

1 **MINUTES OF THE REGULAR SCHEDULED MEETING**
2 **OF THE EMERALD ISLE BOARD OF COMMISSIONERS**
3 **TUESDAY, APRIL 14, 2009 – 6:00 P.M. – COMMUNITY CENTER**
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6 **1. Call To Order**
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8 The regular monthly meeting of the Emerald Isle Board of Commissioners was
9 called to order by Mayor Art Schools at 6:00 PM in the Emerald Isle Community
10 Center.
11

12 **2. Roll Call**
13

14 Present for the meeting: Mayor Art Schools, Commissioners Nita Hedreen, Tom
15 Hoover, Floyd Messer, and John Wootten.
16

17 Absent for the meeting: Commissioner Maripat Wright.
18

19 Others present during the meeting: Town Attorney Richard Stanley, Town
20 Manager Frank Rush, Asst. Town Manager/Finance Director Mitsy Overman,
21 Town Clerk Rhonda Ferebee, Planning Director Kevin Reed, Building Inspector
22 Jim Taylor, and Police Lieutenant Tony Reese.
23

24 ***Motion was made by Commissioner Hoover to excuse the absence of***
25 ***Commissioner Wright. The Board voted unanimously 4-0 in favor. Motion***
26 ***carried.***
27

28 **3. Opening Prayer**
29

30 Mike Young youth member from Emerald Isle Chapel by the Sea offered the
31 Opening Prayer for the Town Board meeting.
32

33 **4. Pledge of Allegiance**
34

35 After opening prayer all who were present recited the Pledge of Allegiance.
36

37 **5. Adoption of Agenda**
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39 ***Motion was made by Commissioner Wootten to adopt the Agenda. The***
40 ***Board voted unanimously 4-0 in favor. Motion carried.***
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42 **6. Proclamations / Public Announcements**
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44 Mayor Schools announced the following Proclamations and public
45 announcements for the public:
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- Proclamation – Small Business Week – April 18 – 26 (09-04-14/P1)
- Proclamation – National Tourism Week – May 9 – 17 (09-04-14/P2)
- Proclamation – Emergency Medical Services Week – May 17 – 23 (09-04-14/P3)
- Proclamation – National Bicycle Month – May (09-04-14/P4)
- Friday Free Flick – “Bolt” – Friday, April 17 – 7 pm – Community Center
- Western Carteret Library Homes Tour and Art Show – Saturday, April 18 – Various Locations
- Litter Sweep – April 18 – May 2 – Contact Parks and Recreation to get involved.
- Planning Board Regular Meeting – Monday, April 27 – 6 pm – Community Center
- Friday Free Flick – Friday, May 8 – 7 pm – Community Center
- Mountain Mania (Bike / Hike Event) – Saturday, May 9 – 10 am – 12 pm – Emerald Isle Woods Park
- Board of Commissioners Regular Meeting – Tuesday, May 12 – 6 pm – Community Center

Mayor Schools noted that due to the weather the Town’s new fire engine was not parked outside for viewing as planned.

Clerks Note: A copy of Proclamations 09-04-14/P1, 09-04-14/P2, 09-04-14/P3, and 09-04-14/P4 are all incorporated herein by reference and hereby made a part of these minutes.

7. Consent Agenda

- a. Tax Refunds / Releases
- b. Resolution Authorizing Internet Auction of Surplus Vehicles (09-04-14/R1)

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

Clerks Note: A copy of Resolutions 09-04-14/R1 and all above noted Consent Agenda items are incorporated herein by reference and hereby made a part of these minutes.

8. Public Comment

Brief Summary: The public will have the opportunity to address the Board about any items of concern not on the agenda.

There were no comments from the public.

1
2 **9. Presentation – Governor Perdue’s Eastern Office**
3

4 Tate Johnson, the Director of Governor Perdue’s Eastern Office, located in New
5 Bern explained to the Board and public the priorities and role of the Governor’s
6 Eastern Office. Mr. Johnson prior to the Board meeting had toured Emerald Isle
7 with Mayor Schools and Town Manager Rush. Mr. Johnson encouraged
8 everyone to please use the Governor’s Eastern Office as the gateway to the
9 administration in Raleigh. Mr. Johnson said that our community could play a vital
10 part in the economic recovery of North Carolina. Mr. Johnson noted that the first
11 elected official that he received a call from during his first few weeks in the
12 Eastern Office was Emerald Isle’s Mayor Schools. Mr. Johnson was impressed
13 that Mayor Schools was reaching out to the Governor’s Office and had heard that
14 Emerald Isle had done a lot of good things.
15

16 **10. Presentation – 2010 US Census**
17

18 Akilah Ensley, Partnership Specialist with the US Census Bureau updated the
19 Board about the 2010 census. Ms. Ensley spoke about the census, the
20 background, and how important it was that Emerald Isle was counted accurately.
21 Ms. Ensley stated the census was federally mandated in the Constitution, and
22 there was a census every 10 years, which had been done ever since 1790. Ms.
23 Ensley noted the benefit from the census being the funding that comes back into
24 the community. Ms. Ensley noted that for every person not counted it was \$347
25 the community missed out on – so it was basically her job to act as promotion
26 and marketing to ensure that everyone in the community was aware of the count.
27 Ms. Ensley noted that she was working with Town Manager Rush and Planning
28 Director Reed to put things in place here and also working on the county level to
29 implement a complete count committee; the committee’s role being to bring
30 together local leaders to take more ownership of the census count and ensure
31 that everyone was counted accurately. Ms. Ensley encouraged the Board to
32 contact her at anytime as needed as a resource.
33

34 **11. Unified Development Ordinance Amendments**
35

- 36 a. **Chapter 5 – Density, Intensity, and Dimensional Standards –**
37 **Regarding Roof Pitch Requirements for Dry Stack Boat Storage**
38 **Structures**
39 b. **Chapter 6 – Development Standards – Regarding Outside Wall**
40 **Facings for Commercial Structures**
41 c. **Public Hearings (Both Amendments)**
42 d. **Consideration of Ordinance Amendments**
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1
2 Planning Director Kevin Reed addressed the Board regarding this agenda item.
3 The following excerpt from Town Manager Rush's memo to the Board is provided
4 for additional background:

5
6 The Board is scheduled to consider two potential amendments to the Town's Unified Development Ordinance (UDO) at
7 the April 14 meeting. The ordinance amendments are requested by R. Andrew Harris, the attorney for the owners of
8 Island Harbor Marina, and are associated with his clients' ongoing plans to redevelop a portion of the marina property
9 with a new dry stack boat storage structure.

10
11 The first ordinance amendment pertains to roof pitch requirements for dry stack boat storage structures in the Marina
12 Village (MV) zone (and also in the Business zone). If approved, the ordinance amendment would allow dry stack boat
13 storage structures only to utilize a very low-slope roof of ½:12 pitch, or nearly flat. The UDO currently requires all
14 buildings in the MV zone to utilize a roof pitch of 4:12 or greater to promote aesthetic quality. The second ordinance
15 amendment would provide for greater flexibility in meeting the Town's building offset requirements for all commercial
16 buildings (not just dry stack boat storage structures, and not just in the MV zone) by clarifying that other non-structural
17 options that create a visual break in a structure's exterior wall appearance are acceptable. Public hearings are
18 required for each ordinance amendment, and have been scheduled for the April 14 meeting.

19
20 The attached memo from Kevin Reed, Planning and Inspections Director, includes an explanation of the applicants'
21 request and a discussion of the Planning Board's review of the ordinance amendments. I have also attached a letter
22 from R. Andrew Harris formally requesting these changes, along with a sketch he provided illustrating the applicants'
23 concerns about the 4:12 roof pitch requirement and its impact on their plans. I have also attached an excerpt from the
24 project's storm water plan that indicates a building footprint of 207 ft by 270 ft, or approximately 56,000 sq. ft. (or 1.28
25 acres). The plan appears to indicate a total of 258 dry slips planned for the dry stack boat storage structure. The
26 Board should note that no specific site plans and building designs have been submitted to the Town for official review
27 yet. An official site plan and building designs will presumably be presented to the Town in the future after issues
28 associated with these ordinance amendments are resolved.

29
30 Ordinance Amendment – Roof Pitch

31 As noted in Kevin Reed's memo, the Planning Board discussed this issue over 2 meetings and ultimately
32 recommended approval of the attached ordinance amendment by a 3-2 vote. The applicants have stated a need for an
33 approximate 48 ft. side wall height in order to achieve the desired number of interior storage racks (4 racks), and have
34 indicated that the combination of the Town's 50 ft. mean roof height limit and 4:12 roof pitch requirement is not feasible
35 when considered with the applicants' desired building features and business model. As such, the applicants are
36 seeking a ½:12 roof pitch, which will presumably enable them to meet the Town's 50 ft. mean roof height limit. The
37 applicants note that dry stack boat storage structures are unique and different than other commercial buildings, and
38 thus should be afforded different roof pitch criteria.

39
40 As you know, building height has historically been a sensitive issue in Emerald Isle. The main substance of the Town's
41 building height ordinance was last amended in 2000. That ordinance amendment allowed commercial structures with
42 a roof pitch of 3:12 or less a maximum height of 35 feet, and those with a greater roof pitch were allowed a mean roof
43 height of up to 50 ft. This provision was adopted to encourage variable and more aesthetically pleasing roof lines, thus
44 the higher building heights. In 2006 and 2007, the Village East and Village West zoning districts were created, and a
45 50 ft. mean roof height limit was established for commercial structures in these zones, and all commercial buildings in
46 these zones, regardless of height, are required to utilize a roof pitch of 4:12 or greater. The new UDO was adopted in
47 2008, and the new Marina Village zoning district was created at that time with the same building height and roof pitch
48 requirements as Village East and Village West. Because of the potential for a dry stack boat storage structure in the
49 Marina Village zone, and based on input from the applicants at that time, a provision was included in the Marina Village
50 Conditional Overlay zone to allow up to a 60 ft. mean roof height, however, the 4:12 roof pitch requirement was
51 retained.

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2 Town staff have reviewed numerous pictures of existing dry stack boat storage structures to better understand building
3 design and roof design options, and several photos are attached for your review. As you will see, there is variation in
4 building and roof design. Town staff also inquired about the dimensions of 3 nearby dry stack boat storage structures
5 simply to gain a greater understanding of the magnitude of the proposed project and the ramifications of the requested
6 ordinance amendment. To put the proposed structure in perspective, the following information is provided by
7 representatives of the following facilities:

8
9 Dudley's Marina, Cedar Point:

- 10
- 11 • Building footprint – approximately 100 ft. x 200 ft., or 20,000 sq ft.
 - 12 • Highest roof peak – 36 ft.
 - 13 • Eave height – 32 ft.
 - 14 • Roof pitch – 1:12
 - 15 • Interior rack system ranges from 3 to 5 racks
 - 16 • Approximately 178 dry slips

17 Casper's Marina, Swansboro:

- 18
- 19 • Building footprint – approximately 120 ft. x 200 ft., or 24,000 sq ft.
 - 20 • Highest roof peak – 38 ft.
 - 21 • Eave height – 35 ft.
 - 22 • Roof pitch – ½ :12 (calculated by Town staff)
 - 23 • Interior rack system generally includes 4 racks
 - 24 • Approximately 175 dry slips

25 70 West Marina, Morehead City:

- 26
- 27 • Building footprint – approximately 100 ft. x 300 ft., or 30,000 sq ft.
 - 28 • Highest roof peak – 42 ft.
 - 29 • Eave height – 30 ft.
 - 30 • Roof pitch – 3:12 (calculated by Town staff)
 - 31 • Rack system includes 3 racks (recently modified from 4 racks)
 - 32 • Approximately 218 dry slips.

33 It is important to note that there are likely different business models, site constraints, and other differences between
34 these facilities and the applicants' planned dry stack boat storage structure, and these examples are presented merely
35 to provide the Board with greater perspective on the requested ordinance amendment. Compared with these three
36 local facilities, the applicants' proposed structure would occupy approximately twice as much land area and would be
37 at least 10 feet taller than these facilities.

38
39 Based on the Planning Board's discussion, previous Board discussion about building heights and dry stack boat
40 storage structures, and based on the community's overall interest in building heights, I suspect that the requested
41 ordinance amendment will be thoroughly discussed and debated by the Board and may generate some differing
42 opinions on the Board and in the community.

43
44 This is obviously a critical issue for the applicants, and is also an important issue for our community. An improved and
45 expanded public marina facility, including a dry stack boat storage structure, will be a great addition to our community
46 and will help to meet the significant demand for boating access in our area. The Town's building height requirements
47 are also an important issue for our community, and overall community values should be carefully balanced against the
48 applicants' request. I believe the Board has the following options for reaching a resolution on this issue:

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2 1. The Board can adopt the ordinance amendment as requested and as recommended by a majority of the
3 Planning Board. The applicants will be pleased and will presumably move forward with project plans in the
4 near future. The overall building height will be within the 50 ft. mean roof height requirement but will
5 essentially be a flat roof that some in our community may not find attractive. The peak of the roof of the
6 applicant's proposed building would likely be in the 53 ft. range.
7
- 8 2. The Board can deny the ordinance amendment as requested, in which case the applicant would need to
9 comply with the existing roof pitch requirement. The applicants have previously stated that this is not
10 feasible under their business model, however, there are potentially creative roof and building designs that
11 would likely comply with the Town's requirements. Other existing dry stack structures appear to have been
12 constructed at lower heights, with similar capacity, and with similar roof pitch. The applicants could also
13 apply for the Marina Village Conditional Overlay Zone, which allows a mean roof height of up to 60 feet, but
14 still requires a 4:12 roof pitch. This additional 10 ft. may make it easier for the applicants to meet the 4:12
15 roof pitch requirement and still achieve their desired building design.
16
- 17 3. The Board can direct staff to draft alternative ordinance requirements that reduce the roof pitch to 3:12,
18 which would be consistent with the requirement in the Business zone. This change may or may not be
19 helpful or practical for the applicants.
20
- 21 4. The Board can direct staff to draft alternative requirements that allow for a combination of low-slope (less
22 than 4:12) and high-slope (4:12 or greater) roof pitches on dry stack boat storage structures. It may be
23 possible, for example to utilize a low slope on the edges of the roof structure, combined with segments of the
24 roof utilizing a high slope that would provide for multiple roof lines and improve aesthetics.
25
- 26 5. The Board can direct the applicant to continue with their site planning and building design, and then request
27 an ordinance amendment in conjunction with the Town's site plan / building design review process. Under
28 this approach, the applicants may incur additional expense if their preferred design is not accommodated by
29 a requested accompanying ordinance amendment, and they would need to gauge their interest in this
30 approach.
31

32 As noted earlier, the applicant's proposed project would be a great addition to our community, and we look forward to
33 its eventual construction. If the Board chooses one of options 2 – 5 above, Town staff are happy to work closely with
34 the applicants to help them devise a strategy that is consistent with the Town's existing ordinances and/or any
35 alternative ordinance amendments that may be acceptable to the Board.
36

37 Ordinance Amendment – Building Offset Requirements

38 The applicants originally only requested a change to the Town's building offset requirements for dry stack boat storage
39 structures only, however, the Planning Board has recommended (5-0) that the building offset requirements be
40 amended for all commercial structures (including dry stack buildings).
41

42 In an attempt to promote aesthetically-pleasing, architecturally-diverse commercial structures, the Town's existing
43 ordinance requires that all exterior walls incorporate building offsets along every 20 feet of wall, and that these offsets
44 be a minimum of 8 ft long and 4 ft deep. The existing ordinance includes language indicating that a projecting porch,
45 gable, or other similar structure may serve as an offset if it creates a visual break in the exterior wall. The proposed
46 ordinance amendment broadens the range of features that can be used to create a visual break in the exterior wall by
47 specifically authorizing the following: variation in roof lines, balconies, building fenestrations, building recesses,
48 variation of building materials and colors, and other ornamental features.
49

50 The intent of this ordinance is excellent, and has served our community well for several years. As you know, however,
51 there has been concern in the past about the rigid nature (20 ft, 8 ft., 4 ft, etc.) of this ordinance, and Town staff
52 supports the applicant's request and the Planning Board's recommendation. The Town has historically not required
53 projecting porches, gables, or other similar structures to meet the 20 ft, 8 ft, and 4 ft requirements, and neither the
54 Planning Board nor Town staff envision applying these rigid standards to the other features included in the ordinance

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2 amendment. The Board may also wish to remove the reference to the 20 ft, 8 ft, and 4 ft requirements altogether if the
3 ordinance amendment is approved by the Board.
4

5 Planning Director Reed noted that Town Attorney Richard Stanley advised that
6 the proposed amendment would need to address all dry boat storage facilities,
7 those found in the business district and the marina village district.
8

9 ***Motion was made by Commissioner Messer to open the Public Hearings for***
10 ***both ordinance amendments. The Board voted unanimously 4-0 in favor.***
11 ***Motion carried.***
12

13 Andy Harris, Applicant's Agent, spoke to the Board about the two ordinance
14 amendments requested pertaining to the roof pitch and the offset requirements
15 applicable to commercial buildings. Mr. Harris stated that as his applicants
16 began getting into the details about dry stack designs, and retaining an architect
17 and talking with a company that builds dry stacks, issues came out about roof
18 pitch and the offset requirements. Mr. Harris said in talking with the company
19 that makes the dry stack buildings, the most important thing was the height of
20 storage you have along your wall space, so roof pitch under the existing
21 ordinance being a 4:12, given the size of these buildings results in a very low roof
22 height in the area for boat storage. Mr. Harris said that they have been advised
23 that 4-stack is what to shoot for in order to make the dry stack profitable. Mr.
24 Harris discussed in detail the manufacturing and architectural needs and reasons
25 for the amendment requests for the roof pitch and the building offset
26 requirements. Mr. Harris said they had tried to craft what they felt were
27 acceptable ways that they could build the building but also have it be an asset to
28 the Town as far as aesthetics. Mr. Harris said in showing the Board some other
29 designs of projects in Southport and other places, they could see what these
30 building can look like; and lastly Mr. Harris noted that where this building is
31 proposed to be located was down in a hole, from Sound Drive to the base of the
32 building was about a 20-25 foot drop, so when thinking that a building that was
33 50 foot high and would be protruding into the skyline, people along Sound Drive
34 were going to see in essence something that is 25-30 feet above their line of
35 sight.
36

37 Jim Heatherly, 8512 Woodcliff, said that he had looked at Dudley, and Casper's,
38 noting their 35 foot wall height and they had boats stacked four high. Mr.
39 Heatherly added that the people who own condos in that area would have to look
40 out at this building. He thought that to relax the standards on the aesthetics
41 would be the wrong thing to do. He felt the Board should consider the
42 investment those people had in their homes, as they would be stuck with that
43 view. He asked the Board to consider carefully any changes to the ordinance.
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2 Stephanie Warren, 8514 Woodcliff, said that she wrote her comments based on
3 what was on the Emerald Isle website which she thought was excellent and
4 helped with this complicated issue. Ms. Warren said based on that information
5 she took into consideration 1) this proposed dry stack would most likely be the
6 only one built in Emerald Isle, 2) the applicants according to Attorney Harris'
7 letter to Mr. Reed were truly planning to build an aesthetically pleasing structure
8 with the help of the manufacturer and architect. She felt that chances were good
9 that whatever was designed would be aesthetically pleasing but they don't know
10 that for sure so 3) ultimately it was hard to visualize what this dry stack building
11 would look like, and while the building would be in a hole, it was a big structure
12 and was hard to visualize. Ms. Warren said based on all of this she
13 recommended that the Board direct the applicant to continue with their site
14 planning and building design and then request an ordinance amendment in
15 conjunction with the Town's site plan and building design review process. She
16 felt if they could see what the plan was and have a drawing of it; if it was
17 acceptable the Board could then change the ordinance.
18

19 Andy Harris, Applicant's Agent in response stated that the problem in pursuing
20 that was that it would be very expensive to design these buildings, pay an
21 architect to do the layout without having guidelines in an ordinance indicating
22 minimum requirements. Mr. Harris felt the process was already in place through
23 the Town's commercial review process, the applicants would have to bring
24 drawings and plans back to the Board, and they would review at that point and
25 they would be able to make comments and suggestions, but it would have to be
26 approved before they would be able to build anything anyway. Mr. Harris stated
27 that if the ordinance were changed tonight they would then go forward with
28 designing a building within certain parameters and then submit that design to the
29 Town Board for their review.
30

31 ***Motion was made by Commissioner Messer to close the Public Hearing.***
32 ***The Board voted unanimously 4-0 in favor. Motion carried.***
33

34 Commissioner Wootten expressed that his concern was not so much the dry
35 stack itself, because he recognized there would probably be only one dry stack in
36 Town, but the precedent that changing the ordinance for this building would
37 establish for the rest of the Town. Commissioner Wootten felt it was not a legal
38 issue but a precedent and he could very well see a hotel wanting the same thing
39 for the same reasons, they could fit another floor of rooms. Commissioner
40 Wootten felt the way to avoid that dilemma would be for the applicants to
41 resubmit their request via the overlay district for the Marina Village, then that
42 precedent is set just for that district which was why the overlay districts were
43 established.
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2 Building Inspector Jim Taylor responded to a question from Commissioner
3 Hoover explaining the required base height of the proposed building relative to
4 the flood zone.

5
6 ***There was no action taken by the Board.***

7
8 **Clerks Note:** A copy of proposed Ordinance Amendments are attached to and hereby made a part of
9 these minutes.

10
11 **12. Potential American Recovery and Reinvestment Act of 2009 Funding**
12 **Opportunities**

- 13
14 **a. Resolution Authorizing Community Oriented Policing (COPS) Grant**
15 **Application – Frozen Law Enforcement Officer Position**
16 **b. Potential Clean Water State Revolving Fund Grant Application –**
17 **Coast Guard Road Storm Water Project (Island Circle Pump)**

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

22
23 The Board of Commissioners is scheduled to discuss two potential funding opportunities available through the
24 American Recovery and Reinvestment Act of 2009 (ARRA, or the "economic stimulus package") at the April 14
25 meeting. First, the Board will formally consider a Resolution Authorizing a Community Oriented Policing (COPS) Grant
26 Application that would provide nearly 100% Federal funding for the Town's frozen law enforcement officer position for 3
27 years. Second, the Board will discuss and provide guidance on whether or not to pursue funding for the construction of
28 a planned storm water pump at Island Circle and Coast Guard Road. If the Board decides to pursue this grant, a
29 resolution authorizing a detailed design contract and a resolution authorizing a formal grant application will be
30 presented to the Board at the May 12 meeting.

31
32 **Resolution Authorizing Community Oriented Policing Services (COPS) Grant Application – Frozen Law Enforcement**
33 **Officer Position**

34 The attached resolution formally authorizes the submission of a grant to the US Department of Justice, Office of
35 Community Oriented Policing Services' COPS Hiring Recovery Program. The COPS Hiring Recovery Program is a
36 grant program that is intended to add new and restore frozen or eliminated law enforcement officer positions during the
37 national economic downturn. The total amount of the grant request over the 3-year period is \$152,882.

38
39 As you know, one Police Officer position was frozen indefinitely in November 2008 when the Town made emergency
40 budget reductions. This position has remained frozen since that time, and due to continuing budget challenges, I am
41 not recommending that the position be unfrozen and funded in the FY 09-10 budget. As such, in the absence of any
42 Federal grant funding, this position would remain frozen indefinitely until budget conditions improve in the future. The
43 COPS Hiring Recovery Program appears to be a perfect match for the Town's needs, and would provide funding for
44 nearly 100% of the salaries and benefits of the frozen Police Officer position for a 3-year period. If funded, the Town
45 must agree to retain the position for a minimum of 12 months following the 3-year period. I am optimistic that the
46 national and local economy will have rebounded by that time, and the Town's budget can absorb that expense at that
47 time.

48
49 I have attached a memo from Police Lieutenant Tony Reese that includes additional information about the grant
50 request. I recommend approval of the attached resolution.

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Potential Clean Water State Revolving Fund Grant Application – Coast Guard Road Storm Water Project (Island Circle Pump)

The Town has an opportunity to apply for funding through the Clean Water State Revolving Fund (CWSRF) that could be used to construct a planned storm water pump station at Island Circle. The CWSRF program has received \$71 million from the ARRA that will be awarded for wastewater and storm water projects in NC. It is expected that at least approximately \$14 million of this amount will be reserved for storm water and "green" projects.

The total estimated cost of the Island Circle pump station, with associated discharge to the oceanfront dune field (assuming cooperation from oceanfront property owners in this area) is \$750,000, and this estimate is believed to be very conservative. The CWSRF program would fund 100% of project costs as a loan, with 50% of the loan being forgiven (essentially a grant), and the remaining 50% as a 0% loan to be repaid by the Town over some period of time (likely several years). In essence, the Town could potentially secure up to \$375,000 of Federal money for this project if selected.

In order to be eligible for funding, a project must be ready to go out for bids by the date the application is submitted. The CWSRF program has already completed its first solicitation for projects (due April 3), and will make its first awards later this month. The Town was not eligible to submit by the April 3 deadline because we do not yet have plans and specifications for the Island Circle project. The CWSRF program will receive applications for its second round of awards on June 3 (this date may be pushed back to July 1), and if the Town acts quickly we can have plans and specifications ready for submission by June 3.

I have discussed this potential funding opportunity with Moffatt & Nichol, our engineers for the Coast Guard Road Storm Water Project, and they believe that they can have plans and specifications ready to submit by June 3 if we act quickly. Moffatt & Nichol has provided a proposal to complete all detailed analysis, design work, and plans and specifications in time for the June 3 funding application deadline, and the total cost of this work is \$69,840. The Town currently has a balance of approximately \$110,000 remaining and unobligated in a storm water capital project account that could be made available for this expense. As you may recall, however, at the February budget workshop meeting the Board discussed the possibility of using these funds to assist with the FY 09-10 budget and/or to retire outstanding debt. The Board will need to consider which goal is more important – moving forward with the Island Circle design work or reserving those funds for budget reasons. If the Town's CWSRF funding application is not approved, the design work will still have value in the future, and may enable the Town to move quickly if additional grant opportunities arise in the future. At a minimum, construction would be expedited in the future as soon as the Town identifies construction funding for the project.

The Island Circle pump station is likely the final component of the overall Coast Guard Road Storm Water Project that the Town will construct. As you know, the Town's 5-Year Capital Replacement / Improvement Program contemplates applying for a NC Clean Water Management Trust Fund (CWMTF) in January 2010 to fund 80% (or \$600,000) of the project cost. However, CWMTF funding for FY 09-10 is in doubt at the State level. If the CWMTF grant program remains intact, and the Town is ultimately successful in securing a CWMTF grant, then the Town's total expense could potentially be lower with a CWMTF grant (20% with CWMTF vs. 50% with CWSRF). On the other hand, the CWSRF program is one of the few funding programs through the American Recovery and Reinvestment Act that matches up well with a Town need and the timing required to proceed with projects. The Board may wish to attempt to take advantage of this funding opportunity while it exists, and it may be worth moving forward on the Island Circle project now. I have listed what I perceive to be the pros and cons of applying for CWSRF funding below:

Pros

- funding is available now and is a limited time opportunity,
- aside from the COPS grant described above, this may be the Town's only chance to secure ARRA funding for the benefit of our taxpayers,
- the 50% cost that the Town is responsible for will be in the form of a 0% interest loan to be repaid over several years and should have minimal budget impact,
- if the Town is not approved for CWSRF funding, the detailed design work will still have value in the future,

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3 - the Island Circle pump could be operational as early as the end of 2009, ending a long waiting period by
4 the residents in this area, and
5 - the overall Coast Guard Road Storm Water Project will be complete.
6

7 Cons

- 8 - Moffatt & Nichol and Town staff will need to work very hard to meet the relative tight application deadline
9 of June 3,
10 - the June 3 funding cycle is likely to be highly competitive, and I am not certain of the Town's chances for
11 success (there is a high level of interest in the CWSRF program, with more than \$2.3 billion of potential
12 projects identified - \$225 million of which fit in the "green" category,
13 - the Town will need to act quickly to secure cooperation from oceanfront property owners in this area to
14 discharge storm water to the dune fields (if this cooperation is not forthcoming the Town will need to
15 adjust its strategy and may miss the CWSRF deadline), and
16 - the Town will need to spend money on design work now and will only have approximately \$40,000
17 available for other potential budget needs and/or debt reduction.
18

19 I look forward to discussing this issue with the Board at the April 14 meeting. If the Board chooses to pursue the
20 CWSRF funding for the Island Circle project I will direct Moffatt & Nichol to begin initial work immediately. I will then
21 return to the Board in May with a formal resolution authorizing the full contract with Moffatt & Nichol and a formal
22 resolution authorizing the funding application for the June 3 deadline.
23

24 Town Manager Rush described for the Board details of both funding
25 opportunities. Town Manager Rush asked the Board to consider whether they
26 had any interest in submitting a funding request for the Island Circle stormwater
27 funding which at this point in time is envisioned as the final piece of the overall
28 Coast Guard Road stormwater project. Mr. Rush noted the pumps had been
29 completed in Deer Horn Dunes, Sea Dunes, Spinnakers Reach, with a total of
30 five pumps connected to the Emerald Isle Woods site. Mr. Rush said this was
31 an eligible project for this grant program and although we are not "shovel ready"
32 for that project we could essentially be "shovel ready" in time to submit the
33 application on June 3 for this program, and described the details of the grant
34 program requirements. Mr. Rush noted a proposal had been received from
35 Moffat & Nichol, our engineers for the stormwater system, at an expense of
36 \$70,000 of Town funds we could have plans and specifications ready for this
37 project by the June 3rd application deadline for funding of this program.
38
39

40 Following Mr. Rush's outline of several pros and cons related to this grant
41 project, and the competitiveness of this funding, Commissioner Messer said he
42 wasn't excited about spending \$70,000 for something that might not happen.
43 Commissioner Wootten added that we also didn't have the consensus of the
44 people whose property would be used in that area which would also have to be
45 lined up by the June 3rd deadline. Commissioner Hoover agreed with
46 Commissioner Messer that he didn't feel they should be spending the money at
47 this time, also noting the existing pumps that were in place, as well as the
48
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1
2 contract for pumps to come in, and the town's own pumps that could be used in
3 event of a flood situation.

4
5 The direction of the Board was that the Town Manager should not apply for
6 construction funding for the Island Circle pump station or contract for detailed
7 design services.

8
9 The Board and Town Manager discussed the Community Oriented Policing
10 Services (COPS) Grant Application. Also, in attendance to answer questions
11 posed by the Board was Police Lieutenant Tony Reese.

12
13 ***Motion was made by Commissioner Messer to approve the Resolution***
14 ***Authorizing a Community Oriented Policing Services Grant Application –***
15 ***Frozen Law Enforcement Officer Position. The Board voted unanimously***
16 ***4-0 in favor. Motion carried.***

17
18 Mayor Schools complimented Lieutenant Reese on his written memo regarding
19 this grant application request.

20
21 **13. Discussion – Itinerant Merchants / Satellite Merchants Ordinance**

22
23 Town Manager Frank Rush addressed the Board regarding this agenda item.
24 The following excerpt from Town Manager Rush's memo to the Board is provided
25 for additional background:

26
27 I have scheduled time on the Board's April 14 meeting agenda to discuss potential amendments to the Town's itinerant
28 merchants ordinance. I have attached a draft amendment for the Board to review and discuss at the April 14 meeting,
29 but I am specifically not seeking formal Board consideration at this time. I am seeking initial feedback from the Board
30 on April 14, and then plan to solicit additional feedback from the Emerald Isle business community in the coming
31 weeks. I hope to eventually present an ordinance amendment for formal Board consideration at the May 12 meeting.
32 My goal is to present an ordinance amendment on May 12 that has the support of both the Emerald Isle business
33 community and Town staff.

34
35 The Town's existing itinerant merchants ordinance was adopted in 1984 and was amended in 1997 and 1998. The
36 existing ordinance has been difficult for staff and the business community to understand at times, and this confusion
37 may have resulted in incorrect interpretations on a few occasions. It is extremely important to me that the Town
38 enforces its ordinances fairly and consistently, and I believe it will be helpful to Town staff and the business community
39 to update and clarify this ordinance so that everyone has a common understanding of what is permitted and what is not
40 permitted. Town staff receive inquiries and complaints about these issues each year, and there seem to have been
41 more instances in recent years. Given the current state of the economy and heightened competitiveness in the
42 business community, I believe it is important to clarify the Town's requirements prior to this summer's tourism season.

43
44 The attached draft ordinance is not intended to make significant policy changes, but rather is intended merely to clarify
45 the Town's existing policies as we interpret them in the existing ordinance and as they have been applied in recent
46 years. The existing ordinance is attached, and you will note that it is somewhat confusing. The following is a summary
47 of our interpretation of the existing ordinance:
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49

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- The definition of "itinerant merchant" is anyone, whether a resident or business owner in the Town or not, who engages in a temporary business of selling and delivering goods, wares, food products, merchandise, etc. from any building, structure, vehicle, tent, street, etc. or other place in the town. From a practical standpoint, the definition means anyone who sets up in a temporary-type fashion - i.e., from a tent, cart, vehicle, rack, etc. - and usually outside.

7

- The ordinance prohibits all "itinerant merchants" in Emerald Isle, with the following exceptions:

8

9

- anyone who associates with an established fixed business in town, as long as the property is zoned correctly and the itinerant merchant has permission from the property owner,

10

11

- bona-fide charitable, educational, religious, civic organizations engaging in a temporary fundraiser for not more than 30 days,

12

13

- anyone setting up at a festival or special event organized by a charitable, educational, religious, or civic organization for not more than 48 hours per year,

14

- seafood and produce dealers who catch / grow their own product for sale.

15

16

- There are no specific limits on the amount of area, type of structure, amount of merchandise, proximity to the street, degree of signage, etc. allowed by a permitted itinerant merchant.

17

18

19

20

There are likely different interpretations of the ordinance and recollections by individuals in the business community, but the above summary is basically what we believe the ordinance says and is generally how it has been applied in practice in recent years. As you will see, however, there are some exceptions, and the attached draft ordinance seeks to clarify these issues so that we can insure that the ordinance is enforced fairly and consistently in the future.

21

22

The following are examples of activities that have been allowed to occur, correctly or incorrectly, in recent years:

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- the placement of rental bicycle racks by an outside business on the premises of several existing businesses (with the owner's permission),
- the location of a hot dog cart at Bogue Inlet Pier (with the owner's permission),
- beach gear rentals by an outside business at the Town's regional beach accesses, the Islander Motel, and Bogue Inlet Pier (with the owner's permission),
- seafood stands located on vacant lots at the corner of Islander Drive and NC 58 (with the owner's permission),
- an ice cream truck contracted to distribute ice cream at Emerald Isle Realty by the owners.

36

37

The following are examples of activities that have not been allowed to occur, correctly or incorrectly, in recent years:

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- the sale of various items, including ice cream from a truck, near and potentially on the Reed Drive right-of-way at Holiday Trav-L-Park (with the owner's permission),
- numerous inquiries from potential hot dog vendors who inquire of Town staff each year (presumably some of which would be done on private property with that owner's permission),

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- a local resident who owns a mobile ice cream truck who sought to travel through town,
- the sale of Alaskan King Crab Legs by a seafood stand (obviously not caught locally),
- the sale of various items on a vacant lot on Bogue Inlet Drive near Bogue Inlet Pier (with the permission of the property owner).

In some cases, these enforcement decisions have been made based on a confusing interpretation of the Town's ordinance and based on historical recollections of comments made about what's permitted and not permitted that may have evolved over time as memories fade, attitudes and values change, staff members change, and new business opportunities emerge. As you can see, some of the activities that have been allowed to occur and not occur are not all that different from one another. Furthermore, many of the activities listed above could easily be carried out by the owner of the established business with his / her own staff and equipment (and in some cases have been in the past) but the established business owner chooses to enter into a relationship with, for all intensive purposes, a "sub-contractor".

The Board should note that I am not assigning blame to any Town staff member, past or present, or any member of the local business community, past or present, about these issues. I believe these issues have arisen due to genuine confusion, and my goal is to eliminate that confusion in the future so that we don't have these issues in the future.

In an effort to address these concerns, I began a dialogue with the Emerald Isle business community. I spoke to the EI Business Association last fall, and last month sent all EI businesses a short survey (attached, along with a summary of the responses) to gauge their values. I followed that up with a meeting a couple of weeks later with any business owners who were interested. As you would expect, there were different opinions on these issues, however, the conclusion that I have reached is that any new, updated ordinance should simply clarify what we believe the existing ordinance requires and what's been allowed in practice. The attached draft ordinance is the result of this work to date.

The attached draft ordinance includes the following key provisions, and again, these provisions are intended to clarify current policy and make minor improvements:

- the draft ordinance makes a distinction between *itinerant merchants* and *satellite merchants*,
- itinerant merchants are defined as businesses or individuals who operate in a public location (street, right-of-way, or beach strand) in a temporary, outside fashion and/or continually move from place to place,
- satellite merchants are defined as businesses or individuals who operate in a temporary, outside fashion but are associated with an established fixed business in Emerald Isle with permission from the property owner,
- itinerant merchants are prohibited,
- satellite merchants can be authorized but must secure a permit from the Town (valid for one year),
- satellite merchants must have written permission from the property owner, and the zoning must be correct,
- only one satellite merchant is allowed per established business location, and can occupy no more than 500 sq. ft. of area,
- there are several permit requirements for satellite merchants, including privilege licenses, neat and orderly appearance, limited signage, safe operation, etc.
- typical fundraising and special event activities, along with licensed seafood dealers, are exempt.

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1
2 The Board should note that the draft ordinance does not address the outdoor display of goods and services for
3 established businesses on their own property in Emerald Isle. The Town does not currently have any regulations
4 pertaining to this issue. The development of any new regulations, if desired by the Board, will likely be complicated
5 and require considerable time and input from the local business community. Town staff are happy to pursue that issue
6 separately if so directed by the Board, but those issues are not included in the scope of this exercise.

7
8 As noted earlier, the attached ordinance is a draft, and is presented to generate discussion and feedback from the
9 Board of Commissioners. Following the April 14 meeting, I intend to organize a follow-up meeting for any members of
10 the Emerald Isle business community who are interested. I hope to have something to present to the Board for formal
11 consideration at the May 12 meeting.

12
13 Town Manager Rush and the Board reviewed and discussed the preliminary draft
14 of a potential amendment to the Town's itinerant merchants ordinance. Mr. Rush
15 spoke of the confusion about this ordinance, hoping to simplify and clarify it so
16 that the staff, business community, and public would have a common
17 understanding, and ultimately to make sure that staff is fairly and consistently
18 enforcing the ordinance.

19
20 The Board discussed the definition and distinctions made in the proposed draft
21 ordinance amendment of itinerant merchant versus satellite merchant.

22
23 Robert Bright, 5406 Emerald Drive, addressed the Board and stated that he
24 became an itinerant merchant three years ago with a neighborhood ice cream
25 business. Mr. Bright said he had discussed the possibility of running his ice
26 cream truck here in Emerald Isle, and at that time that was not possible. Mr.
27 Bright said it was disappointing that he couldn't make a living in the area where
28 he lived and paid taxes, noting that he had to drive through and away from here
29 and go elsewhere to sell ice cream. Mr. Bright understood they didn't want to
30 open the flood gates for firework stands on every corner but he lived here and
31 would love the opportunity to run his ice cream truck around here. He said the
32 real novelty of the ice cream truck was going through the neighborhood with
33 music playing. He said an exemption or restriction they could apply would be
34 that you had to be a resident.

35
36 Commissioner Hedreen asked regarding satellite merchants, whether there was
37 anything to prohibit a satellite merchant from having a hot dog or ice cream stand
38 at every business in Emerald Isle. Town Manager Rush said the risk of this
39 ordinance was that you could potentially open it up so that every existing
40 established business in Emerald Isle could make an arrangement with someone
41 to offer some sort of food or goods from a stand at their site, but he added they
42 were trying to carry over what they thought the existing ordinance said and there
43 was confusing language about whether or not you could do certain things if you
44

45 had permission from the property owner. Mr. Rush said that some of those
46 things happen now and it had all been very confusing; over time people's
47 recollections had changed, the ordinance was confusing, people had changed,

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1
2 and he wanted to make sure it was clear. Mr. Rush stated that he didn't have
3 any preconceived notions about what the policy should be but wanted to make
4 sure that the staff and community completely understood the policy so it could be
5 enforced fairly and consistently.

6
7 Commissioner Wootten asked whether the idea of a permit was new. Mr. Rush
8 responded that there was permit language in the existing ordinance about
9 itinerant merchants, the goal of the satellite merchant permit was to make it
10 easier for our police or planning and inspections department to enforce, so that if
11 the ordinance requires you have the permit on hand, when they pull up if the
12 person had a permit they were good to go. Mr. Rush noted the individual would
13 also still be required to purchase a privilege license, so they would pay the same
14 privilege license fee that the fixed business owners pay; the idea behind the
15 permit fee was intended to cover the Town's cost of administering the program,
16 enforcing the program; including the decision of whether they should pay more
17 because they were not paying taxes to the Town in terms of property taxes for a
18 fixed location.

19
20 Commissioner Hoover felt that it should remain that only shrimp and produce
21 were allowed; he felt it would be opening up a bucket of worms if opened up to
22 t-shirt sales, ice cream sales, or trying to decide who can and who can't.
23 Commissioner Hoover said that they established the shrimp and produce back
24 when because of the size of the Town and our location.

25
26 Commissioner Messer said he understood what Mr. Rush was saying was that
27 they don't have rules and regulations to handle these problems now; mentioning
28 the ice cream truck.

29
30 Town Attorney Stanley pointed out that anyone from any other area could come
31 on the streets to sell, you could not limit it to just residents, they could have a
32 satellite site on private property with permission, but once allowed to work the
33 streets and sell then anyone could come in Town and sell on the streets.

34
35 Town Manager Rush said his concern was that if they did nothing and continued
36 with the existing ordinance there was a greater chance they would make some
37 decisions wrong resulting in more confusion and conflict between business
38 owners and between business owners and Town staff; trying to avoid that and
39 clarify what exactly we allow.

40
41 Town Manager Rush discussed many of the conflicting issues that currently exist
42 and the difficulties faced. The Board directed Town Manager Rush to continue
43 to pursue this issue with the business community, providing the Board more time
44 to think about the issue.

45

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1
2 **Clerks Note: A copy of the proposed ordinance amendment is attached to and hereby made a part**
3 **of these minutes.**

4
5 **14. Comments from Town Clerk, Town Attorney, and Town Manager**

6
7 There were no comments from the Town Clerk or the Town Attorney.

8
9 Town Manager Rush pointed out the comments made in his memo to the Board
10 about the Programmatic EIS for beach nourishment issues. In addition, the
11 following is an excerpt from the Town Manager Comments memo to the Board
12 for additional items of importance:

13
14 **FY 09-10 Budget**

15 Work on the FY 09-10 budget continues, and we are working hard to present a balanced budget with no tax rate
16 increase. I expect to present the Recommended Budget to the Board at the May 12 meeting.

17
18 **New Fire Engine**

19 The new Fire Engine was delivered in late March, and the Fire Department is pleased with the new Engine. The Town
20 does not expect to replace any other large Fire apparatus for approximately 5 years.

21
22 **Update – Coast Guard Road Bicycle Path Extension**

23 Johnson Construction is nearing completion of grading and the installation of the rock base for the new bicycle path
24 segment. Paving should occur within the next two weeks. Public Works personnel will then complete necessary
25 pavement markings and Parks and Recreation personnel will tidy up the landscaping. The path should be open to the
26 public no later than the end of April. We have received numerous positive comments from the community about the
27 project thus far.

28
29 **Update – Town Administration Building**

30 Insulation and wallboard have been installed on the interior, and work continues on the covered porch. Bluewater
31 Builders' official schedule indicates the new building be completed by the end of July / beginning of August.

32
33 **Update - The Aquarium Pier at Emerald Isle**

34 The State Construction Office has selected a design team led by Moffatt & Nichol, Raleigh, NC, for this project. A
35 meeting has been scheduled between Moffatt & Nichol, Aquariums personnel, and me and Mayor Schools for April 23.
36 The design team will be introduced to the Advisory Committee at their next meeting in May.

37
38 Moffatt & Nichol has significant experience in port and pier projects nationally. They have also completed a great deal
39 of storm water work for the Town over the past decade, and we have enjoyed a good working relationship during that
40 time.

41
42 The Advisory Committee met for the first time on March 26. All 8 members of the Committee were present, and they
43 were given a comprehensive overview of the status of the project and our plans for moving forward. The Board and
44 the Aquariums have assembled an outstanding group of people to serve on the Advisory Committee.

45
46 **Trip to Washington, DC**

47 Commissioner Messer, Commissioner Wootten, and I will travel to Washington, DC on April 21 and 22 to meet with
48 Senator Burr, Senator Hagan, Representative Jones and/or their key staff people to request their assistance with the
49 boat ramp land acquisition cost. The Town has requested a \$1,000,000 earmark in the Federal FY 10 budget.

50
51
52

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1
2 **Fireworks**

3 The July 4th fireworks will definitely be held at McLean Park. We had again explored additional potential locations on
4 the beach strand, however, there is no other feasible place to set off fireworks other than McLean Park. Alesia
5 Sanderson, Parks and Recreation Director, is coordinating with the EI Business Association and other Town
6 departments on the logistics for the event.

7
8 **Update – Replacement of Beach Walkways**

9 The Gregg Street walkway is essentially complete, in time for the Easter holiday.

10
11 **Emerald Isle Woods / Coast Guard Road Storm Water Project Monitoring Requirements**

12 I am currently attempting to convince the NC Division of Water Quality to terminate the requirement for the Town to
13 conduct wetland monitoring at Emerald Isle Woods. This monitoring was required in lieu of more extensive
14 environmental documentation associated with the Coast Guard Road Storm Water Project, and the monitoring began
15 in late 2006. The Town committed to complete monitoring for a 5-year period at a cost of approximately \$40,000 per
16 year.

17
18 The monitoring results to date do not indicate any negative impacts to the wetlands at Emerald Isle Woods. It is also
19 unlikely that additional storm water will be pumped to that site in the future, as the Lands End pumps will likely never
20 be constructed and the preferred discharge for the planned future Island Circle pump is the dune field near The Point.
21 I am attempting to have a decision on this issue in the next month so that this expense can hopefully be removed from
22 the FY 09-10 Town budget.

23
24 **Programmatic EIS / Interlocal Agreements for Future Beach Nourishment Activities**

25 The Beach Commission and Shore Protection Office will soon solicit proposals from qualified consulting firms for the
26 development of a new, programmatic EIS for future beach nourishment activities on Bogue Banks. The EIS is
27 intended to lay out a long-term plan (several decades) for future beach nourishment activities, and should result in the
28 issuance of a sort of “blanket permit” for future beach nourishment activities. Permits will still be required for individual,
29 future nourishment events, however, the permitting process for these events will be greatly expedited (a few months)
30 as a result of the completion of the programmatic EIS. The programmatic EIS is expected to take 3- 5 years to
31 complete, and its completion should coincide well with the next nourishment project in Emerald Isle. The Town’s
32 forthcoming 25-year beach nourishment plan that is designed to qualify the Town for the ‘static line exception’ will also
33 be coordinated with this plan, although the Town’s plan will be completed within the next several months.

34
35 The Beach Commission and Shore Protection Office are also working on a draft Interlocal Agreement that will outline
36 the roles, responsibilities, and liabilities between the Beach Commission / Shore Protection Office and the local
37 municipalities for future beach nourishment activities. To date, the most significant input from Mayor Schools,
38 Commissioner Hoover (the Town’s representatives on the Beach Commission), and me is to insure the ability of the
39 Town to administer future beach nourishment projects in Emerald Isle if desired. The Board will likely be asked to
40 approve the formal Interlocal Agreement later this summer.

41
42 **Old EMS Station**

43 We have only received one phone inquiry about the sale of the old EMS station since the interior renovations were
44 completed and the price was reduced.

45
46 **15. Comments from Board of Commissioners and Mayor**

47
48 There were no further comments from the Board of Commissioners or Mayor.
49
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1
2 **16. Closed Session**
3

- 4 a. Pursuant to NCGS 143-318.11(5), for the Purpose of Discussing
5 Potential Real Estate Acquisition
6 b. Previous Closed Session Minutes
7

8 ***Motion was made by Commissioner Messer to enter Closed Session. The***
9 ***Board voted unanimously 4-0 in favor. Motion carried.***

10
11 ***Motion was made by Commissioner Hoover to return to Open Session. The***
12 ***Board voted unanimously 4-0 in favor. Motion carried.***

13
14 Upon returning to open session the following actions were taken:

15
16 ***Motion was made by Commissioner Hoover to approve and unseal Closed***
17 ***Session minutes of November 13, 2007, May 13, 2008, and June 10, 2008.***
18 ***The Board voted unanimously 4-0 in favor. Motion carried.***

19
20 ***Motion was made by Commissioner Hoover to approve Closed Session***
21 ***minutes of July 8 through February 10, 2009 and authorize that they remain***
22 ***sealed. The Board voted unanimously 4-0 in favor. Motion carried.***
23

24 **17. Adjourn**
25

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

28
29 ***The meeting was adjourned at 8:05 pm.***

30
31 Respectfully submitted:
32
33
34

35 Rhonda C. Ferebee, CMC
36 Town Clerk