

1 MINUTES OF THE REGULAR SCHEDULED MEETING
2 OF THE EMERALD ISLE BOARD OF COMMISSIONERS
3 TUESDAY, APRIL 8, 2008 – 6:00 P.M. – COMMUNITY CENTER
4

5 The regular monthly meeting of the Emerald Isle Board of Commissioners was
6 called to order by Mayor Art Schools at 6:00 PM.
7

8 Present for the meeting: Commissioners Nita Hedreen, Tom Hoover, Floyd
9 Messer, John Wootten, and Maripat Wright.
10

11 Others present: Town Attorney Richard Stanley, Town Manager Frank Rush,
12 Asst. Town Manager/Finance Officer Mitsy Overman, Town Clerk Rhonda
13 Ferebee, and Parks & Recreation Director Alesia Sanderson.
14

15 Also present: Police Lieutenant Paul Cheshire, Asst. Fire Chief Don Askew, and
16 Cliff Owens and Kimberlee Young representing Emerald Isle EMS.
17

18 After roll call all who were present recited the Pledge of Allegiance.
19

20 **4. ADOPTION OF AGENDA**
21

22 Mayor Schools requested that agenda Item 13 - Appointments be moved up on
23 the Agenda to Item 6a. as a courtesy to Jill Searcy who was in attendance
24 tonight to present a donation from the Emerald Isle Business Association, and is
25 also a member and nominee for an appointment to the Bicycle and Pedestrian
26 Advisory Committee.
27

28 ***Motion was made by Commissioner Messer to adopt the Agenda as***
29 ***revised. The Board voted unanimously 5-0 in favor. Motion carried.***
30

31 **5. PROCLAMATIONS / PUBLIC ANNOUNCEMENTS**
32

- 33 a. **National Tourism Week 2008 (08-04-08/P1)**
34 b. **Bicycle Month in Emerald Isle (08-04-08/P2)**
35

36 Mayor Schools, in light of the recent approval by the Water Access Marine
37 Industry Fund (WAMI) for the Aquarium pier project in Emerald Isle for \$2.2
38 million, made a point of publicly recognizing the efforts made by Town Manager
39 Frank Rush working toward this goal over the past 3-4 years which had enabled
40 the Town to get to this point now. The Board echoed these sentiments of
41 appreciation and thanks to Mr. Rush.
42

43 Mayor Schools noted the following Proclamations and Public Announcements:
44

- 45 • Proclamation – National Tourism Week 2008 (May 10 -18)
46 • Proclamation – Bicycle Month in Emerald Isle (May 2008)
47

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- 1
- 2 • EI EMS Brick Fundraising Campaign
- 3 • Friday Free Flick – “Alvin and the Chipmunks” – Friday, April 11 – 7 pm –
- 4 Community Center
- 5 • No regular Planning Board meeting in April
- 6 • Joint Planning Board / Board of Commissioners Meeting – UDO – Late
- 7 April / Early May – To Be Announced
- 8 • Summer Day Camp Registration – Monday, May 5 – 8 am – Community
- 9 Center
- 10 • Friday Free Flick – To Be Announced – Friday, May 9 – 7 pm –
- 11 Community Center
- 12 • Board of Commissioners Regular Meeting – Tuesday, May 13 – 6 pm –
- 13 Community Center
- 14 • Beach Jive After Five – “Stretch” – Thursday, May 15 – 5:30 pm –
- 15 Western Ocean Regional Access
- 16

17 Mayor Schools added the announcement of a Party Night for Kids sponsored by
18 the Emerald Isle Police Department to take place on Saturday, May 10th from
19 4-6 pm.

20
21 **Note:** A copy of Proclamations 08-04-08/P1 and 08-04-08/P2 are incorporated herein by reference
22 and hereby made a part of these minutes.

23
24 **6. PRESENTATION OF DONATION FROM EMERALD ISLE BUSINESS**
25 **ASSOCIATION**

26
27 Jill Searcy, representing the Emerald Isle Business Association announced that
28 once again the Emerald Isle Business Association co-sponsored with the Town
29 of Emerald Isle the annual Emerald Isle Triathlon. Jill stated that the EIBA
30 always donates half of the proceeds to the Town of Emerald Isle to be used for
31 bike paths and sidewalks. Ms. Searcy indicated that she was pleased to present
32 a check in the amount of \$4,176.48 to Parks and Recreation Director Alesia
33 Sanderson, adding that Ms. Sanderson was a great partner, and that they look
34 forward to year five. The Board expressed their appreciation for this donation.
35 Ms. Sanderson thanked the EIBA as well for this donation of funds.

36
37 **6.a APPOINTMENTS – (moved as approved from Agenda Item 13)**

- 38
- 39 **a. Bicycle and Pedestrian Advisory Committee – 1 vacancy**
- 40 **b. Board of Adjustment – 3 vacancies**
- 41

42 Mayor Schools made a few comments about Jill Searcy’s role and Carole
43 Warren’s interest in the future of the Bicycle and Pedestrian Advisory Committee.
44 Jill Searcy noted that she would like to see a fundraising effort similar to what
45 was done by the library when forming the Western Carteret Public Library. She

1
2 further indicated that following that she would like to go to the Carteret County
3 Board of Commissioners and request matching funds to help complete the
4 sidewalks and bike paths.

5
6 ***Motion was made by Commissioner Wright to remove Jill Searcy from the***
7 ***business person slot on the Bicycle and Pedestrian Advisory Committee***
8 ***and reappoint her to an Emerald Isle resident slot for a term that expires in***
9 ***December 2008. The Board voted unanimously 5-0 in favor. Motion***
10 ***carried.***

11
12 ***Motion was made by Commissioner Wootten to appoint Carole Warren to***
13 ***the business person slot on the Bicycle and Pedestrian Advisory***
14 ***Committee for a term that expires in December 2009. The Board voted***
15 ***unanimously 5-0 in favor. Motion carried.***

16
17 ***Motion was made by Commissioner Messer to re-appoint Tom Kelly and***
18 ***Mark Brennesholtz to regular member terms on the Board of Adjustment***
19 ***that expire in May 2011. The Board voted unanimously 5-0 in favor. Motion***
20 ***carried.***

21
22 ***Motion was made by Commissioner Hoover to re-appoint Frank Powell to***
23 ***an alternate member term on the Board of Adjustment that expires in May***
24 ***2010. The Board voted unanimously 5-0 in favor. Motion carried.***

25
26 **7. CONSENT AGENDA**

- 27
28 a. Tax Refunds / Releases
29 b. Resolution Authorizing Contract for Town Hall HVAC System (08-
30 04-08/R1)
31 c. Capital Project Ordinance – Bicycle Paths and Sidewalks
32 d. Capital Project Ordinance Amendments – NC 58 Bicycle Path,
33 NC 58 Sidewalk Project
34 e. Amendments to Purchasing and Contracting Policy
35 f. Resolution Authorizing US Fire Act Grant Application – Fire
36 Station Exhaust / Ventilation Systems (08-04-08/R2)

37
38 Commissioner Wootten questioned the section in the Purchasing Policy that
39 addressed minority business participation goal of 10%, asking for clarification of
40 a goal and a requirement. Town Manager Rush indicated that there are
41 requirements for certain forms and good faith efforts to be presented with bid
42 documents, those are clearly required by statute, and the 10% participation that
43 is spelled out in the statutes is a goal.

44
45

1
2 ***Motion was made by Commissioner Hedreen to approve the Items on the***
3 ***Consent Agenda. The Board voted unanimously 5-0 in favor. Motion***
4 ***carried.***

5
6 **Note: A copy of above noted Consent Agenda items including Resolutions 08-04-08/R1 and 08-04-**
7 **08/R2 are incorporated herein by reference and hereby made a part of these minutes.**

8
9 **8. PUBLIC COMMENT**

10
11 **Brief Summary: The public will have the opportunity to address the Board**
12 **about any items of concern not on the agenda.**

13
14 James Hackett, 6410 Ocean Drive, hometown Baltimore, MD, stated that in
15 November 2005 he purchased the property at 6410 Ocean Drive and that
16 summer of 2006 was his first rental season. Mr. Hackett expressed his concern
17 about the henna tattoos, the temporary tattoos that a lot of kids get.

18
19 Mayor Schools noted that this issue came up every summer and there is a law
20 that allows the businesses to do this, but the Town does make the businesses
21 aware that it is a problem and asks that they please do what they can to make
22 sure the ink doesn't come off.

23
24 Mr. Hackett showed samples of cloth and rug stains showing the actual damage
25 caused by henna tattoos. Mr. Hackett requested that perhaps something could
26 be included in the Island Review newsletter that would help make people aware
27 of this concern. Mr. Hackett added that Emerald Isle is the "garden spot of the
28 east coast" as far as vacation areas, appreciating the phenomenal work the
29 Board does to keep Emerald Isle the way it is and he was proud to be an owner.

30
31 The Board appreciated Mr. Hackett's concern and Town Attorney Stanley
32 suggested that owners could ask their rental agents to notify all tenants that it is
33 not to be permitted.

34
35 **9. DISCUSSION – PROPOSED CARTERET COUNTY CONSOLIDATED E911**
36 **CENTER**

37
38 Town Manager Frank Rush briefed the Board concerning this agenda item. The
39 following excerpt from Town Manager Rush's memo to the Board is provided as
40 additional background:

41
42 The Board of Commissioners is scheduled to receive brief presentations at the April 8 meeting from the Police
43 Department, Fire Department, and Emerald Isle EMS regarding Emerald Isle's potential participation in a consolidated
44 Carteret County E911 Center. Following these comments, the Board will have an opportunity to engage in dialogue
45 with the Police Chief, Assistant Fire Chief, EMS Chief, and me regarding the pros and cons associated with this issue.
46
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2 As noted at the March 11 meeting, this is a complicated issue and I believe it is important for the Board to fully
3 understand the pros and cons associated with Emerald Isle's potential participation. As such, I have deliberately
4 planned a drawn-out process before the Board reaches a decision on this issue. The Board received a memo from me
5

6 at the March 11 meeting highlighting this issue, and also received a presentation from Carteret County Manager John
7 Langdon. The April 8 presentations and dialogue are the next step in the Board's decision-making process.
8

9 I have asked the Police Chief, Fire Chief, and EMS Chief to each prepare a memo with their thoughts on this issue,
10 and each of these memos is attached for your review. I have also again attached a copy of my March 11 memo that
11 includes a thorough discussion of this issue.
12

13 I do not expect the Board to make a decision on this issue at the April 8 meeting. I anticipate the Board's decision on
14 this issue at either the May 13 meeting or a later meeting. It has become increasingly clearer in recent weeks that a
15

16 decision by Emerald Isle is not necessary any time soon. The County intends to proceed with the consolidated E911
17 center regardless of whether or not Emerald Isle participates, and the new consolidated E911 center will be sized to
18 handle future growth, including potential future participation by Emerald Isle.
19

20 After considering the pros and cons associated with this issue, I believe the Town has the following decision options:
21

- 22 1. The Town can continue to operate its own E911 center and continue business-as-usual.
 - 23 a. The Town will be able to maintain expected, high-quality customer service levels for emergency
24 calls and non-emergency calls.
25
 - 26 b. The Town will retain full control and authority over the E911 function.
27
 - 28 c. The Town will continue to incur an annual expense of approximately \$150,000.
29
 - 30 d. The Town will not be able to implement Emergency Medical Dispatch (EMD) unless additional staff
31 is added. An additional 2 – 4 full-time telecommunicators would be necessary to implement EMD
32 (estimated additional cost of \$70,000 - \$140,000).
33
 - 34 e. The Town will, over time, be faced with a total capital expense of approximately \$150,000 -
35 \$175,000 to replace all existing communications equipment in the Town's E911 center. These
36 expenses will likely be staggered over the next several years or longer. This cost estimate does
37 not contemplate a pending Federal requirement to migrate to an 800 mhz communications system
38 in 2013.
39
 - 40 f. The Town will no longer receive periodic funding from the County for E911 communications
41 equipment (derived from E911 surcharge revenues collected by the County), and will be required
42 to fund this equipment from general revenues.
43
 - 44 g. There may be a perception of duplication of local government services and questions as to why the
45 rest of the County is participating and Emerald Isle is not.
46
- 47 2. The Town can participate in the consolidated County E911 center beginning in mid 2009. The Town would
48 also retain a physical staff presence in the Police Department between 7 am and 1 am each day of the week
49 to handle non-emergency, customer service duties. This would require retaining 2 staff positions.
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- a. The Town's emergency calls would be handled by the County E911 center in Morehead City. Non-emergency calls would be handled by the customer service person in the Police Department, who would also assist the Police Officers with other duties.
 - b. The Town would reduce annual expenses by approximately \$80,000 - \$90,000, beginning in FY 09-10.
 - c. Emergency callers in Emerald Isle would receive EMD assistance from the County E911 Center.
 - d. The Town would avoid future capital expense to replace existing communications equipment (estimated at \$150,000 - \$175,000 over time).
 - e. The Town would be a part of the consolidated E911 center from its inception, and would be viewed as a team player with the rest of the County.
 - f. The Town would have less control over the operations of the E911 function. The Town's input would be as a "customer" of the County E911 center and via the planned advisory committee.
3. The Town can take a "wait and see" approach, continue business-as-usual, and then evaluate a future transition to the County E911 system.
- a. The Town will be able to maintain expected, high-quality customer service levels for emergency calls and non-emergency calls in the interim, and can monitor the County's performance during that time.
 - b. The Town will retain full control and authority over the E911 function until a transition is made, if desired in the future.
 - c. The Town will continue to incur an annual expense of approximately \$150,000 until a transition is made, if desired in the future.
 - d. The Town's emergency callers will not receive EMD assistance unless additional staff is added. Emergency callers in the remainder of the County will have the benefit of this service.
 - e. The Town could delay future capital expenses (to the extent practical), and then re-consider joining the consolidated E911 center at such time that major expenditures are required in Emerald Isle. There is some fear that the County may somehow "charge" the Town some fee at such time, however, I believe this is unlikely as Emerald Isle property owners will have been paying their fair share of property taxes and E911 surcharges over time and will have been funding the County service.
 - f. The Town will no longer receive periodic funding from the County E911 communications equipment (derived from E911 surcharge revenues collected by the County).
 - g. There may be a perception of duplication of local government services and questions as to why the rest of the County is participating and Emerald Isle is not.

An obvious additional option is to simply transfer the E911 function to the consolidated County E911 center in mid-2009 and not provide any after-hours customer service function at the Police Department. This option would result in a savings of approximately \$150,000 annually and enable the avoidance of future capital expenditures. From my perspective, I believe it would be unacceptable to eliminate a physical presence at the Police Department and sacrifice that level of customer service, and thus do not recommend that the Board consider this option.

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2 Another option would be to have the consolidated County E911 center dispatch the Fire and EMS functions and have
3 the Police Department continue to be dispatched by the Town's E911 center. This option would appear to be fraught
4 with problems, as many emergency calls involve response from Police, Fire, and EMS. If the Board expresses interest
5
6 in this option, we can certainly research this option further to determine its effectiveness. There would be no cost
7 savings associated with this approach, however, emergency callers in Emerald Isle would receive the benefit of EMD.
8 In the end, the central questions that the Board must answer are as follows:
9

- 10 1. Is it worth \$150,000 per year (or more likely, \$80,000 - \$90,000 - if the Town maintains non-emergency
11 customer service capabilities), plus any future capital expense, for the Town to operate its own E911 center
12 because the Town believes its residents, property owners, and visitors will receive better service? Is this
13 money best spent for these services, or is it better spent on something else or to reduce the tax rate?
14
15 2. Are the benefits of emergency medical dispatch for the Town's residents, property owners, and visitors
16 significant enough to either transfer E911 responsibility to the County or to invest additional Town resources
17 in this service?
18
19

20 Town Manager Rush requested the Board not make a decision on this issue
21 tonight but to spend some more time considering the issue and learning more
22 before a decision is made.
23

24 **(Copies of the memos from the Chiefs of Police, Fire and EMS outlining**
25 **their concerns are attached to and hereby incorporated into these minutes)**
26

27 Police Lieutenant Paul Cheshire speaking on behalf of Police Chief Bill Hargett
28 read a prepared statement from Chief Hargett who was unable to attend due to
29 the death of Haywood Quinn, former Police Officer and very good friend of Chief
30 Hargett. Lt. Cheshire read Chief Hargett's statement that included his concerns
31 of the unanswered questions that remain, and according to his statement will not
32 or cannot be addressed because of the nature of this transition. Chief Hargett in
33 his statement referenced his attached memo to Town Manager Rush outlining
34 pros and cons of this issue, with the statement ending with the Chief's feeling of
35 responsibility to ensure that any decisions or recommendations he made to the
36 Board with regard to the services that his department provides to the Town, are
37 made with the utmost consideration of the protection and safety of the citizens
38 and officers that live and serve in Emerald Isle.
39

40 Asst. Fire Chief Don Askew speaking on behalf of Fire Chief Bill Walker, who
41 was unable to attend because of out of town business, read the pros and cons
42 that they had outlined for going to a consolidated E911 Center. Asst. Fire Chief
43 Askew reading from Chief Walkers attached memo to Town Manager Rush
44 stated that is was his professional opinion that consolidated emergency dispatch
45 system is the best way to provide the quickest and most efficient, effective and
46 professional service to the citizens and visitors in Emerald Isle who may need
47 emergency help. Asst. Chief Askew noted the pros and cons of participating in
48 the consolidated E911 Center, including in the pros such things as more than

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2 one dispatcher, the hiring of 24 employees, a communication manager to
3 oversee all emergency services, and the ability to have additional dispatcher to
4 handle multiple calls coming in, noting the Emergency Medical Dispatch
5 program. Asst. Chief Askew expanded on these issues for the Board. In
6 addition Asst. Chief Askew detailed the cons being such things as accountability
7 within the program, and personnel needed to maintain the service. Asst. Chief
8 Askew also highlighted the pros and cons for not participating in the consolidated
9 E911 Center as detailed in the attached memo.

10
11 Cliff Owens and Kimberlee Young spoke on behalf of Emerald Isle EMS Chief
12 Doug Fleming who was unable to attend as he was out of town on business. Mr.
13 Owens referenced Chief Flemings attached memo that outlined his pros and
14 cons of a consolidated E911 Center. Mr. Owens expressed their concerns about
15 dealing with the county having just been involved with the consolidated EMS
16 billing process. Mr. Owens indicated that Chief Fleming advised a "wait and see"
17 approach at this time to see exactly what happens. Kimberlee Young who has
18 been a dispatcher for a larger center than Emerald Isle added that the Town of
19 Emerald Isle Police Department provides a lot of services that are walk-in, and if
20 there is no Police presence in this end of the county there may be a concern as
21 far as citizens who live here or the tourists in the summer. She agreed with her
22 Chief's wait and see approach.

23
24 Town Manager Rush stated that he and the Police Chief are concerned about the
25 non-emergency calls that are handled by the Police Department, the customer
26 service benefits that the citizens and visitors receive as a result of the human
27 presence in the Police Department. Town Manager Rush expanding on previous
28 comments, stated that in his opinion it was clear to him that emergency response
29 services could probably be best provided by the County, particularly with the
30 setup with multiple dispatchers with EMD, and it was also his opinion that
31 regarding non-emergency calls, our Police Department could probably do a
32 better job on that. Mr. Rush wanted to be sure the Board considers both the
33 emergency calls that come through the dispatch center as well as the non-
34 emergency calls.

35
36 The Board asked if the Police Department could provide a summary report that
37 would indicate the number of and type of non-emergency calls, walk-ins, and
38 other customer services that the Police Department currently provides. The
39 Board asked many questions of staff and had further discussion concerning
40 current procedures and safety issues, and thanked staff members for their
41 important input on these issues.

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2 **10. RESOLUTION AUTHORIZING CHANGE ORDER REDUCTION – COAST**
3 **GUARD ROAD STORM WATER PROJECT – PHASE II, SPINNAKERS**
4 **REACH (08-04-08/R3)**
5

6 Town Manager Frank Rush addressed the Board concerning this agenda item.
7 The following excerpt from Town Manager Rush's memo to the Board is provided
8 as additional background:
9

10 The Board is scheduled to consider a potential change order that would reduce the construction cost of Phase II of the
11 Coast Guard Road Storm Water Project by \$45,521. If approved, the attached resolution would reduce the total
12 amount of the construction contract with Thomas Simpson Construction from \$753,603 to \$708,082. The cost
13 reduction would result by using fusible polyvinyl chloride (PVC) pipe for the project instead of high density polyethylene
14 pipe (HDPE).
15

16 The construction contract approved for the project at the March 11 meeting included the use of 6" and 12" diameter
17 HDPE pipe to convey pumped storm water and ground water from Spinnakers Reach to Emerald Isle Woods. This
18 pipe will primarily be bored underground in order to avoid disruption of neighborhoods along the pipe route. HDPE
19 pipe is a flexible, thick-walled plastic based pipe that was also used for Phase I of the Coast Guard Road Storm Water
20 Project in 2005. The HDPE pipe is considered a high quality pipe, and is often used because of its flexibility, durability,
21
22 and because it can be fused together, resulting in no or limited pipe joints. The approved contract amount of \$753,603
23 includes a total of 3,700 linear feet of 12" HDPE pipe and 810 linear feet of 6" HDPE pipe.
24

25 The Town was approached by Thomas Simpson Construction in March about the possibility of using fusible PVC pipe
26 for the project in order to reduce the Town's construction cost. Fusible PVC pipe is a relatively new product that is
27 becoming more popular for water and sewer projects. The fusible PVC pipe is a more rigid product and has thinner
28 pipe walls, but has relatively equal strength as HDPE. The main difference between HDPE and PVC is that the PVC
29 has pipe joints at sharp angles in the pipe route. These joints are typically the most vulnerable components of any pipe
30 system. The cost of the actual pipe is comparable for both products, however, the PVC is easier to install and the
31 reduced installation cost is the main factor in the proposed change order reduction.
32

33 Moffatt & Nichol, the Town's engineers, and I have discussed the HDPE / PVC option with the contractor, pipe
34 suppliers, and other project managers who have used fusible PVC in an effort to learn more about the pros and cons of
35 each option. There were initially some concerns that PVC would be easier to repair if another contractor caused a
36 break in the pipe, however, it now appears that the complexity and cost of any future repairs is likely comparable.
37 Moffatt & Nichol considers the HDPE pipe to be a slightly superior product due to the lack of pipe joints and because of
38 its greater flexibility, and also cites the fact that the Phase I project utilized HDPE. Moffatt & Nichol also indicated that
39 PVC pipe is more likely to experience cracking due to the more rigid nature of the pipe. Moffatt & Nichol has indicated,
40 however that both HDPE and PVC are good products, and that both will work well for the Town's project. The main
41 question for the Town is whether or not it is worth spending the additional \$45,521 for the better pipe product.
42

43 The total project budget for Phase II is \$800,000, so the construction cost is within budget regardless of which pipe
44 product is used. The \$45,521 cost savings is equal to 6% of the overall construction cost. The Town is financing the
45 Phase II project for a 10 year period, and the quoted savings will reduce the Town's annual debt service payments by
46 approximately \$5,400 per year.
47

48 In order to begin construction and finish by July, it is necessary to communicate the desired pipe selection to the
49 contractor by April 9. Assuming a decision on the pipe by April 9, pipe will be ordered that day and work will begin
50 approximately 2 weeks later. The area near the entrance to Dolphin Ridge is the most difficult part of the work and will
51 involve the most visible disruption. In an effort to complete this work prior to the Memorial Day holiday, I have directed
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2 the contractor to work in that area first. The contractor estimates 3 weeks to complete the work between the entrance
3 to Dolphin Ridge and Spinnakers Reach, which should result in completion of work in that area before Memorial Day.
4

5 Upon completion of the Dolphin Ridge portion, the contractor will complete the pipe segment between Emerald Isle
6 Woods Park and Dolphin Ridge, and this work should occur during late May and June, also for approximately 3 weeks.
7 It is necessary to complete the entire pipe route from Emerald Isle Woods to Spinnakers Reach first in order to use the
8 pipe to convey water pumped from Spinnakers Reach during the construction process. The installation of the pumps
9 and wells in Spinnakers Reach will occur in late June and July. Special efforts will be made to minimize disruption in
10 Spinnakers Reach during this time, and no work is allowed during the week of July 4.
11

12 The project also involves work within Emerald Isle Woods, and this work will likely occur simultaneously with the
13

14 Dolphin Ridge segment – during April and May. It will be necessary to close Emerald Isle Woods Park temporarily
15 while this work is completed, and Town staff will take appropriate steps to communicate this closure to the public.
16

17 Commissioner Messer displayed actual sample sections of the HDPE and PVC
18 piping for the Board. Town Manager Rush noted that ultimately either product
19 would serve the Town well but it is a matter of whether you want the higher
20 quality standard pipeline with the HDPE or whether the PVC was acceptable.
21

22 Following discussion by the Board ***motion was made by Commissioner***
23 ***Messer to not approve the change order and stick with the original***
24 ***specifications as specified by our engineers. The Board voted 4-1 with***
25 ***Commissioners Hedreen, Hoover, Messer, Wright voting in favor of not***
26 ***approving the change order, Wootten opposed. Motion carried.***
27

28 **Note: A copy of Resolution 08-04-08/R3 is incorporated herein by reference and hereby made a part**
29 **of these minutes.**
30

31 **11. TOWN ADMINISTRATIVE BUILDING – CONCEPTUAL DESIGN**
32

33 Town Manager Frank Rush addressed the Board and provided an overhead
34 presentation concerning this agenda item. The following excerpt from Town
35 Manager Rush's memo to the Board is provided as additional background:
36

37 The Board of Commissioners is scheduled to review the conceptual design for the new, 1-story Town Administrative
38 Building at the April 8 meeting. A draft floor plan, building elevations, and site plan are attached for the Board's review.
39

40 At this time, we are simply seeking the Board's input and concurrence with the proposed conceptual design (as the
41 owner of the building) so that additional design work can continue. The Board should note that the attached plans are
42 still preliminary in nature, but accurately depict the look and layout of the new building. If the Board concurs with this
43 conceptual design, additional design work will continue over the next several weeks, and formal plans will be submitted
44 for Planning Board review at their May meeting, followed by Board review at the June meeting. We hope to solicit bids
45 in June and present a contract award to the Board of Commissioners at the July meeting.
46

47 Although the design process has been long and, at times, frustrating, I am very pleased with the conceptual design
48 presented to the Board on April 8. Significant aspects of the design include the following:
49

- 50 • a distinctively coastal look and feel, including an attractive covered porch surrounding the front half of the
51 building,

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- the basic shape of the building is rectangular, with a protruding portion of the building on the west side,
- the roof line includes accent features and an attractive cupola that will allow direct sunlight into the building,
- the building includes a total of 7 distinct offices plus a reception counter area, allowing for the future expansion of Town staff by 2 additional employees,
- the building includes a wider hallway running through the middle of the building that can be used as additional work space,
- the conference room has been designed to allow for separate exterior entry, with the ability to seal off the conference room, lobby, and the public restrooms from the rest of the building,
- the Town Manager's office has been sized to accommodate a separate small meeting table in the office,
- two offices near the front of the building are designed with interior windows and clear line of sight to the front counter to provide backup customer service,
- the total amount of heated area is approximately 4,200 sq. ft.
- the building has a north-south orientation to preserve land for future use, however, this orientation extends the building into lower elevations at the rear of the site and will require the rear portion of the building to be elevated,
- the parking area is located to the west of the building, and we are attempting to avoid a steep slope toward the back of the property to avoid the need for retaining walls,
- the draft site plan reserves approximately half of the site for future Town use,
- storm water runoff will likely be diverted to the rear of the property, and wastewater will likely be diverted to a drain field in the front of the property.

We do not have a detailed cost estimate for the building at this time, however, one will be prepared as we move through the design process. The conceptual design has been prepared with cost as the primary design factor.

The conceptual design has been reviewed by Town administrative staff, and valuable suggestions by staff have been incorporated into the conceptual design.

Following the Town Manager's detailed presentation ***the Board expressed they were very pleased and concurred with the conceptual design of the Town Administrative Building.***

12. LAW ENFORCEMENT OFFICER COMPENSATION ADJUSTMENTS

- a. Resolution Amending Pay and Classification Plan – Law Enforcement Positions (08-04-08/R4)
- b. Budget Amendment – Police Department (Salaries)

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1
2 Town Manager Frank Rush addressed the Board concerning this agenda item.
3 The following excerpt from Town Manager Rush's memo to the Board is provided
4 as additional background:

5
6 The Board of Commissioners is asked to approve two actions at the April 8 meeting aimed at improving the Town's
7 competitiveness in retaining existing and attracting new law enforcement officers. The first item for the Board's
8 consideration is an amendment to the Town's Pay and Classification Plan that adjusts the pay grades for the 4 law
9 enforcement officer position classifications by one grade, or 5% across-the-board. The second item for consideration
10 is a General Fund budget amendment associated with a planned across-the-board increase in existing law
11 enforcement officer salaries of \$2,000 each.

12
13 As discussed with the Board at the February 22 budget workshop meeting, the Town has experienced difficulty in
14 retaining existing law enforcement officers and attracting new law enforcement officers over the past several months.
15 This fact, combined with ongoing aggressive recruitment efforts by the NC Highway Patrol, the planned hiring of civilian
16 law enforcement officers at Camp Lejeune and MCAS Cherry Point, and actions by other local law enforcement
17 agencies to enhance their compensation package has caused Police Chief Hargett and me to seek the adjustments to
18 the Town's compensation package included in this agenda item.

19
20 I have again attached a copy of materials presented to the Board at the February 22 meeting. Those materials include
21 background information on the Police Department, a summary of the Town's current compensation package, and a
22 detailed report prepared by the Police Department on a variety of compensation issues, including comparisons with
23 Camp Lejeune / MCAS Cherry Point and other NC coastal local law enforcement agencies. A review of this
24 information has led me to the following conclusions:

- 25
- 26 • the Town's overall compensation package is currently relatively competitive with other local law enforcement
27 agencies, however, the Town is beginning to slip when compared to other beach towns in NC,
 - 28
 - 29 • the Town is among the leaders in law enforcement officer compensation packages in the Crystal Coast local
30 area, however, I would like to keep Emerald Isle at or near the top of the list in our local area,
 - 31
 - 32 • the main compensation concern in the Police Department is a desire for the Town to provide retiree health
33 insurance, however, I believe it is not feasible to offer this benefit at this time due to future cost containment
34 issues and an ongoing trend away from this type of benefit in the general market,
 - 35
 - 36 • realistically, the Town can not compete directly with the NC Highway Patrol, Camp Lejeune, or MCAS Cherry
37 Point, however, we are hopeful that the proposed salary adjustments, when considered with other non-
38 compensation factors such as quality of life, job satisfaction, employer-employee relations, and other factors
39 will be enough to "tip the scale" in our favor for many officers contemplating a change in jobs in the future,
40 and
 - 41
 - 42 • upon further discussion with the entire Police Department and the Police Chief individually, I believe that the
43 proposed across-the-board salary adjustment is the most prudent action at this time.
 - 44

45 The attached resolution adjusts the pay grades for the 4 law enforcement officer position classifications up by one
46 grade. This equates to a 5% increase in the "hiring rate" for all law enforcement officer positions. For the entry-level
47 Police Officer classification, this increases the starting salary from \$28,410 to \$29,831. Similar adjustments are
48 proposed for the Police Sergeant, Police Lieutenant, and Police Chief classifications. The Board should note that the
49 Town's Personnel Policy calls for an additional 5% salary increase to the "minimum" of the pay grade after 6 months of
50 successful service to the Town, which means the "minimum" of the pay grade for Police Officers would be \$31,323.
51 This increase should enhance the Town's competitiveness, and will hopefully be enough to "tip the scale" for any
52 existing officers who may be considering leaving the Town and help us to attract quality applicants in the future. The
53 Board should note that the Town Manager does have the authority to hire new officers above the "hiring rate" and

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1
2 "minimum" if they already have significant experience, and I have used this authority in the past upon a
3 recommendation from the Police Chief. I anticipate continuing this practice in the future.

4
5 As noted above, if the Board concurs, we plan to implement an across-the-board salary adjustment of \$2,000 for each
6 of the Town's 17 sworn law enforcement officers, including all Police Officers, Police Sergeants, Police Lieutenants,
7 and the Police Chief. The total annual cost of this action, including benefits is approximately \$40,800. These salary
8 adjustments would take effect for the April 10 payroll, thus the budget impact for the remaining 3 months of the fiscal
9 year equates to approximately \$10,200. This across-the-board adjustment will increase our existing Police Officers
10 into the \$32,000 - \$34,000 range, existing Police Sergeants to the \$38,000 - \$44,000 range, existing Police
11 Lieutenants to the \$45,000 - \$50,000 range, and the Police Chief to nearly \$65,000. The Board should note that I
12 anticipate providing cost-of-living increases to all Town employees in July, and these increases will likely result in most
13 members of the Police Department exceeding \$35,000, which is closing in on the starting salaries offered by Camp
14 Lejeune, MCAS Cherry Point, and the NC Highway Patrol.

15
16 As you might expect, there is potential for other Town employees to be upset that salaries would be adjusted for
17 certain positions and not their position. I have already discussed this issue with the department heads and some other
18 employees, and I have explained to them that these actions are being pursued in response to current market
19 conditions and represent what I believe is a prudent business decision. I have explained that I will be prepared to
20 recommend similar actions for other positions if we experience similar challenges in retaining and attracting employees
21 for those positions. Fortunately, we do not have a significant problem with other positions at this time, however, if that
22 changes, I will certainly be addressing those issues as they arise.

23
24 I am also currently considering recommending an increase in the Town's annual contribution to the NC 401k program
25 for all Town employees. The Town now contributes 5% of each full-time employee's salary to the 401k program. A
26 few local governments are beginning to consider moving to the 6% or 7% contribution level, and this benefit really
27 "stands out" when recruiting new employees. The cost to the Town for every 1% increment is approximately \$20,000
28 annually. The 401k program is a defined contribution program, so the Town will have a clear understanding of the
29 future costs, and it also provides the employee with more money upon retirement that theoretically can be used to
30 purchase health insurance at that time. Depending on the overall budget picture in May, you may see a
31 recommendation to this effect in the FY 08-09 Recommended Budget.

32
33 A final comment on this issue is that the challenges in retaining and attracting quality employees are likely to continue
34 and grow over the long-term. There are two key reasons for this prediction. First, basic demographics indicate that
35 more baby boomers will be retiring and that there are simply less young people out there to fill the positions previously
36 held by the baby boomers and to serve the retired baby boomers. This impact will likely be negated somewhat by
37 longer careers for the baby boomers on a more voluntary basis as well as future technological advances, however, I
38 believe we will continue to see this impact in the future. Second, and perhaps more importantly, it is increasingly
39 expensive to live in the entire Crystal Coast area – even on the mainland within a reasonable driving distance to
40 Emerald Isle. Although we are blessed to live in such a beautiful natural environment with tremendous recreational
41 opportunities, it will be difficult to retain and attract quality employees if they can't afford to live a decent life in our area.

42
43 Town Manager Rush reiterated for the Board that this recommendation before
44 them tonight was a strategic business decision, a recommendation to help the
45 Town retain quality law enforcement officers and attract new quality law
46 enforcement officers moving forward because that is what the market conditions
47 dictate in his opinion. Mr. Rush stated that the Town had been fortunate to have
48 relatively low turnover in all other positions.

49
50 Bob Hines, 127 Indigo, stated that he became a volunteer firefighter for the Town
51 in the spring of 2004, and last August was hired as a part-time firefighter. Mr.
52 Hines felt when you start raising one group of people up, that what you are doing

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1
2 is forcing other people to say they will have to go someplace else and look for
3 other employment. He felt for those just getting out of college or the military that
4 Emerald Isle is like a stepping stone to get into the system. He felt that to
5 increase the salary to keep the law enforcement here is fine but if you are doing it
6 at the expense of the other people who have dedicated their lives in the other
7 departments to stay here and provide a service for this Town he felt that was a
8 mistake.

9
10 The Board discussed this issue in detail with the Town Manager regarding
11 questions concerning the pay and classification of other positions, recruiting
12 efforts, training costs, and other concerns.

13
14 ***Motion was made by Commissioner Messer to approve the Resolution***
15 ***Amending the Pay and Classification Plan for Law Enforcement Positions.***
16 ***The Board voted unanimously 5-0 in favor. Motion carried.***

17
18 ***Motion was made by Commissioner Messer to approve the General Fund***
19 ***Budget Amendment. The Board voted unanimously 5-0 in favor. Motion***
20 ***carried.***

21
22 **Note: A copy of Resolution 08-04-08/R4 and Budget Amendment – Police Department (Salaries) are**
23 **incorporated herein by reference and hereby made a part of these minutes.**

24
25
26 **13. APPOINTMENTS – (This item moved as approved to Item 6a.)**

27
28
29 **14. COMMENTS FROM TOWN CLERK, TOWN ATTORNEY AND TOWN**
30 **MANAGER**

31
32 Town Manager Rush updated the Board on various issues of importance. The
33 following is an excerpt from his Manager Comments memo to the Board for
34 additional background:

35
36 **Wind-Borne Debris Provisions Approved, Flood Insurance Rates Not Impacted**

37 The NC Building Code Council recently approved new building code rules that will require all new homes and
38 significant renovations in Emerald Isle to have window shutters or impact-resistant glass. This rule previously applied
39 to only the first 1,500 feet back from the ocean, but now applies to everything east and south of the AIWW, which
40 means all of Emerald Isle. You may recall that if a rule to this effect was not adopted that it would have resulted in an
41 increase in flood insurance premiums for all EI policyholders.

42
43 **EMS Station**

44 Construction on the new EMS Station continues to go well, and I have been very pleased with both EDA-Morehead
45 and Bluewater Builders. The project remains on schedule for a September 2008 completion, and there have been no
46 change orders yet.

47
48

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1
2 **N. Coast Guard Road Turn Lane**

3 Preliminary work on the additional right turn lane on the north side of Coast Guard Road has been completed, and
4 should be paved in the next week.
5

6 **Old Ferry Road / Sound Drive Intersection Realignment**

7 Preliminary work on the realignment of this intersection is complete. The entire intersection will be resurfaced and new
8 pavement markings will be applied in the next week, and then old asphalt will be removed and sod will be installed.
9

10 **White Oak Elementary School Resource Officer**

11 I have attached a copy of the letter sent by Mayor Schools to School Superintendent Brad Sneed and the
12 Superintendent's response. I don't plan to pursue this issue any further unless directed by the Board.
13

14 **Aquarium Pier Memorandum of Agreement (MOA)**

15 The MOA is still being reviewed by the attorney for the NC Department of Environment and Natural Resources,
16 however, I expect to receive feedback from the attorney and NC Aquarium staff in the next couple of weeks.
17 Depending on the nature of any concerns raised, a formal MOA may be on the Board's May meeting agenda.
18

19 **Save Our Summers Funding Request**

20 I have attached a new request from Save Our Summers for additional funding to combat harmful legislative proposals
21 in the 2008 session of the General Assembly. The Town provided a \$2,500 contribution in FY 06-07 and \$1,000 in FY
22 04-05. Please let me know if you'd like the Town to contribute to Save Our Summers this year, and a desired amount.
23

24 **WORA / EORA Handicapped Observation Decks and Ramps**

25 Due to a holdup with the Division of Coastal Management, work on this project could not begin until April 1, and then it
26 rained all week. Both contractors are scheduled to begin work during the week of April 7 and both expect to complete
27 the work by the end of April.
28

29 **Cedar Tree / Santa Maria Beach Access Reconstructions**

30 Price quotes for the reconstruction of both of these existing beach access walkways are due on April 10. If the costs
31 are less than \$30,000 each, then the Town Manager will award the contracts shortly thereafter. If they exceed
32 \$30,000, a special Board meeting may be scheduled to award the contracts. We are seeking to have both locations
33 completed by Memorial Day weekend.
34

35 **Doe Drive Pump Connection**

36 All work for this project is complete. We have not yet had an opportunity to test the new set-up to the Deer Horn pond,
37 however. Public Works staff will replace damaged grass in the area with Bermuda sod as requested by the property
38 owners.
39

40 **UDO Status**

41 The UDO Committee meets again on April 7, and their work is then essentially complete. We are planning a special
42 joint Planning Board / Board of Commissioners meeting for late April or early May to review the draft UDO with both
43 boards and begin the review and approval process. I will consult with the Board about meeting dates in the near
44 future.
45

46 **Universal Storm Water Management Program Ordinance (USMP)**

47 The Town's consulting engineers, Kevin Reed, and I met again recently with staff from the NC Division of Water
48 Quality (DWQ) about proposed amendments to the Town's storm water ordinance to make it USMP-compliant, which
49 enables the Town to administer its own storm water ordinance in place of the State rules. A copy of the proposed
50 amendments is attached for your early review. We don't believe any of the proposed amendments are overly
51 burdensome for our residents, property owners, and local developers, and actually believe the USMP will make it
52
53
54

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1
2 easier for people to secure State permits in Emerald Isle. We expect these amendments to be approved by DWQ staff
3 in the next couple of weeks, and will then ask the Planning Board and Board of Commissioners to adopt the amended
4 ordinance in the coming weeks.

5
6 **New Beach Access Signage**

7 Parks and Recreation is in the process of installing new signage at the Town's public beach accesses. The new signs
8 consolidate several signs and should improve aesthetics at these locations. A picture of one of the new signs is
9 attached.

10
11 **Clean Water Management Trust Fund (CWMTF) Grant Applications**

12 Artie Dunn and I are scheduled to meet with CWMTF staff in Emerald Isle on April 14 to visit the sites included in our
13 grant applications.

14
15 **No Wake Zone Requests – Coast Guard Channel and Bogue Sound Drive Canal**

16 The staff of the Wildlife Resources Commission supports the proposed No Wake Zones, and the full Wildlife
17 Resources Commission will consider the formal creation of the No Wake Zones at their July meeting.

18
19 **Town Manager Rush requested the Board's direction as to the Save Our**
20 **Summers funding request for efforts to maintain the current school calendar law.**
21 *The Board directed the Town Manager to fund the request at \$1,000.*

22
23 Town Manager Rush also noted that the next step in the Unified Development
24 Ordinance process would be to schedule a joint meeting between the Planning
25 and the Town Board at which time Planning Director Kevin Reed would present a
26 summary of the UDO to both boards. They would then start the formal review
27 process. Mr. Rush indicated that following a joint meeting they also envision
28 having an information session for the local development and real estate
29 community. The Board determined a tentative joint meeting date of Tuesday,
30 May 13 just prior to the regular Town Board meeting.

31
32 **15. COMMENTS FROM BOARD OF COMMISSIONERS AND MAYOR**

33
34 There were no further comments from the Board of Commissioners or Mayor.

35
36 **16. ADJOURN**

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

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

42
43 Respectfully submitted:

44
45
46
47 Rhonda C. Ferebee, CMC
48 Town Clerk