

1 MINUTES OF THE REGULAR SCHEDULED MEETING  
2 OF THE EMERALD ISLE BOARD OF COMMISSIONERS  
3 TUESDAY, JULY 10, 2007 – 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: Mayor Art Schools, Commissioners Nita Hedreen, Tom  
9 Hoover, Floyd 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, Planning Director Kevin Reed, Police Chief Bill Hargett, and Fire Chief  
14 Bill Walker.  
15

16 After roll call all who were present recited the Pledge of Allegiance.  
17

18 **4. ADOPTION OF AGENDA**  
19

20 *Motion was made by Commissioner Hoover to Adopt the Agenda. The*  
21 *Board voted unanimously 5-0 in favor. Motion carried.*  
22

23 **5. PROCLAMATIONS / PUBLIC ANNOUNCEMENTS**  
24

25 Mayor Schools noted the following proclamations and public announcements:  
26

- 27 • **Emerald Isle Parrot Head Weekend – August 2-5, 2007 – (07-07-10/P1)**
- 28 • **Friday Free Flicks – Friday, July 13 – 7 pm – Community Center –**  
29 **“Everyone’s Hero”**
- 30 • **Beach Volleyball Tourney – Saturday, July 14 – 9 am until – Western**  
31 **Ocean Regional Access**
- 32 • **Family fun Day / Beach Jive After Five – Thursday, July 19 – 11 am –**  
33 **all day – Western Ocean Regional Access**
- 34 • **Planning Board Regular Meeting – Monday, July 23 – 6 pm –**  
35 **Community Center**
- 36 • **Women’s Doubles Tennis Tourney – Saturday, July 28 – 9 am – Town**  
37 **Hall Tennis Courts**
- 38 • **Blood Drive – Friday, August 3 – 2 pm to 7 pm – Community Center**
- 39 • **Tennis Social – Friday, August 3 – 6 pm – Town Hall Tennis Courts**
- 40 • **Friday Free Flicks – Friday, August 10 – 7 pm – Community Center**
- 41 • **Beach Volleyball Tourney – Saturday, August 11 – 9 am until –**  
42 **Western Ocean Regional Access**
- 43 • **Board of Commissioners Regular Meeting – Tuesday, August 14 –**  
44 **6 pm – Community Center**  
45  
46

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1  
2 **Note: A copy of Proclamation 07-07-10/P1 is incorporated herein by reference and hereby made a**  
3 **part of these minutes.**  
4

5 Mayor Schools noted the Proclamation announcing that Emerald Isle Parrot  
6 Head Weekend would take place the weekend of August 2 – 5, 2007. Mayor  
7 Schools noted that a large group of the Emerald Isle Parrot Head Club were in  
8 attendance tonight and asked them to stand and be recognized.  
9

10 Ken Stone, Emerald Isle Parrot Head Club member accompanied by official  
11 mascot “Bennett” stated that the club is nearing the 5<sup>th</sup> year anniversary, having  
12 started out with a few people 5 years ago and now having a membership of 151  
13 people from the community. Mr. Stone said their motto is “Party with a purpose”,  
14 and they really do that, trying to give back to the community. The club has held  
15 among many events a beach bike poker run benefiting local EMS. Mr. Stone  
16 noted that many members also volunteer and raise funds for dogs like “Bennett”  
17 training to be a Lifeline Canine, which is training for dogs to work with people with  
18 disabilities. Mr. Stone noted that their members can be seen picking up litter  
19 from the bridge over to Highway 24. Mr. Stone stated that they really try to spur  
20 volunteerism within the community. Meetings are the first Friday of each month  
21 at the Emerald Club; applications are available at the Emerald Isle Community  
22 Center, \$10 per year to join.  
23

24 The Emerald Isle Parrot Head Club was thanked for all of their worthwhile  
25 projects here in Emerald Isle.  
26

27 Mayor Schools also read aloud a complimentary email received by Fire Chief Bill  
28 Walker from a visitor to Emerald Isle, and afterward thanked everyone for making  
29 Emerald Isle such a great and beautiful place.  
30

31 **6. INTRODUCTION OF NEW EMPLOYEES**  
32

- 33 **a. Peggy Grammer, Planning and Inspections, Permit Technician**  
34 **b. Ross Jacoby, Police Officer**  
35 **c. Ryan Thompson, Police Officer**  
36

37 Planning Director Kevin Reed introduced Peggy Grammer, Permit Technician,  
38 the newest member to the Planning and Inspections Department. Mr. Reed  
39 noted that Ms. Grammer started in late May. Mr. Reed added that Ms. Grammer  
40 is a native of Craven County, married with two college age children.  
41

42 Police Chief Bill Hargett, introduced Ryan Thompson, Police Officer. Chief  
43 Hargett noted that Mr. Thompson received his basic law enforcement training  
44 from Carteret Community College. Mr. Thompson comes here from the  
45 Morehead City Police Department highly recommended; adding that Mr.  
46 Thompson is also currently seeking an Associates Degree.

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1  
2 Police Chief Hargett introduced Ross Jacoby, Police Officer. Chief Hargett noted  
3 that Mr. Jacoby came to Emerald Isle 6 months ago and has done an  
4 outstanding job. Mr. Jacoby received his basic law enforcement training from  
5 Carteret Community College.

6  
7 All of the new Town of Emerald Isle employees received a warm welcome from  
8 the Board and public.

9  
10 **7. CONSENT AGENDA**

- 11  
12 a. Minutes – May 14, 2007 Special Meeting  
13 b. Minutes – May 21, 2007 Special Meeting  
14 c. Minutes – May 31, 2007 Special Meeting  
15 d. Resolution Authorizing Complimentary Community Center  
16 Memberships for Planning Board Members – (07-07-10/R1)

17  
18 ***Motion was made by Commissioner Wootten to approve the Consent***  
19 ***Agenda. The Board voted unanimously 5-0 in favor. Motion carried.***

20  
21 **Note: A copy of all above noted Consent Agenda items and Resolution 07-07-10/R1 are incorporated**  
22 **herein by reference and hereby made a part of these minutes.**

23  
24 **8. PUBLIC COMMENT**

25  
26 There were no comments from the Public.

27  
28 **9. PROPOSED REZONING – 136 BOGUE INLET DRIVE – FROM**  
29 **RESIDENTIAL MOTEL HOTEL (RMH) TO VILLAGE EAST (VE)**

30  
31 Kevin Reed, Planning Director provided an overhead presentation and  
32 addressed the Board concerning this agenda item. The following excerpt from  
33 Planning Director Kevin Reed's memo to the Town Manager is provided as  
34 background:

35  
36 The Board of Commissioners is asked to consider a request submitted by Steve and Erika Harlacher, on behalf of BP2,  
37 Inc., for the rezoning of 136 Bogue Inlet Drive from Residential Motel-Hotel (RMH) to Village-East (VE). This rezoning  
38 is being requested so the applicants can proceed with plans to redevelop the property for a food service business.  
39 You will find attached a map of the property which includes the current zoning classification of adjacent properties.  
40 The Town's 2004 CAMA Land Use Plan, specifically the Future Land Use Map, indicates that the property is part of the  
41 Village-East redevelopment area. You will also find attached a map that depicts the boundaries of the Village-East  
42 area. The applicants had originally requested the property be rezoned to Business-3 (B-3). The Planning Board  
43 considered the request at its meeting held on June 25, 2007. During that meeting, the Planning Board was asked by  
44 Town staff to consider rezoning the property to Village-East (VE) so that the new zoning designation would be  
45 consistent with the Town's 2004 CAMA Land Use Plan. The applicants have concurred that the VE designation  
46 would be consistent with their plans for the property and are requesting the property be rezoned to VE.  
47  
48

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1  
2 As you may recall, the Board of Commissioner approved amendments to the Town Code in the Fall of 2006 that  
3 created the Village-East Zoning District. To date, no properties have been rezoned to Village-East. This rezoning, if  
4 approved, would be the first property within the Village-East redevelopment are to be zoned VE. After its discussion of  
5 the request, the Planning Board voted (4 to 0, with 1 abstention) to recommend to the Board of Commissioners that the  
6 rezoning be approved. In making its recommendation, the Planning Board concluded that the rezoning to VE would  
7 be consistent with the 2004 CAMA Land Use Plan. Town staff also believes the rezoning is consistent with the Plan.  
8

9 ***Motion was made by Commissioner Wright to open the Public Hearing.***  
10 ***The Board voted unanimously 5-0 in favor. Motion carried.***  
11

12 There were no comments from the Public.  
13

14 ***Motion was made by Commissioner Messer to close the Public Hearing.***  
15 ***The Board voted unanimously 5-0 in favor. Motion carried.***  
16

17 ***Motion was made by Commissioner Wright to approve the rezoning of 136***  
18 ***Bogue Inlet Drive from RMH to VE, and that the rezoning is consistent with***  
19 ***the Town's Land Use Plan and is reasonable and in the public interest. The***  
20 ***Board voted unanimously 5-0 in favor. Motion carried.***  
21

22 **10. NEW EMS STATION**  
23

- 24 **a. Board (as Co-Owner) Review of Design, Site Plan**  
25 **b. Commercial Review – New EMS Station Design**  
26

27 Ben Dadd representing Emerald Isle EMS, addressed the Board concerning this  
28 item also providing an overhead presentation of the information. Also speaking  
29 to the Board tonight, Robert Brown, Architect with EDA-Morehead. The following  
30 excerpt from Town Manager Rush's memo to the Board is provided as  
31 background:  
32

33 The Board of Commissioners is scheduled to review plans for the new EMS station at its July 10 meeting. The Board's  
34 review is actually from two perspectives – first, as the co-owner of the project to insure that the plans meet your  
35 expectations for the community, and second, as the governing body charged with insuring that all commercial plans  
36 are consistent with the Town's development ordinances.  
37

38 Board (as Owner) Review of Design, Site Plan

39 Design work for the new EMS building has been ongoing for the past 8 months, and has been guided by the Joint EMS  
40 Committee consisting of EMS volunteers Ben Dadd, Carl Hogan, and Ed Naiman, Commissioners Nita Hedreen and  
41 John Wootten, and myself. The committee has worked closely with Robert Brown, EDA-Morehead, the project  
42 architect on the design presented for the Board's consideration on July 10. The Joint EMS Committee is pleased to  
43 recommend the site plan, building layout, and building elevations to the full Board of Commissioners.  
44

45 The total floor area of the new station is 4,935 sq. ft., and it will occupy a 16,700 sq. ft. +/- parcel between Fire Station  
46 #1 and Live Oak Street. The entire new station is located on one story. The Board should note that the existing parcel  
47 of record is 14,800 sq. ft. +/-, however the eastern property boundary would be relocated approximately 15 ft. east into  
48 the existing Town Hall complex parcel. This boundary change is necessary in order to meet side setback requirements  
49

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1  
2 and provide ample parking for the new station. There is no practical implication to the Town Hall complex with this  
3 boundary change.  
4

5 The proposed new station, as designed, has 2,880 sq. ft. of office and bunk space. This area is on the eastern side of  
6 the building, and includes two offices, a training room, a common (day) room, two bunk rooms, kitchen facilities,  
7 restrooms, and storage. The new station has a total of three bays that encompass 2,055 sq. ft. on the western side of  
8 the building. The three bays will be sufficient to house both ambulances and the quick-response vehicle used by  
9 Emerald Isle EMS, Inc. Two of the bays exit out onto NC 58 in the middle of the property, and the third bay exits onto  
10 Live Oak Street. This layout was implemented due to the Town's zoning ordinance requirement for a 40 ft. setback  
11 from the Live Oak Street side of the property.  
12

13 The proposed site plan includes a natural, untouched vegetative buffer along the back (northern) 12 ft. of the property,  
14 and this area comprises most of the "natural area" required by the Town's Dunes and Vegetation Ordinance. The  
15 remainder of the parcel will be cleared to accommodate the building, driveways, wastewater treatment system, and  
16 storm water system, with the exception of 3 (perhaps 4) mature trees on the southern and eastern boundaries of the  
17 property.  
18

19 A copy of the proposed building elevations is also included with the plans. The new station is designed with more of a  
20 coastal look, with a variable roof line, front false dormers, and building wall offsets. There are two proposed exterior  
21 colors (one is a tan color, one is a very light green color), and both are consistent with the Town's approved color  
22 schemes. The Joint EMS Committee initially preferred a metal roof for the new station, however, for cost reasons the  
23 plan is now to use architectural shingles.  
24

25 The total estimated construction cost for the new EMS Station as presented as a range from \$770,000 - \$840,000.  
26 The Town's Capital Replacement / Improvement Program includes a total of \$800,000 for this project, with \$150,000 of  
27 pay-as-you go funding and a \$200,000 contribution from Emerald Isle EMS, Inc. included in the FY 07-08 budget. The  
28 remaining balance of \$450,000 is anticipated from the sale of the existing EMS station on Cedar Street upon  
29 completion of the new station. The Board should note that there is some concern about achieving this sale price,  
30 which was likely more realistic at the height of the recent real estate boom in Emerald Isle. The architect and the  
31 committee have worked hard to present a design that will hopefully minimize construction cost. Several adjustments  
32 have been made during the design process to achieve the revised cost estimate for the project. We also believe that  
33 the timing of the construction contract will hit the market in a somewhat slow period, hopefully resulting in more  
34 competition for the work and ultimately a lower construction cost.  
35

36 Assuming Board of Commissioners' approval on July 10, site clearing and grading work will begin as soon as the  
37 wastewater permit is obtained from the Carteret County Environmental Health Division. This permit is expected within  
38 the next 2-3 weeks. The only other permits necessary are an NCDOT driveway permit and the building permits for the  
39 project. We do not foresee any difficulty in securing the required permits in a timely fashion. Assuming Board  
40 approval, the current timetable is to advertise for construction bids in early August and open bids by September 1. If  
41 everything proceeds according to plan, we hope to have a construction contract for the Board's consideration at your  
42 September 11 regular meeting. Construction is expected to take 9 months – 1 year, which would result in EMS  
43 occupying the building by mid-2008.  
44

45 As you know, the Town owns the land and is contributing a portion of the construction cost for the new building.  
46 Emerald Isle EMS, Inc. is contributing its accumulated building reserve funds and the proceeds from the sale of the  
47 existing station toward the construction cost. Prior to the award of a construction contract, the Board and Emerald Isle  
48 EMS must approve and execute an agreement on the ownership of the land and new building. One potential solution  
49 involves the Town retaining ownership of the land and the building, and entering into a very long-term (50 years, 99  
50 years, no expiration?) lease with Emerald Isle EMS, Inc. to allow them to control the building until such time as  
51 Emerald Isle EMS, Inc. ceases to exist. Another potential solution involves the Town transferring ownership of the land  
52 and building to Emerald Isle EMS, Inc. with the use of a reverter clause that automatically transfers ownership back to  
53 the Town in the event that Emerald Isle EMS, Inc. ceases to exist. The Joint EMS Committee has discussed both  
54 potential solutions in concept, and is comfortable with either approach. The main goal is to insure that the land and the

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2  
3 building, which are both ultimately paid for by the people of Emerald Isle, remains under the control of the Town in the  
4 event that Emerald Isle EMS, Inc. ever ceases to exist. A final decision on the best solution is expected to be made  
5 prior to the award of a construction contract. It is important for all parties to recognize that the success of this project  
6 and this relationship, which has been very good in recent years, is dependent upon the continuation of the spirit of  
7 cooperation that exists currently, with a common goal to insure the best possible emergency medical care for the  
8 residents, property owners, and visitors to Emerald Isle.  
9

10 The new EMS station will be a significant improvement over the existing EMS station and will help to insure quality  
11 emergency medical care in Emerald Isle for many years to come. The Town has been and is fortunate to have a  
12 dedicated team of volunteers and part-time staff at Emerald Isle EMS, Inc., and the new station will be a first-class  
13 facility for a first-class emergency medical team.  
14

15 Commercial Review – New EMS Station Design

16 The attached memo from Kevin Reed, Planning and Inspections Director, includes a discussion of the Planning and  
17 Inspections Department's and the Planning Board's formal review of the plans for the new EMS station. The Planning  
18 Board voted unanimously to recommend that the plans be approved (from a commercial review perspective) at their  
19 June meeting, subject to the following conditions:  
20

- 21 • approval of the wastewater system permit
- 22 • approval of the storm water management plan for the project
- 23 • recordation of the revised property survey shifting the eastern property boundary.  
24

25 The Board should note that all of these conditions are expected to be met by the end of July, prior to the solicitation of  
26 bids. If any of these items causes a material change to the plans, they will be re-submitted to the Planning Board and  
27 Board of Commissioners for formal review.  
28

29 The Board should also note that the original storm water plan submitted for the project is extremely conservative, and  
30 incorporates runoff from the entire site vs. the Town's requirement to address only runoff from impervious surfaces.  
31 The storm water plan will be revised and will be reviewed for compliance with the Town's ordinance by the Town's  
32 consulting engineer.  
33

34 Robert Brown and Ben Dadd will attend the July 10 meeting to discuss the new EMS Station with the Board of  
35 Commissioners.  
36

37 Commissioner Wootten noted their appreciation for Emerald Isle EMS pointing  
38 out that based on the monthly report for June that EMS rolled out 93 times, and  
39 83 times in the month of May. Commissioner Wootten felt they were a  
40 tremendous organization and that they really need to continue to be identified  
41 with Emerald Isle and Emerald Isle only.  
42

43 ***Motion was made by Commissioner Wootten to approve the design of the***  
44 ***new EMS station as recommended by the Joint EMS Committee. The***  
45 ***Board voted unanimously 5-0 in favor. Motion carried.***  
46

47 ***Motion was made by Commissioner Hedreen to approve the site plan,***  
48 ***building elevations, and building colors for the new EMS station as***  
49 ***required by the Town's commercial review process. The Board voted***  
50 ***unanimously 5-0 in favor. Motion carried.***  
51

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1  
2 Commissioner Hedreen thanked the EMS Committee, Ben Dadd and Carl  
3 Hogan, making a special note of the early relationships and important  
4 contributions made to Emerald Isle EMS and the committee by the late George  
5 Foster. Mr. Dadd added that George Foster gave them credibility;  
6 George Foster represented the community spirit of Emerald Isle which is  
7 something we don't ever want to lose.

8  
9 Town Manager Rush stated that with this approval tonight it is expected that they  
10 would begin clearing the lot between Live Oak Street and the fire station  
11 sometime before the end of this month. Mr. Rush said they expect to go out for  
12 bids on this project in early August and hope to return to the Board in September  
13 to award the contract for construction, and ideally hope to have Emerald Isle  
14 EMS in the new building by next year at this time.

15  
16 **11. PRESENTATION – CARTERET CRAVEN ELECTRIC COOPERATIVE –**  
17 **STORM PREPARATION AND RESTORATION ACTIVITIES**

18  
19 Bill Ward, Director of Community Relations for Carteret Craven Electric  
20 Cooperative provided a PowerPoint presentation for the Board and public  
21 regarding storm preparation and restoration activities. The following excerpt from  
22 Town Manager Rush's memo to the Board is provided as background:

23  
24 I have scheduled time on the July 10 meeting agenda for Bill Ward, Community Relations Director for Carteret Craven  
25 Electric Cooperative (CCEC), to make a presentation about CCEC's storm preparation and restoration activities. With  
26 hurricane season upon us, this presentation should help enlighten us all about these issues.

27  
28 One item that I expect Bill Ward to discuss is the recent transmission line improvements along NC 58 from Maysville to  
29 Emerald Isle. It is my understanding that the completion of this line, expected this summer, will enhance CCEC's  
30 ability to maintain and restore power to Emerald Isle in the event of power outages from storms or other reasons.

31  
32 I have attached several pieces of information that I downloaded from CCEC's website pertaining to storm preparation  
33 and restoration for your information:

- 34  
35
- FAQ – "How Do You Restore Power After a Storm?"
  - Flyer – "The Steps to Restoring Power"
  - Flyer - "Electrical Safety Before, During, and After a Storm"
  - Flyer – "How to Operate a Portable Generator Safely"
  - Flyer – "Are You Prepared for Power Outages?"
  - Helpful Tips – "Electrical Safety After Flooding".
- 36  
37  
38  
39  
40  
41

42 This information and more about CCEC can be accessed at their website, <http://www.carteretcravenelectric.coop/> .

43  
44 In response to a question from Commissioner Hoover about receiving an  
45 estimate of time it may take before power is restored in outage situations, Bill  
46 Ward, CCEC stated that they try their best to provide this information as much as  
47 possible as they know more about each situation.

48

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1  
2 Mayor Schools noted at this time that a resident unable to be in attendance  
3 during the earlier public comment period wished to speak to the Board.

4  
5 Margaret Quigley, 11013 Station Street, read a statement to the Board  
6 requesting that they consider amending the existing leash law currently in effect  
7 in Emerald Isle to allow handicapped persons who are in a chair to use an  
8 electric invisible leash if the dog has been properly trained with one and they  
9 have this proof. Ms. Quigley provided literature for the Board to review detailing  
10 the use of this type of remote training system; dog training collars. (A copy of  
11 this written statement and accompanying information is attached in its entirety  
12 and hereby made a part of these minutes).

13  
14 Mayor Schools thanked Ms Quigley for her comments.

15  
16 **12. PRESENTATION – EMERALD ISLE EMERGENCY OPERATIONS PLAN**

17  
18 Fire Chief Bill Walker provided a PowerPoint presentation for the Board and  
19 public regarding the Town's Emergency Operations Plan. The following excerpt  
20 from Town Manager Rush's memo to the Board is provided as background:

21  
22 I have scheduled time on the July 10 meeting agenda for a presentation from Fire Chief Bill Walker to brief the Board  
23 and the community about the Town's Emergency Operations Plan. With hurricane season upon us, this information  
24 will be helpful in the event that that Town is impacted by a storm this year.

25  
26 I have attached a memo from Chief Walker that provides a succinct summary of the Town's plan, and also a previous  
27 Power Point presentation that he had made to other groups. Chief Walker's presentation on July 10 will include much  
28 of the same information, and he and I will be available to answer questions at the July 10 meeting.

29  
30 The Town is fortunate to have had a very good plan in place for several years, thanks largely to Chief Walker's  
31 outstanding efforts in this area. The Town's plan has been in effect since 1987, and has been revised on five  
32 occasions, with the most recent revisions completed in 2004. This plan served the Town well in the hurricanes of the  
33 1990s (prior to my tenure with the Town), and also served us well during Hurricane Isabel in 2003 and Hurricane  
34 Ophelia in 2005. Overall I was very pleased with the plan and the Town staff's efforts before, during, and after both of  
35 those storms.

36  
37 As noted in Fire Chief Walker's memo, the responsibility for declaring a State of Emergency, ordering an evacuation,  
38 and establishing a curfew rests officially with the Mayor, who would issue a proclamation to that effect. The actual  
39 practice used by Mayor Schools for Isabel and Ophelia and the intended practice for future storm events is to operate  
40 as a team, with input from the other Board members, the Town Manager, the Town staff, the other Bogue Banks  
41 municipalities, and the County to assist the Mayor in making these decisions.

42  
43 The Town is fortunate to have an excellent working relationship with the Carteret County Emergency Services Office  
44 and the other municipalities on Bogue Banks. The typical evacuation decision process involves the use of a "control  
45 group" of County, municipal, and other officials that convenes in the days and hours prior to a storm's arrival to review  
46 storm scenarios and gauge the threat posed. Ideally, each Bogue Banks town will support the control group's  
47 recommendation on evacuation, which is extremely helpful in public communication efforts and intergovernmental  
48 coordination. This was exactly the case for Isabel and Ophelia, and we hope and expect that this mutual support will  
49 continue in the future. However, if the Town determines that it is not in our residents' best interest to proceed in the  
50 manner recommended by the "control group", the Town has the legal authority and responsibility to our residents to act

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1  
2  
3 in whichever manner it deems best. Such a situation would likely involve extenuating or very unique circumstances  
4 relative to Emerald Isle only.  
5

6 Once the State of Emergency, etc. is ordered, significant authority is vested in the Town Manager until the emergency  
7 situation is cleared. As Town Manager, I accept and welcome that responsibility, however, I want to stress to the  
8 Board that my approach is very much a team-oriented approach, and I rely heavily on all of the department heads, and  
9 the Fire Chief and Police Chief in particular. I also attempt to keep the Mayor and Board well-informed, and solicit  
10 input when relevant and practical without compromising the public's safety. I also consult with the County and the  
11 other Bogue Banks municipalities in an effort to make coordinated decisions.  
12

13 As noted in Chief Walker's memo, the Town implements a 24-hour curfew during a State of Emergency after a  
14 mandatory evacuation is complete. The Cameron Langston bridge is closed to the public during the curfew, as no one  
15 should be in the Town off of their private property. After damage assessment is complete and any safety hazards are  
16 eliminated, a decision is made to reopen the bridge to either the general public or only those with official hurricane re-  
17 entry passes. Depending on the extent of damage, the curfew may remain in effect on a full or limited basis.  
18

19 The Town continues to use the permanent hurricane re-entry passes assigned to each property owner in 2000. As you  
20 know, these passes are permanent and should be transferred with the property upon sale. Replacement or additional  
21 re-entry passes may be purchased from Town Hall at a cost of \$25 each. Town staff maintain a comprehensive  
22 database of the passes issued. The hurricane re-entry passes are used in the event that there is major damage and/or  
23 unsafe conditions on the island and there is a need to allow property owners only into the Town before conditions are  
24 safe enough to allow the general public into the Town.  
25

26 Fire Chief Walker commented that Carteret County Emergency Management has  
27 plans for people with special needs during a hurricane. Anyone with special  
28 needs is urged to contact Carteret County Emergency Management at  
29 252.728.8470 well in advance of an impending storm.  
30

31 **13. RESOLUTION AUTHORIZING PRE-POSITIONED DEBRIS REMOVAL**  
32 **CONTRACT FOR HURRICANE DEBRIS – (07-07-10/R2)**  
33

34 Asst. Town Manager / Finance Officer Mitsy Overman presented this item to the  
35 Board for consideration, noting that this item was originally presented for  
36 consideration at the June 12 regular meeting but was delayed in order to allow  
37 for additional review. The following excerpt from Town Manager Rush's memo to  
38 the Board is provided as background:  
39

40 The Board of Commissioners is asked to approve the attached resolution authorizing the Town Manager to execute a  
41 pre-positioned disaster debris removal contract with D & J Enterprises, Auburn, AL. This contract would only be  
42 activated if a hurricane strikes and the Town needs outside assistance to remove storm debris.  
43

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

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1  
2  
3 The proposed contract with D & J Enterprises requires debris removal operations to begin with 48 hours of notice to  
4 proceed.

5  
6 Barry Johnson, the Town's FEMA consultant, and Mitsy Overman, Assistant Town Manager, coordinated the bid  
7 process for this pre-positioned contract. We received bids from 14 firms, and after a careful and lengthy evaluation, D  
8 & J Enterprises is judged to be the low bidder. Unit price costs are as follows:

9

10 Construction and Demolition Debris Removal	\$9.95 per cubic yard
11 (disposal at CRSWMA facility in Tuscarora, NC)	
12 Construction and Demolition Debris Removal – Beach	\$10.50 per cubic yard
13 (disposal at CRSWMA facility in Tuscarora, NC)	
14 Vegetative Debris Removal (disposal within 55 miles)	\$8.85 per cubic yard.

15

16 It is interesting to note that the 2007 contract prices are overall lower than the 2006 contract awarded to Coastal Plains  
17 Recovery, Jacksonville, NC.

18  
19 Barry Johnson has completed a thorough evaluation of D & J, and we are confident in their ability to complete the work  
20 in a timely and quality manner. D & J has significant experience in disaster cleanup operations, significant capital  
21 assets and personnel, and significant subcontractor relationships. D & J received favorable references from all  
22 previous clients contacted, including Oak Island (1999).

23  
24 As you know, this contract recommendation was originally scheduled for consideration on the June 12 meeting  
25 agenda, but a decision was delayed in order to complete additional evaluation of the two lowest bids. The two lowest  
26 bids were received from D&J Enterprises and Bamaco, Inc., a Bunnell, FL firm. The bid process resulted in a situation  
27 whereby the unit prices for C&D debris submitted by D&J were \$1.27 lower than Bamaco for beach strand debris, while  
28 the unit prices for C&D debris in the public right-of-way were \$.18 higher. The unit price for vegetative debris  
29 submitted by D&J was \$.12 higher than Bamaco. This situation left the Town in a position whereby additional analysis  
30 was necessary to make a judgment on the low bidder.

31  
32 As noted in the attached letter from Barry Johnson, several methods were used to make the determination of D&J as  
33 the low bidder. First, a simple comparison of the sum of the 3 unit prices resulted in D&J as the low bidder, with a total  
34 unit cost that is \$.97 less than Bamaco. Second, an analysis using a model inspired by the US Army Corps of  
35 Engineers resulted in D&J as the low bidder for all categories (1-5) of hurricane events. Third, an analysis based on  
36 debris volumes similar to those experienced during Hurricanes Floyd and Ophelia was completed. As you may recall,  
37 Floyd resulted in significant volumes of construction and demolition debris on the beach strand and public right-of-  
38 ways, as well as significant volumes of vegetative debris. Hurricane Ophelia primarily resulted in sound-side damages  
39 and vegetative debris. The analysis using actual data from Hurricane Floyd resulted in D&J as the low bidder. The  
40 analysis using actual data from Hurricane Ophelia resulted in Bamaco as the low bidder. The majority of hurricanes  
41 impacting Emerald Isle since 1996 have been more like Floyd than Ophelia, and based on this history we have placed  
42 greater weight on the Floyd analysis.

43  
44 I have also discussed this situation with Joe Stanton, the NC Division of Emergency Management's disaster debris  
45 specialist to gain his insights. Joe Stanton was confident in the integrity of the Town's bid process and its subsequent  
46 analysis, and believes that the Town will not have any difficulty receiving reimbursement from FEMA. Based on the  
47 highly competitive nature of the bid process and the results of the analysis described above, we are confident that  
48 FEMA will provide reimbursement for expenses under this contract. We have also communicated this result to  
49 Bamaco, Inc., and have asked them to be ready to serve Emerald Isle in the event that D&J is unable to complete all or  
50 a portion of the work. We do not foresee any challenge to the Town's award of the contract to D&J from Bamaco.

51  
52 On a related note, the Board should note that NCDOT and the NC Division of Emergency Management recently  
53 informed the Town that NCDOT is the responsible entity for the removal of debris from NC 58, and that the Town  
54 would not be reimbursed by FEMA for debris collection on NC 58. Town staff attempted to reach an agreement with

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1  
2 NCDOT to perform this work for NCDOT, however, they indicated that it would not be possible to enter into a pre-  
3 positioned agreement. This is discouraging, as I am fearful that NCDOT will not be as timely as the Town's contractor  
4 in collecting debris, thus resulting in unnecessary delays in collecting debris from the most visible areas of Town. It is  
5 likely that our residents who live on NC 58 will also become frustrated if NCDOT is not as timely as the Town's  
6 contractor. Additionally, NCDOT is not likely to be as flexible with our residents as the Town regarding the length of  
7 time that debris can be collected, and there may also be coordination and communication challenges with two entities  
8 responsible for debris collection. I have requested that NCDOT seriously consider contracting with the Town's  
9 contractor or delegating responsibility to the Town after a storm hits, and they indicated that they will consider that  
10 approach at that time.  
11

12 ***Motion was made by Commissioner Wootten to approve the Resolution***  
13 ***Authorizing a Pre-Positioned Debris Removal Contract for Hurricane***  
14 ***Debris. The Board voted unanimously 5-0 in favor. Motion carried.***

15  
16 **Note: A copy of Resolution 07-07-10/R2 is incorporated herein by reference and hereby made a part**  
17 **of these minutes.**  
18

19 **14. RESOLUTION REQUESTING COMPREHENSIVE RESURFACING OF NC**  
20 **58 FROM THE INDIAN BEACH TOWN LINE TO THE CAMERON LANGSTON**  
21 **BRIDGE – (07-07-10/R3)**  
22

23 Town Manager Frank Rush addressed the Board concerning this agenda item.  
24 The following excerpt from Town Manager Rush's memo to the Board is provided  
25 as background:  
26

27 The Board of Commissioners is asked to approve the attached Resolution Requesting Comprehensive Resurfacing of  
28 NC 58 from the Indian Beach Town Line to the Cameron Langston Bridge. If approved, the attached resolution will be  
29 sent to several key persons involved with NCDOT in a formal effort to have the entire roadway resurfaced throughout  
30 Emerald Isle.  
31

32 NC 58 continues to deteriorate in many areas throughout Emerald Isle. Although there are only few areas with cracked  
33 pavement or potholes, much of the road contains a series of dips and rises that result in uncomfortable ride quality.  
34 This problem is most pronounced between Emerald Plantation Shopping Center and the Cameron Langston Bridge,  
35 but is also a problem in many other areas. The aesthetic condition of NC 58 is also less than desirable in some areas,  
36 most notably the recently repaired areas near Islander Drive, Coast Guard Road, and the Cameron Langston Bridge.  
37 Overall, the quality of NC 58 does not appear to be as high as other State maintained highways in urban areas, nor is it  
38 at the level expected by our residents, property owners, and visitors.  
39

40 As you know, the Board has discussed this issue informally in the past, and has directed me to communicate such a  
41 request to NCDOT staff. Recent informal conversations with NCDOT staff essentially resulted in communication that  
42 NC 58 will not be resurfaced at any time in the near future due to pavement ratings that do not justify resurfacing at this  
43 time. Regional NCDOT staff were not aware of the last time that NC 58 had been resurfaced, but did indicate that  
44 NCDOT's goal is to resurface all primary highways at least once every 15 years. Conversations with several long-time  
45 residents and Town employees led to the conclusion that NC 58 had likely not been resurfaced in more than 20 years.  
46

47 I then contacted staff at NCDOT's Pavement Management Unit in Raleigh, and learned a great deal. NC 58 was last  
48 resurfaced in 1978, approximately 29 years ago - nearly double the NCDOT's resurfacing interval goal. The Pavement  
49 Management Unit also provided detailed pavement condition ratings for NC 58 in 8 different segments in Emerald Isle.  
50 A copy of these ratings is attached. A rating of 70 or below is generally the threshold for comprehensive resurfacing.  
51 Emerald Isle's NC 58 ratings are as follows:  
52

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- 1
- 2 • Mile Marker 12.05 (town line) to Mile Marker 13.6 61.8 rating
- 3 • Mile Marker 13.6 to Mile Marker 15.3 (Georgia Street) 85.1 rating
- 4 • Mile Marker 15.3 (Georgia Street) to Mile Marker 16.8 91.7 rating
- 5 • Mile Marker 16.8 to Mile Marker 18.39 (Lee Avenue) 91.7 rating
- 6 • Mile Marker 18.39 (Lee Avenue) to Mile Marker 19.13 (Block Dr) 88.4 rating
- 7 • Mile Marker 19.13 (Block Dr) to Mile Marker 19.43 (Woodpecker) 80.1 rating
- 8 • Mile Marker 19.43 (Woodpecker) to Mile Marker 20.22 78.5 rating
- 9 • Mile Marker 20.22 to Mile Marker 21.88 (Bridge) 80.1 rating.

10  
11 As noted, only one segment, in eastern Emerald Isle (where the perception is that there is less of a problem) falls  
12 below the 70 rating threshold for resurfacing. These ratings are somewhat misleading, however, because I also  
13 learned that "ride quality", the criteria that includes the poor driving conditions associated with dips and rises, is not  
14 factored into the pavement ratings. The pavement ratings take into account factors such as "alligatoring" (large areas  
15 of small cracks in pavement), "rutting", and "patching", and the exclusion of "ride quality" could be one reason why the  
16 ratings are higher than one might expect for a 29 year-old road surface.

17  
18 If the Board approves the attached resolution, copies will be sent to several key personnel involved with NCDOT,  
19 including NCDOT Secretary Lyndo Tippet, our local Board of Transportation members (Cameron McRae – Kinston,  
20 Marvin Blount – Greenville, and Louis Sewell – Jacksonville), regional NCDOT staff, and Senator Jean Preston and  
21 Representative Pat McElraft. I am hopeful that the Town can arrange meetings / tours with several of these individuals  
22 to plead our case for comprehensive resurfacing of NC 58 within the next year or two. Based on the Town's cost per  
23 lane mile for annual resurfacing, I am estimating that the comprehensive resurfacing of NC 58 throughout Emerald Isle  
24 would cost NCDOT approximately \$1 million.

25  
26 The Board should note that the Town's 2004 CAMA Land Use Plan cites a goal for a shared turn lane along NC 58  
27 between the Indian Beach town line and mile marker 17.5. The attached resolution includes language requesting that  
28 NCDOT consider adding this turn lane (up to mile marker 19) at such time that NC 58 is resurfaced. The attached  
29 resolution also includes language requesting consideration of a dedicated 10 ft. wide bicycle path along NC 58  
30 between the terminus of the existing bike path at Black Skimmer Drive and the Indian Beach town line. The language  
31 regarding both of these goals was included in the resolution because it would make more sense to complete these  
32 improvements prior to a comprehensive resurfacing than after a resurfacing, however, the Board may wish to consider  
33 whether the inclusion of this language is "asking for too much". This language can easily be removed from the  
34 resolution if so determined by the Board.

35  
36 Town Manager Rush asked the Board to consider this resolution. Mr. Rush  
37 noted that there are two other items included in this resolution that the Board  
38 may or may not want to leave in; the additional items being to extend the  
39 dedicated bicycle path and the inclusion of a shared turn lane.

40  
41 The general consensus of the Board following discussion was to eliminate  
42 reference to the two additional items from the resolution.

43  
44 ***Motion was made by Commissioner Hoover to adopt the Resolution***  
45 ***Requesting Comprehensive Resurfacing of NC 58 from the Indian Beach***  
46 ***Town Line to the Cameron Langston Bridge, excluding the turn lane and***  
47 ***excluding the bike path. The Board voted unanimously 5-0 in favor.***  
48 ***Motion carried.***

49  
50 **Note: A copy of Resolution 07-07-10/R3 is incorporated herein by reference and hereby made a part**  
51 **of these minutes.**

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1  
2  
3 **15. SKATEBOARD ISSUES COMMITTEE**  
4

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

8  
9 Based on recent concerns about skateboarders in the business district, and the Board's discussion at the June 12  
10 meeting, the Board is asked to consider the creation of a new, ad-hoc committee to explore these issues and make  
11 recommendations to the Town.  
12

13 The new committee would be tasked with the following:

- 14
- 15 • determining the nature and extent of any conflicts that may exist between the skateboarding community, the
  - 16 business community, and the Town
  - 17 • how the business community, the skateboarding community, and the Town can work together to address
  - 18 concerns in a positive and productive manner
  - 19 • explore the possibility of constructing a skate park
  - 20 • explore the possibility of partnerships with other western Carteret municipalities and/or the private sector to
  - 21 address the needs / desires
  - 22 • other tasks as determined by the Board of Commissioners.
- 23

24 Town staff have devised the following recommendation for the make-up of the new committee:

- 25
- 26 • one Town Commissioner
  - 27 • two Emerald Isle business owners
  - 28 • one local church pastor
  - 29 • one member of the Emerald Isle Parks and Recreation Association, Inc.
  - 30 • two parents of children with an interest in skateboarding
  - 31 • one teenage skateboarder from Emerald Isle
  - 32 • the Police Chief.
- 33

34 This makeup would result in a nine-member committee, which should be inclusive enough but not too large to impede  
35 constructive dialogue.

36  
37 I would envision Alesia Sanderson, Parks and Recreation Director, as the key staff person providing support for this  
38 committee.  
39

40 If the Board believes it to be helpful, additional slots could be added for a representative from Cape Carteret and Cedar  
41 Point, which would increase the committee to eleven members, still a manageable size. The Board may also wish to  
42 consider adding the owner of the Golfin Dolphin complex in Cape Carteret, or may choose to allow the committee to  
43 begin its discussions and then call upon them to participate if necessary and/or desired after the committee begins its  
44 work.  
45

46 The recommendation above can certainly be modified by the Board of Commissioners at your discretion, and is  
47 presented as a starting point for discussion.  
48

49 If the Board chooses to form a new committee, Town staff will solicit letters of interest via the Town's website over the  
50 next several weeks, and have Board appointments on the August or September meeting agenda.  
51  
52

1  
2 Town Manager Rush noted that when this issue was brought to the Board at the  
3 last meeting the intent was more broad than skateboarding issues, more targeted  
4 at loitering, skateboarders, kids without enough to keep them constructively  
5 occupied in Emerald Isle, and the Board discussion leaned more toward  
6 skateboard issues. Mr. Rush suggested broadening the scope to something  
7 more like teen recreational opportunities, with skateboarding being a big part of  
8 that. Commissioner Wright felt you may not even want to call it a teen  
9 recreational committee but call it a youth recreational committee because some  
10 of the kids on skateboards are not teens.

11  
12 Following the Boards input to Town Manager Rush concerning the creation of a  
13 new ad-hoc committee and its makeup ***motion was made by Commissioner***  
14 ***Messer to create a Youth Recreational Opportunities Committee. The***  
15 ***Board voted unanimously 5-0 in favor. Motion carried.***

16  
17 Town Manager Rush noted that staff would solicit interest from the community  
18 using the makeup as noted in the memo in Board packets with the exception of  
19 limiting the requirement to parents of skateboarders to instead a requirement to  
20 parents of youth.

21  
22 **16. COMMENTS FROM TOWN CLERK, TOWN ATTORNEY, AND TOWN**  
23 **MANAGER**

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

26  
27 Town Manager Frank Rush noted that the Environmental Management  
28 Commission will not be considering the Phase II Storm Water decision this  
29 Thursday, they have pulled that from their agenda and will hear that on  
30 September 13.

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

33  
34 Commissioner Hedreen mentioned recent concerns expressed to her about the  
35 flashing yellow traffic lights and the many near misses seen as people view the  
36 flashing yellow as being a last chance to get through the intersection. Mr. Rush  
37 said that DOT is looking for comments about the lights, so he would certainly  
38 relay that information to them. Commissioner Wootten stated that he also had  
39 about four people make the same comments to him. Commissioner Hoover said  
40 that comments were made to him about never seeing the green arrow.

41  
42 There were no further Commissioner or Mayor comments.

43  
44  
45

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19

**18. ADJOURN**

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

*The meeting adjourned at 7:50 pm.*

Respectfully submitted:

Rhonda C. Ferebee, CMC  
Town Clerk