experience, the most likely pump rental duration is the weekly rental (C).
29

30 The Board should note that the emergency pump rental contract is also a 2-year contract. The attached contract would
31 be in effect for the 2011 and 2012 hurricane seasons, and the Town would solicit new proposals prior to the 2013
32 hurricane season.
33

34 As is the case for the debris contract and emergency generator rental contract, the emergency pump rental contract
35 will only be activated if a need for this equipment exists. The Federal Emergency Management Agency (FEMA) is
36 expected to reimburse the Town for 100% of costs associated with this contract if activated due to a hurricane,
37 however, the contract may also be activated for other severe storm water flooding events not associated with a
38 hurricane. In these instances, the Town would bear the full cost of activating the contract.
39

40 Mayor Schools asked for any public comment. There were no comments from
41 the public.
42

43 In response to a concern posed by Commissioner Hoover concerning FEMA
44 reimbursement for picking up debris on side streets, Town Manager Rush stated
45 that they would certainly reimburse for pickup on all the side streets that were
46 public. Mr. Rush said in the past they had been frustrated by the provision by
47 FEMA concerning private streets such as in Lands End because they felt that
48 those on the private streets in subdivisions were as entitled to debris collection
49 as anybody else, and the Town had been fortunate in previous storms that there
50 had been a relatively small volume that they had either been able to send in
51

1
2 Public Works to pick it up or they had just incurred that cost and the Town had
3 borne it. Mr. Rush added that hopefully none of the contracts would need to be
4 activated, but if that were the case that was the approach they would take.

5
6 ***Motion was made by Commissioner Wright to approve the Resolution***
7 ***Authorizing a Pre-Positioned Debris Removal Contract for Hurricane***
8 ***Debris. The Board voted unanimously 5-0 in favor. Motion carried.***

9
10 ***Motion was made by Commissioner Hoover to approve the Resolution***
11 ***Authorizing a Pre-Positioned Emergency Generator Rental Contract. The***
12 ***Board voted unanimously 5-0 in favor. Motion carried.***

13
14 ***Motion was made by Commissioner Messer to approve the Resolution***
15 ***Authorizing a Pre-Positioned Emergency Pump Rental Contract. The Board***
16 ***voted unanimously 5-0 in favor. Motion carried.***

17
18 **Clerks Note:** A copy of Resolutions 11-05-10/R1, 11-05-10/R2, and 11-05-10/R3 are incorporated
19 herein by reference and hereby made a part of these minutes.

20
21 **11. New Public Boat Launch Facility**

- 22
23 **a. Resolution Authorizing Closing on Lot 3 of Shell Cove North**
24 **(11-05-10/R4)**
25 **b. Capital Project Ordinance Amendment – New Public Boat Launching**
26 **Facility**
27 **c. Capital Project Ordinance Amendment – Coast Guard Road Storm**
28 **Water Project Phase IV**

29
30 Town Manager Frank Rush addressed the Board regarding this agenda item.
31 The following excerpt from his memo to the Board is provided for additional
32 background:

33
34 The Board of Commissioners is scheduled to consider 3 separate actions associated with the acquisition of the final lot
35 that comprises the new public boat launch facility property at the May 10 meeting. Additionally, one of the items also
36 appropriates additional funding from the NC Wildlife Resources Commission to perform "touch-up" maintenance
37 dredging in the entrance canal at the new facility.

38
39 **Resolution Authorizing Closing on Lot 3 of Shell Cove North**

40 The attached resolution formally authorizes the Town Manager and Town Attorney to proceed with the closing on Lot
41 3, which is the last of the 7 lots that comprise the property acquired for the new public boat launch facility. The closing
42 date is tentatively scheduled for July 11, 2011. This date is well in advance of the September 1, 2011 deadline
43 established in the land purchase contract.

44
45 The total purchase price is \$607,143. The Town will utilize remaining 2009 Parks and Recreation Trust Fund grant
46 funding (\$196,429), the 2010 NC Marine Resources Fund grant (\$300,000), and contributions from Carteret County
47 and the Town. After the closing on Lot 3, the total cost to Carteret County and the Town for this project will equal
48 \$658,125 each. This amount is well below the maximum \$1 million authorized by Carteret County.

49

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3 As you know, the Town has been leasing Lot 3 for the past several months in order to allow for construction prior to the
4 2011 boating season. The Town has already entered into a long-term lease agreement with the NC Wildlife Resources
5 Commission for all 7 of the lots that comprise the property, so the closing on Lot 3 is the final transaction associated
6 with the project.
7

8 Capital Project Ordinance Amendment – New Public Boat Launching Facility

9 The attached capital project ordinance amendment formally appropriates the necessary remaining funds from Carteret
10 County and the Town for the closing on Lot 3. Until now, the final amounts necessary from the County and the Town
11 were somewhat uncertain, and the project budget simply relied on “unspecified grants and contributions”.
12

13 The attached capital project ordinance appropriates an additional \$84,731 from Carteret County, and this amount
14 added to the \$573,394 previously provided by the County brings their total contribution to \$658,125. The attached
15 capital project ordinance also appropriates an additional \$78,602 of Town funds, and this amount will also bring the
16 Town’s total contribution to \$658,125. The additional \$78,602 from the Town would be transferred from the Coast
17 Guard Road Storm Water Project Phase IV capital project ordinance. This transfer is possible due to the fact that the
18 Town will experience significant savings for the construction of the emergency discharge in Emerald Isle Woods Park.
19 The Town originally budgeted \$185,000 for this work, and then continued to seek a more cost-effective solution by
20 working with the environmental regulatory agencies. The ultimately permitted solution will only cost \$69,600, freeing
21 up the necessary funds for the purchase of Lot 3. If the Town does not utilize the storm water savings for Lot 3, the
22 Board will need to include \$78,602 in the FY 11-12 budget for Lot 3.
23

24 The attached capital project ordinance amendment also appropriates an additional \$30,000 from the NC Wildlife
25 Resources Commission (WRC) for “touch-up” maintenance dredging in the entry canal at the new facility. The WRC
26 identified the need for “touch-up” dredging several weeks ago, and is arranging for a local dredging contractor to
27 remove approximately 600 cubic yards from the canal within the next two weeks. The Town will actually contract for
28 the work, however, the WRC will fully reimburse the Town for the cost of this work. The work is expected to take only a
29 few days, and this will require the new facility to be closed to the public for a few days. This work will likely be done
30 before Memorial Day weekend, and likely early in the week so as not to disrupt weekend boating activities. The
31 dredge spoils will be hauled to Emerald Isle Woods Park and used to fill in a previously disturbed area. No additional
32 State permits are necessary for this work.
33

34 Capital Project Ordinance Amendment – Coast Guard Road Storm Water Project Phase IV

35 The attached capital project ordinance amendment formally transfers the \$78,602 noted above from the Coast Guard
36 Road Storm Water Project Phase IV account to the new public boat launching facility project account. The attached
37 capital project ordinance also adjusts the line item budget for the Coast Guard Road Storm Water Project Phase IV
38 account to allocate the necessary amount for design and permitting work. These amendments leave a balance of
39 \$83,898 for the construction of the emergency discharge in Emerald Isle Woods Park, which is more than enough to
40 cover the \$69,600 construction contract approved by the Board at the April meeting.
41

42 The Board should note that there also remains a total of \$175,000 in the attached capital project ordinance for
43 easement acquisition to address storm water issues at The Point. These funds would remain intact and continue to be
44 available for alternative storm water strategies at The Point.
45

46 Mayor Schools asked for any comments from the public. There were no
47 comments from the public.
48

49 ***Motion was made by Commissioner Wootten to approve the Resolution***
50 ***Authorizing Closing on Lot 3 in Shell Cove North. The Board voted***
51 ***unanimously 5-0 in favor. Motion carried.***
52

1
2 ***Motion was made by Commissioner Hedreen to approve the Capital Project***
3 ***Ordinance Amendment – New Public Boat Launching Facility. The Board***
4 ***voted unanimously 5-0 in favor. Motion carried.***

5
6 ***Motion was made by Commissioner Wright to approve the Capital Project***
7 ***Ordinance Amendment – Coast Guard Road Storm Water Project Phase IV.***
8 ***The Board voted unanimously 5-0 in favor. Motion carried.***

9
10 **Clerks Note:** A copy of Resolution 11-05-10/R4 and both Capital Project Ordinance Amendments as
11 noted above are incorporated herein by reference and hereby made a part of these minutes.

12
13 **12. Emergency Medical Services Contracts**

- 14
15 **a. Contract for EI EMS, Inc. to Provide Emergency Medical Services**
16 **b. Contract for Town to Provide Financial Administration Services for EI**
17 **EMS, Inc.**

18
19 Town Manager Frank Rush addressed the Board regarding this agenda item.
20 The following excerpt from his memo to the Board is provided for additional
21 background:

22
23 The Board of Commissioners is scheduled to consider two contracts associated with Emerald Isle Emergency Medical
24 Services, Inc. (EI EMS, Inc.) at the May 10 meeting. The first contract extends the Town's existing contract with EI
25 EMS, Inc. for the provision of emergency medical services for another year, until at least June 30, 2012. The second
26 contract further strengthens the partnership between the Town and EI EMS, Inc. by having the Town provide
27 comprehensive financial administration services for EI EMS, Inc.

28
29 The Town has contracted with the non-profit Emerald Isle Emergency Medical Services, Inc. to provide emergency
30 medical services for Emerald Isle residents and visitors since 2001. The Town provides the majority of EI EMS, Inc.'s
31 annual funding (\$290,000 proposed for FY 11-12), and EI EMS, Inc. also realizes approximately \$140,000 annually
32 from service call fees. Over the years, the Town and EI EMS, Inc. have maintained a strong partnership that has
33 served our community well, including the construction of the new EMS station in 2008, a joint venture between the
34 Town and EI EMS, Inc.

35
36 The existing contract between the Town and EI EMS, Inc. for the provision of emergency medical services will expire
37 on June 30, 2011, and the Joint EMS Committee (comprised of 3 representatives each from the Town and EI EMS,
38 Inc.) has been working over the past several months to assess the best long-term structure for the provision of
39 emergency medical services in Emerald Isle. After a lengthy review, EI EMS, Inc.'s Board of Directors has indicated
40 their desire to maintain their status as a separate non-profit organization for at least another year, and is seeking a 1-
41 year contract extension with the Town. The Joint EMS Committee reviewed this issue, and is comfortable with a 1-
42 year contract extension.

43
44 The attached 1-year contract is nearly identical to the current contract between the Town and EI EMS, Inc., and also
45 includes a provision (paragraph #7) whereby the Town and EI EMS, Inc., with the Joint EMS Committee taking the
46 lead, will again re-evaluate the best long-term structure for the provision of emergency medical services in Emerald Isle
47 over the course of the next year. EI EMS, Inc. is embarking on a new volunteer recruitment effort, and will evaluate the
48 success of this effort and their experience during the upcoming busy summer season, and will then re-evaluate their
49 long-term status later this fall. The attached contract requires EI EMS, Inc. and the Joint EMS Committee to work in
50 good faith to make a new recommendation no later than February 1, 2012. Among the long-term options to be

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2 considered are: 1) the continuation of a contractual relationship, 2) the transition of EI EMS, Inc. to Town government
3 department, 3) the transition of EI EMS, Inc. to a County government department, or d) any other relationship structure
4 that provides for the highest quality service in the most cost-effective manner. Based on discussions over the past
5 year, the most likely recommendations are either to continue a contractual relationship or become a Town department.
6

7 After it became apparent earlier this spring that EI EMS, Inc. and the Joint EMS Committee would pursue a 1-year
8 contract extension, the Joint EMS Committee's focus then shifted toward financial administration. Currently, EI EMS,
9 Inc. handles all financial administration duties (payroll, accounts payable, cash management, etc.) internally and with
10 the assistance of outside accounting services. As one might expect, these responsibilities have increased over the
11 years, and the financial administration has become more complex. In an effort to reduce outside accounting expenses
12 (saving money for EI EMS, Inc. and the Town), allow EI EMS, Inc. to focus its efforts on the provision of the highest-
13 quality emergency medical services, and improve the Town's understanding of EI EMS, Inc.'s financial status, the
14 Town would begin providing comprehensive financial administration services for EI EMS, Inc. on July 1, 2011 if the
15 attached financial administration services contract is approved. Because the Town already has an established and
16 efficient financial administration system, it will be relatively easy to incorporate EI EMS, Inc. into the Town's system
17 without a significant additional burden on Town staff. This contract will result in annual savings of at least \$8,000 in EI
18 EMS, Inc.'s budget, and will also further strengthen the partnership between the Town and EI EMS, Inc.
19

20 The Town will process all payroll transactions, accounts payable transactions, perform cash management duties,
21 invest idle EI EMS, Inc. funds, and assist with budget monitoring for EI EMS, Inc. The Board should note that the
22 Town's responsibilities under the attached contract are limited to processing functions, and EI EMS, Inc. will retain sole
23 decision-making authority for its operations. EI EMS, Inc. will continue to operate as a separate non-profit entity, and
24 will be responsible for all personnel selection decisions, employee supervision, adherence to medical protocols and
25 regulations, departmental policies, purchasing decisions, and other typical daily management activities. EI EMS, Inc.
26 will simply be contracting with the Town for outside financial administration services. EI EMS, Inc. will continue to
27 operate in the same manner that it has for the past 10 years, with the only difference being that the Town will be
28 processing all financial transactions for EI EMS, Inc. Other than determining or amending the annual budget allocation
29 for EI EMS, Inc., the Town will have no active role in the management activities of EI EMS, Inc. As in the past, EI
30 EMS, Inc. will be responsible for adhering to its approved annual budget, as amended from time to time.
31

32 EI EMS, Inc. will be audited as part of the Town's annual financial audit, and their financial statements will be included
33 in the Town's annual financial report. EI EMS, Inc.'s financial position will be reported separately from the Town's
34 however, with all EMS revenues, expenditures, and cash segregated in a separate EMS fund. The annual financial
35 report will clearly indicate that EI EMS, Inc. is a separate entity from the Town, but also reflect the strong partnership
36 and contractual arrangements.
37

38 I am pleased to present these two contracts to the Board for consideration. They represent the continuation and
39 further growth of a successful partnership between the Town and EI EMS, Inc. The continued success of this
40 partnership will help to insure that Emerald Isle residents and visitors continue to receive the highest-quality, most cost-
41 effective emergency medical services in the future.
42

43 EI EMS Chief, Doug Fleming thanked Commissioner Hedreen for the time and
44 help with the wording of the contracts, as well as Town Attorney Richard Stanley.
45

46 Town Manager Rush stressed that EI EMS would remain a separate non-profit
47 entity, they would still retain all the decision making authorities for their day to
48 day operations, the budget process was a joint effort and ultimately determined
49 by the Board of Commissioners, but nothing would change in terms of the day to
50 day operations or the supervision or selection of personnel. Essentially the Town
51 was providing financial processing services for them, payroll and accounts
52

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1
2 payable as a way to improve the partnership and also to save some money for
3 both parties.

4
5 Commissioner Hedreen thanked the EMS for inviting her to be a participant in
6 their board meetings which she felt said a lot about the trust and relationship
7 between the two groups.

8
9 Chief Fleming said one of the things they needed to work toward at a future time
10 was for the Town to learn the structure of the EMS from the local, county,
11 hospital, state, and DEA level.

12
13 Mayor Schools asked for any comments from the public. There were no
14 comments from the public.

15
16 ***Motion was made by Commissioner Hedreen to approve the Contract for EI***
17 ***EMS, Inc. to Provide Emergency Medical Services. The Board voted***
18 ***unanimously 5-0 in favor. Motion carried.***

19
20 ***Motion was made by Commissioner Wootten to approve the Town to***
21 ***Provide Financial Administration Services for EI EMS, Inc. The Board***
22 ***voted unanimously 5-0 in favor. Motion carried.***

23
24 **Clerks Note:** A copy of both contracts as noted above are incorporated herein by reference and
25 hereby made a part of these minutes.

26
27 **13. FY 11-12 Recommended Budget**

28
29 **a. Presentation**

30 **b. Schedule for Review and Adoption**

31
32 Town Manager Frank Rush addressed the Board regarding this agenda item,
33 providing a PowerPoint presentation for their and the public's benefit. The
34 following excerpt from his memo to the Board is provided for additional
35 background:

36
37 The FY 11-12 Recommended Budget is complete and will be formally presented to the Board and the public at the May
38 10, 2011 regular meeting. In an effort to better educate the Board and the public about the Town's budget, I will make
39 a detailed presentation summarizing the FY 11-12 Recommended Budget, and will provide handouts for the public at
40 the May 10 meeting.

41
42 I have attached a copy of the "Budget Message", which provides a comprehensive discussion of the issues associated
43 with the FY 11-12 budget. A "Quick Summary", "All Funds (Summary)", "General Fund Budget Summary", and other
44 materials are also attached. The full budget document is provided to you under separate cover.

45
46 The total FY 11-12 Recommended Budget is \$8,725,176, a \$706,559, or 7.5% decrease from the adopted FY 10-11
47 budget. The proposed General Fund tax rate for FY 11-12 is 11.5 cents per \$100 of assessed value, which is the
48 revenue-neutral rate after the 2011 tax revaluation. The proposed tax rates for the new beach nourishment special

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1
2 districts are 4.5 cents for oceanfront and inlet-front property owners, and 1.5 cents for all other property owners. These
3 proposed rates are the revenue-neutral equivalent of the 3 cent and 1 cent rates discussed by the Board over the past
4 two years. The recommended annual solid waste fee is \$190 per developed property, which is a \$10 increase. The
5 FY 11-12 Recommended Budget does not rely on the use of General Fund balance to balance the budget.
6

7 We have tentatively scheduled two special budget meetings to review and discuss the Recommended Budget. The
8 first one is tentatively scheduled for Thursday, May 12 at 6:00 pm, and the second, which includes the legally required
9 public hearing, is tentatively scheduled for Tuesday, June 7 at 6:00 pm. If these dates and times are not acceptable
10 and/or additional meetings are necessary, we can adjust to fit the Board's schedule.
11

12 I am hopeful that the Board will formally approve the FY 11-12 budget at your regularly scheduled meeting on
13 Tuesday, June 14 at 7:00 pm.
14

15 Mayor Schools asked for any comments from the public. There were no
16 comments from the public.
17

18 Mayor Schools and the Board thanked Town Manager Rush for his work and
19 Mayor Schools noted that the Board would be meeting on Thursday, May 12 to
20 go over the details of the recommended budget as presented tonight.
21

22 **14. Comments from Town Clerk, Town Attorney, and Town Manager**
23

24 There were no comments from the Town Clerk or Town Attorney.
25

26 Town Manager Rush briefed the Board on several important issues. Mr. Rush
27 discussed the issue of the recent request by Simmons & Simmons. Simmons &
28 Simmons contract expires on December 31, 2011 and the Town had an option
29 for two 1 year extensions at the same terms; they recently requested the Board
30 to consider a 5-year extension at the same terms and he wanted to pass this on
31 to the Board now for their consideration and if they were interested they would
32 include that on a future meeting agenda.
33

34 The following is an excerpt from the Town Manager Comments memo to the
35 Board providing additional background information for all items of importance:
36

37 **Simmons & Simmons Solid Waste Contract**

38 The Town's 5-year contract with Simmons & Simmons expires on December 31, 2011. The contract includes an
39 option for the Town to extend for up to 2 more years at the same terms. Simmons & Simmons recently approached
40 me to request a 5-year extension at the same terms. Overall, I have been very pleased with the service provided by
41 Simmons & Simmons over the past 4+ years.
42

43 The Town's contract with Simmons & Simmons includes twice per week trash collection year-round, once per-week
44 recycling collection year-round, and the roll-back of containers at least 30 feet from the edge of the right of way. The
45 total cost of the contract is \$64,682 per month, and the contract includes an annual CPI adjustment in January of each
46 year.
47

48 Please let me know your thoughts on extending the contract.
49
50

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1
2 **Emerald Isle Woods Park Emergency Storm Water Discharge**

3 The necessary CAMA permit is expected to be issued any day now, and Thomas Simpson Construction is planning to
4 begin work on May 16. I have secured approval from a vacant lot owner on Christina Court (on the soundfront east of
5 El Woods Park) to use that lot to access the discharge location. I hope to have this work complete before the end of
6 June.

7
8 **Aquarium Pier at Emerald Isle**

9 The budget approved by the NC House would eliminate the funding that was previously earmarked for future pier
10 construction by the NC Aquariums. (The Governor's budget also includes a similar funding decision.) It appears
11 almost certain that these funds will be a casualty of the State budget process. Although this is disappointing, we will
12 continue to work hard to identify construction funding in the next couple of years.

13
14 Design work continues, and planning is still underway to construct a soundside pier later this year. I am also hoping to
15 reconvene the Aquarium Pier Advisory Committee sometime soon.

16
17 Mayor Schools and I will be attending the grand opening ceremonies for the new Jennette's Pier (Aquarium Pier) in
18 Nags Head on May 19 and May 21. The new Jennette's Pier is an impressive facility, and I am hopeful that it will
19 receive favorable reviews and hopefully build some positive momentum for the future Aquarium Pier at Emerald Isle.

20
21 **NC 58 Multi-Use Path Extension**

22 We have submitted a new request for construction authorization to NCDOT, and we believe we have (finally!) met all of
23 their requirements. We hope to receive the official construction authorization sometime this week. If so, it will be a
24 matter of scheduling the work with Thomas Simpson Construction. I remain hopeful that we might finish this project by
25 Memorial Day weekend, but it is increasingly unlikely.

26
27 **Future Coast Guard Road Multi-Use Path Extension**

28 Alesia Sanderson, Parks and Recreation Director, and I recently reviewed all known issues associated with the future
29 extension of the multi-use path along Coast Guard Road to The Point. Alesia then prepared the attached cost estimate
30 and segment map for the future extension of the path for use in Town planning efforts and also for fundraising efforts
31 by the Bicycle and Pedestrian Advisory Committee. As you will see, the future extension is broken down into 6
32 financially viable segments with logical start and end points.

33
34 Alesia and I evaluated both a northern and southern route for the multi-use path, and the cost estimates are relatively
35 close, with impediments and challenges on both sides of the road. A southern location is slightly less expensive, and
36 also avoids a significant fiber optic cable buried on the north side that serves the US Coast Guard Station. Alesia and I
37 recommend staying on the south side of Coast Guard Road for future extensions, but can also make the north side
38 work is that is the preferred route of the Bicycle and Pedestrian Advisory Committee and the Board of Commissioners.

39
40 The Bicycle and Pedestrian Advisory Committee is planning to begin a mail solicitation of property owners in the Coast
41 Guard Road area later this summer in an effort to raise funds for the future segments. Mayor Schools, Commissioner
42 Wright, and local businessman Ronnie Watson are also assisting the Committee with this effort.

43
44 **Privilege License Fees**

45 I have decided to hold off on recommended changes to the privilege license fee schedule until next year. We will
46 continue to use the current fees for privilege license renewals for July 1, 2011, and consider new fees for 2012
47 renewals.

48
49 **Recycling Tipping Fees**

50 I am still awaiting final word from Kemp Recyclers on the availability of their Pollocksville site. We have verbally
51 agreed on them accepting our material toward the end of May, at no charge to the Town. This will save the Town
52 approximately \$25,000. If it does not work out with Kemp, I recently had a more encouraging conversation with
53 Coastal Enterprises about reducing or eliminating the fee. I will keep the Board posted on this issue.

54

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

3 The Carteret County Shore Protection Office is planning to take additional sediment samples from the previously
4 utilized Borrow Areas A and B2 (2003 project) and also a potential new borrow source off of Emerald Isle to determine
5 if there is a suitable quantity of material (150,000 cy +) for a small beach nourishment project in eastern Emerald Isle in
6 early 2012. If the size of the project is relatively small, uses borrow areas that were previously permitted, and it
7 complies with the new sediment quality standards, it may be relatively easy to secure a permit for this work later this
8 year. The goal would then be to "piggy-back" on the US Army Corps of Engineers contract at Morehead City Harbor in
9 early 2012 to have the contractor also come down to Emerald Isle for a few weeks. The Carteret County Shore
10 Protection Office and their engineers, Moffat & Nichol, are currently assessing the most cost-effective way to obtain the
11 additional sediment samples, hopefully in conjunction with their larger sediment sampling plans for the multi-decade
12 EIS / permit.
13

14 Much associated with this project is still uncertain, however, we continue to seek a cost-effective way to address
15 erosion concerns in eastern Emerald Isle. If we can not make something work in early 2012, we will be working toward
16 early 2013.
17

18 **Terminal Groin Legislation**

19 Legislation authorizing terminal groins only at an inlet location has passed both chambers of the General Assembly,
20 and a conference committee will resolve differences between the House and Senate versions. Although it is probably
21 unlikely that Emerald Isle would pursue a terminal groin for Bogue Inlet anytime soon, especially if we can secure a
22 permit (through the multi-decade EIS / permit for beach nourishment) to periodically dredge Bogue Inlet in a central
23 location, the legislative authority to construct a terminal groin at Bogue Inlet would provide another management option
24 for Bogue Inlet in the future.
25

26 **Regional Access Parking Fee Program**

27 The new parking fee program has gone very well so far. Through May 1, we have collected \$11,140 of revenue from
28 the new fee. Our original estimate (which reflected beginning the program on April 2) was \$9,990 through May 1. Our
29 revised estimate (which reflected the actual start date of April 16) was \$4,990, so we are well ahead of where we
30 hoped to be at this time. A detailed summary of collections is attached.
31

32 Thus far, we are averaging approximately 20 free parking visitors per day at the regional access facilities. A total of
33 574 free parking permit stickers have been issued through May 6.
34

35 **Beach Patrol / Lifeguard Program**

36 We have hired a total of 7 beach patrol / lifeguard personnel so far, and have a few more good candidates that we are
37 still considering. All 7 of the individuals hired thus far have Red Cross lifeguard certification. Emerald Isle ocean
38 training will begin on May 9, and we hope to have beach patrol / lifeguards on the beach by May 14.
39

40 Fire Department staff recently attended the national conference of the US Lifesaving Association (USLA) in Kill Devil
41 Hills, NC, and we are working toward an official USLA certification. Many aspects of our program will already comply
42 with USLA guidelines, however, it is likely to take a few years to earn the actual certification due to requirements for
43 minimum hours of service by our personnel.
44

45 **Eastern Emerald Isle Storm Water Outfall Removal**

46 The Public Works Department is still working through design and permitting issues with this project, and we hope to
47 resolve these issues in the coming weeks. We have until March 2012 to complete all work at 17 locations under our
48 Clean Water Management Trust Fund grant.
49

50 **2011 Street Resurfacing**

51 Onslow Grading and Paving plans to begin the Town's 2011 street resurfacing work on Tuesday, May 10, and finish by
52 Friday, May 13.
53
54

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1
2 **Archers Creek Storm Water Study**

3 A contract has been executed with Moffatt & Nichol Engineers, and they are beginning work on this project. The study
4 has a January 2012 deadline.
5

6 **NC 58 Permanent Pavement Markings**

7 I was initially advised that the permanent pavement markings would be completed by May 6, however, that did not
8 occur. I expect the pavement markings to be installed within the next week or so.
9

10 **NCDOT Electronic Message Signs**

11 NCDOT believes the new electronic message signs are now functioning properly. The signs are intended to remain
12 blank (black screen) when traffic is flowing smoothly. If the sensors detect that traffic is flowing consistently at less
13 than 25 mph, the message should read "Slow Moving Traffic Ahead". If the sensors detect that traffic is consistently
14 less than 10 mph, the message should read "Stopped Traffic Ahead".
15

16 **Restroom Building for New Public Boat Launching Facility**

17 The restroom building has been ordered, and we are hoping to take delivery and install the new building before the end
18 of June.
19

20 **Recent Internet Auction Results**

21 We recently completed the internet auction of two pro-jet boats and trailers, an old jet ski, and an old Ford Crown
22 Victoria. The Town received total winning bids of \$9,832 for these items. We are currently investigating the cost of a
23 new skiff for the Fire Department, and will likely recommend the use of these proceeds for the new skiff in a budget
24 amendment presented for Board consideration at the June meeting.
25

26 **Golf Cart Program**

27 As of May 6, a total of 59 golf carts have registered under the Town's new program. Town staff have completed 2 new
28 "golf-cart-only" parking spaces at the corner of Ocean Drive and Craig Drive, and one new "golf-cart-only" parking
29 space at the corner of Ocean Drive and Bluewater Drive. Another space will be added at the corner of Ocean Drive
30 and Craig Drive in the next week or two (in conjunction with the creation of a new handicapped parking space), and
31 formal spaces will be delineated at the Ocean Oaks Drive beach access next week.
32

33 **Unattended Beach Equipment Exception Stickers**

34 The Town has issued a total of 79 unattended beach equipment exception stickers as of May 6. Public Works has
35 begun enforcement efforts on the beach strand, and our enforcement approach is identical to last year – a warning
36 sticker for the first violation, and confiscation on the second violation. The vast majority of violators heeded the
37 warning sticker last year, and we hope that will continue this year.
38

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

40
41 Commissioner Messer said when you read the papers everyone was saying
42 revenue neutral but if you continued to read they were tapping their fund
43 balances anywhere from \$300,000 to \$800,000 to keep it revenue neutral, so his
44 compliments to Town Manager Rush on the budget.
45

46 Commissioner Hedreen said she noticed the DOT electronic message sign was
47 now working as she saw coming over the bridge it said slow moving traffic ahead
48 and she experience it again when it said traffic stopped.
49
50
51

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14

16. Adjourn

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

The meeting was adjourned at 8:00 pm.

Respectfully submitted:

Rhonda C. Ferebee, CMC
Town Clerk