

1                   MINUTES OF THE REGULAR SCHEDULED MEETING  
2                   OF THE EMERALD ISLE BOARD OF COMMISSIONERS  
3                   TUESDAY, NOVEMBER 14, 2006 – 6:00 P.M. – TOWN HALL  
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 Pete Allen, Nita  
9 Hedreen, 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, Parks & Recreation Director Alesia  
14 Sanderson, and Public Works Director Artie Dunn.  
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 Hedreen 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 announcements for the public:  
26

- 27 • **Board of Adjustment Meeting – Wednesday, November 15 at 9 am –**  
28 **Town Hall**
- 29 • **Bicycle and Pedestrian Advisory Committee Meeting – Monday,**  
30 **November 20 at 6 pm – Community Center**
- 31 • **Thanksgiving Holiday – Thursday, November 23 and Friday,**  
32 **November 24 – Town Hall Closed**
- 33 • **Community Center Closed on Thanksgiving Day, Open on Friday,**  
34 **November 24**
- 35 • **No Recycling Collection on Thanksgiving Day – East and West Areas**  
36 **Both Collected on Friday, November 24**
- 37 • **3<sup>rd</sup> Annual Emerald Isle Holiday Parade – Saturday, November 25 at**  
38 **4 pm – NC 58 between CVS & Town Hall**
- 39 • **Planning Board Meeting – Monday, November 27 at 6 pm – Town Hall**
- 40 • **Breakfast With Santa – Saturday, December 9 at 10 am – Community**  
41 **Center**
- 42 • **Board of Commissioners Meeting – Tuesday, December 12 at 6 pm**
- 43 • **Gordie McAdams Speckled Trout Surf Fishing Tournament –**  
44 **Ongoing Through December 2**  
45  
46

1  
2  
3  
4 **6. INTRODUCTION OF NEW EMPLOYEES**

- 5  
6 **a. Mark Odom, Police Officer**  
7 **b. Earnest “Monty” Montgomery, Police Officer**  
8

9 Police Lieutenant Jeff Waters introduced the Town’s two newest full-time Police  
10 Officers. Lieutenant Waters stated that Police Officer Earnest “Monty”  
11 Montgomery served in the Marine Corps as a Communications Operator from  
12 April 1986 until July 2006. He attended BLET at Coastal Carolina Community  
13 College, graduating in May 2006. Mr. Montgomery also holds an Associates and  
14 Arts Degree from Campbell University. Lieutenant Waters noted that Police  
15 Officer Mark Odom was employed by Hankison International for 11 years. Mr.  
16 Odom graduated from BLET at Carteret Community College in March 2006. The  
17 Mayor and Board welcomed the new Police Officers.  
18

19 **7. CONSENT AGENDA**

- 20  
21 **a. Minutes – October 10 & 16, 2006 Regular Meeting**  
22 **b. Tax Refunds / Releases**  
23 **c. Resolution Amending Purchasing and Contracting Policy (06-11-14/R1)**  
24 **d. FY 06-07 Fee Schedule Amendment – Recycling Bins**  
25 **e. Budget Amendment – General Fund – Fire Department Donation**  
26

27 ***Motion was made by Commissioner Wootten to approve the Consent***  
28 ***Agenda Items. The Board voted unanimously 5-0 in favor. Motion carried.***  
29

30 **Note: A copy of Resolution 06-11-14/R1 is incorporated herein by reference and hereby made a part**  
31 **of these minutes. A copy of FY 06-07 Fee Schedule Amendment – Recycling Bins, and Budget**  
32 **Amendment – General Fund – Fire Department Donation are incorporated herein by reference and**  
33 **hereby made a part of these minutes.**  
34

35 **8. PUBLIC COMMENT**

36  
37 There were no comments from the public.  
38  
39  
40  
41  
42  
43  
44  
45  
46

1  
2  
3  
4  
5 **9. PROPOSED REZONING – RESIDENTIAL MOTEL HOTEL (RMH) TO**  
6 **RESIDENTIAL MULTI-FAMILY (RMF) – EMERALD BAY VILLAS, EMERALD**  
7 **RIDGE**

- 8  
9 **a. Public Hearing**  
10 **b. Consideration of Rezoning**

11  
12 Kevin Reed, Planning Director addressed the Board with an overhead  
13 presentation concerning this agenda item. The following excerpt from Planning  
14 Director Kevin Reed's memo to the Town Manager is provided as background:

15  
16 As you will recall, staff has been working with the Planning Board on another implementation measure identified in the  
17 2004 CAMA Land Use Plan. This effort involves the rezoning of certain properties from RMH to RMF. Specifically,  
18 that recommendation is to amend the Town's Zoning Map to rezone existing condominium developments from RMH to  
19 RMF where they have been designated as "mixed-residential" on the Future Land Use Map. The Planning Board was  
20 asked at its October 23, 2006 meeting to consider the rezoning of the next of these areas which encompasses the  
21 Emerald Ridge and Emerald Bay Villas developments located in the eastern portion of Town. The area is designated  
22 as mixed residential on the Future Land Use Map. You will find attached a map showing the area to be rezoned.

23  
24 Following its discussion of the matter, the Planning Board voted unanimously (6 to 0) to recommend to the Board of  
25 Commissioners that the property be rezoned. Please let me know if you have any questions regarding the foregoing  
26 information.

27  
28 ***Motion was made by Commissioner Allen to open the Public Hearing. The***  
29 ***Board voted unanimously 5-0 in favor. Motion carried.***

30  
31 There were no comments from the public.

32  
33 ***Motion was made by Commissioner Messer to close the Public Hearing.***  
34 ***The Board voted unanimously 5-0 in favor. Motion carried.***

35  
36 ***Motion was made by Commissioner Wright to rezone the Emerald Bay***  
37 ***Villas and Emerald Ridge development because it is consistent with the***  
38 ***Town of Emerald Isle's 2004 CAMA Land Use Plan and is both reasonable***  
39 ***and in the public interest. The Board voted unanimously 5-0 in favor.***  
40 ***Motion carried.***

41  
42 **Note: (A copy of the Record of Zoning Amendment indicating the reasons for the approved rezoning**  
43 **of Emerald Bay Villas and Emerald Ridge from RMH to RMF is incorporated herein by reference and**  
44 **hereby made a part of these minutes)**

45  
46  
47  
48

1  
2  
3  
4  
5 **10. FINAL PLAT – SUNSET LANDING SUBDIVISION**  
6

7 Kevin Reed, Planning Director addressed the Board concerning this agenda  
8 item. The following excerpt from Planning Director Kevin Reed's memo to the  
9 Town Manager is provided as background:

10  
11 A request has been received from Sunset Landing Development Company, LLC for final plat approval for the proposed  
12 Sunset Landing Subdivision. The subdivision is located on the east side of Crew Drive and consists of 31 building lots.  
13 The development will be served by private streets. As you may recall, the development had previously received  
14 approval of the preliminary plat by the Board of Commissioners. Since that approval was granted, the developers have  
15 been constructing the infrastructure that will serve the development. The Subdivision Ordinance requires that prior to  
16 receiving final plat approval that (1) the developer must complete all of the required improvements, or (2) the  
17 developer must substantially complete the improvements and guarantee completion by posting a letter-of-credit or  
18 cashiers check in an amount equal to 150% of the estimated costs of the remaining improvements. The developers  
19 are requesting that the plat be approved pursuant to item #1 noted above.  
20

21 As of November 1, 2006, the status of constructing the various improvements for the development is as follows:

- 22  
23  All streets have been graded, the base course of rock has been installed and paving is complete.  
24 A professional engineer has certified that the streets have been constructed in accordance with  
25 Town standards.  
26  Water lines, hydrants and service connections for each lot have been installed and testing is  
27 complete.  
28  Stormwater measures for the development's infrastructure (streets) have been installed in  
29 accordance with the approved stormwater plan. The design professional and owner have provided  
30 staff with a copy of a signed stormwater plan attesting to its completion and future maintenance.  
31  Electric system installation is complete and street lights have been installed.  
32  Cable and telephone installation is complete.  
33  Final grading of the right-of-ways is complete and sod installed.  
34

35 Please note that work is progressing daily on the construction of the landscaped entrance to the development including  
36 a decorative wall. These improvements are primarily aesthetic and are not required improvements under the Town's  
37 Subdivision Ordinance.  
38

39 You will find attached a copy of the final plat which is in conformance with the preliminary plat. Likewise, in accordance  
40 with the Subdivision Ordinance, the developers have provided copies of the Articles of Incorporation, Annual Budget  
41 for the Homeowners Association (including 10-year capital replacement), By-Laws of the Association and Restrictive  
42 Covenants. In addition, the developers have provided Town staff with copies of septic permits for all of the lots in the  
43 subdivision.  
44

45 The Planning Board was asked at it October 23, 2006 meeting to consider making a recommendation to the Board of  
46 Commissioners on approval of the final plat. Following its discussion of the matter, the Board voted unanimously (6 to  
47 0) to recommend to the Board of Commissioners that the final plat be approved.  
48

49 Commissioner Wootten asked for clarification about the arrangement with the  
50 emergency entrance off of Crew Drive. Planning Director Reed stated that the  
51 emergency entrance will remain as a permanent emergency entrance that will be

MINUTES OF THE REGULAR MEETING  
OF THE EMERALD ISLE BOARD OF COMMISSIONERS  
NOVEMBER 14, 2006  
Page 5 of 15

1  
2  
3 utilized in approximately 6-8 months when the Town has finished its extension of  
4 Crew Drive.

5  
6 ***Motion was made by Commissioner Allen to approve the final plat for***  
7 ***Sunset Landing Subdivision. The Board voted unanimously 5-0 in favor.***  
8 ***Motion carried.***

9  
10 **11. PRELIMINARY & FINAL PLAT – SHELL COVE NORTH SUBDIVISION,**  
11 **PHASE II**

12  
13 Kevin Reed, Planning Director addressed the Board with an overhead  
14 presentation concerning this agenda item. The following excerpt from Planning  
15 Director Kevin Reed's memo to the Town Manager is provided as background:

16  
17 Hammerhead Corporation, Inc., is requesting preliminary and final plat approval for Phase II of the proposed Shell  
18 Cove North Subdivision. Phase I of the subdivision, which encompasses Lots 1-4, has previously been approved by  
19 the Planning Board and Board of Commissioners. Please note that Lots 1-4 are existing platted properties. The  
20 property to be subdivided is located west of the Emerald Isle Chapel by the Sea property and east of the Shell Cove  
21 North Subdivision, Phase I. The applicants desire to subdivide a tract of land containing approximately 12.86 acres in  
22 order to create five building lots (Lots 5-9). The property is currently zoned Residential Multi-Family (RMF). All of the  
23 lots exceed one acre in size and meet the minimum lot size requirements for the RMF district. No new streets will be  
24 constructed; therefore, a comprehensive stormwater plan is not required and each lot will be required to submit the  
25 required stormwater information as part of the building permit review process. All of the lots have frontage along  
26 Emerald Drive; however, the applicants are proposing that access to the lots be provided by a common driveway  
27 easement locate off of Canal Drive and connecting to Emerald Drive. Lots 1-4 within Phase I of Shell Cove North are  
28 currently served by such an easement and driveway. It is anticipated that the proposed lots will have a Canal Drive  
29 address. The Fire Department has indicated that they comfortable with the proposal to have access to the lots  
30 provided by a common driveway easement.

31  
32 The Bogue Banks Water Corporation and the Carteret-Craven Electric Cooperative have both indicated they can serve  
33 the proposed development. The applicant has applied to the Carteret County Health Department for individual septic  
34 permits for each lot. The Town's 2004 CAMA Land Use Plan projects the property as mixed-residential; therefore, the  
35 proposed development is consistent with the Plan. The Town's Technical Review Committee conducted a review of  
36 the proposed subdivision at its meeting held on October 3, 2006. The TRC recommended the subdivision plat be  
37 forwarded to the Planning Board for review provided several changes/revisions are made to the plat. Attached is a  
38 copy of the proposed subdivision.

39  
40 The Planning Board was asked at its October 23, 2006 meeting to consider making a recommendation to the Board of  
41 Commissioners on approval of the preliminary and final plats. Following its discussion of the matter, the Board voted  
42 unanimously (6 to 0) to recommend to the Board of Commissioners that the preliminary and final plats be approved  
43 subject to the following conditions:

- 44  
45 1. Proof of septic suitability for each of the proposed lots.  
46  
47  
48  
49  
50

1  
2  
3  
4 Planning Director Reed noted that he received from the developers today the  
5 Improvement Permits for Lots 5-9.

6  
7 Commissioner Wootten had questions concerning fire hydrant coverage for Lots  
8 5, 6, 7, and 8, which were addressed by Planning Director Reed and Developer  
9 Rick Farrington.

10  
11 ***Motion was made by Commissioner Wootten to approve the final plat for***  
12 ***Shell Cove North Subdivision, Phase II. The Board voted unanimously 5-0***  
13 ***in favor. Motion carried.***

14  
15 **12. RESOLUTION AUTHORIZING CAMA PUBLIC WATER ACCESS GRANT**  
16 **APPLICATION – MCLEAN PARK – (06-11-14/R2)**

17  
18 Alesia Sanderson, Parks and Recreation Director addressed the Board  
19 concerning this agenda item. The following excerpt from Parks and Recreation  
20 Director Alesia Sanderson's' memo to the Town Manager is provided as  
21 background:

22  
23 CAMA has announced the availability of \$1.6 million in funding for water access. I propose the Town pursue funding in  
24 the amount of \$108,750 for the construction of a bath house with adjoining picnic shelter, septic system and the  
25 construction of a five hundred foot pier on the ~8 acres of property currently controlled by the Emerald Isle Parks and  
26 Recreation Association. The cost assumption for the bath house/picnic shelter is \$85,000 and the pier is \$60,000. The  
27 local match required will be \$36,250 if the project is awarded funding. These cost assumptions are based on the recent  
28 actual dollar amount spent on the bath house at Emerald Isle Woods and the bids received for reconstruction of sound  
29 side walkways with a 20% inflation rate.

30  
31 The town will be required to obtain a long term lease from the Parks and Recreation Association to be eligible for  
32 funding. I have asked Town Attorney Richard Stanley to draft such for your review.

33  
34 Ms. Sanderson stated that the Emerald Isle Parks and Recreation Association  
35 board members, Bernie Whalley, Linda Hughs, and Clay Olsen were all  
36 contacted and are very supportive of this project.

37  
38 Following discussion ***motion was made by Commissioner Messer to adopt***  
39 ***the Resolution Authorizing CAMA Public Water Access Grant Application***  
40 ***for McLean Park. The Board voted unanimously 5-0 in favor. Motion***  
41 ***carried.***

42  
43 **Note: A copy of Resolution 06-11-14/R2 is incorporated herein by reference and hereby made a part**  
44 **of these minutes.**  
45  
46  
47  
48  
49

1  
2  
3 **13. FINAL REVIEW – COAST GUARD ROAD TRAFFIC IMPROVEMENTS**  
4 **PROJECT DESIGN**  
5

6 Frank Rush, Town Manager addressed the Board with a detailed overhead  
7 presentation concerning this agenda item. The following excerpt from his memo  
8 to the Board is provided as background:  
9

10 The Board of Commissioners is scheduled to conduct a final review of the project design for the Coast Guard Road  
11 Traffic Improvements Project at the November 14 meeting. A copy of the design is attached for the Board's review.  
12

13 The attached design is very similar to the conceptual design reviewed and approved by the Board of Commissioners in  
14 July 2005, and includes the following features that are intended to improve traffic congestion at the intersection of NC  
15 58 and Coast Guard Road:  
16

- 17 • A longer dedicated left-turn lane for vehicles leaving Coast Guard Road on to NC 58 toward the bridge. As  
18 you know, the existing dedicated left-turn lane is very short, and only has stacking capacity for a limited  
19 number of vehicles.  
20
- 21 • A new dedicated right-turn lane for vehicles leaving Coast Guard Road on to NC 58 headed east. This  
22 improvement would allow vehicles headed east to avoid waiting in the current through-lane and would also  
23 free up more stacking capacity in the through-lane.  
24
- 25 • A slightly longer dedicated left-turn lane for vehicles leaving Coast Guard Road on to Reed Drive headed  
26 east. This improvement may provide a little more room for travel trailers en route to Holiday Trav-L-Park.  
27
- 28 • A clearly delineated right-turn lane for vehicles leaving Coast Guard Road on to Reed Drive headed east.  
29
- 30 • A dedicated left-turn lane for vehicles leaving Coast Guard Road and turning into the Bell Cove Village  
31 complex at the western entrance to Bell Cove Village. This would make it easier for vehicles traveling from  
32 the Coast Guard Road subdivisions to enter the new commercial center, and would allow through traffic to  
33 continue along Coast Guard Road towards NC 58 unimpeded.  
34
- 35 • A dedicated left-turn lane for vehicles leaving Coast Guard Road and turning into Pebble Beach  
36 condominiums. This would make it easier for the residents, property owners, and visitors of Pebble Beach to  
37 access the condominium complex, and also allow through traffic to continue down Coast Guard Road  
38 unimpeded.  
39
- 40 • The construction of a landscaped island in the middle of Coast Guard Road just prior to its intersection with  
41 Reed Drive. This landscaped island will have curb and gutter, includes a storm water infiltration chamber,  
42 and should help the aesthetics of the new multi-lane roadway.  
43
- 44 • The relocation of Coast Guard Road into the originally delineated road right-of-way. At present, the existing  
45 road is located approximately 30 feet outside of the official right-of-way and has encroached onto Pebble  
46 Beach's property since its construction. The relocation of the road back into the original right-of-way will  
47 result in a straightening of the curve and should result in a safer driving pattern.  
48
- 49 • The construction of the initial segments of a new dedicated 10 ft. wide bicycle path along Coast Guard Road.  
50 The project design includes a safe bicycle path from the terminus of the existing NC 58 bicycle path that is  
51 located in front of the Holiday Trav-L-Park gas station and then continues for a short distance toward Pebble  
52 Beach. It is anticipated that this segment will be constructed at the time of the planned traffic improvements,

MINUTES OF THE REGULAR MEETING  
OF THE EMERALD ISLE BOARD OF COMMISSIONERS  
NOVEMBER 14, 2006  
Page 8 of 15

1  
2  
3  
4 and will greatly improve bicycle and pedestrian safety at this location until the bicycle path can be extended further  
5 down Coast Guard Road in the future.  
6

7 The Board should note the following issues in its review of the final design:  
8

- 9 • As presented, the design will require the relocation of the large overhead power pole on the west side of  
10 Coast Guard Road just south of the northern entrance to Bell Cove Village. There may be a possibility of  
11 shifting the road slightly away from the power pole to avoid moving it, however, this is still being investigated.  
12 At this point, I am uncertain as to who will bear the financial responsibility for moving the pole.  
13
- 14 • There may be a need to relocate additional telephone, cable tv, and water line utilities in this area, and we  
15 are still awaiting feedback from these entities. To date, the only entity that has indicated that the Town will  
16 need to make payment is Embarq, however, I am still investigating the financial responsibility for any  
17 required utility relocations.  
18
- 19 • The design includes the construction of a dedicated right-turn only lane from Coast Guard Road into the  
20 northern entrance to the Bell Cove Village complex, as required as a condition of that development's  
21 approval. The design also includes the installation of a small concrete barrier to effectively prevent traffic  
22 from making illegal turn movements into this entrance.  
23
- 24 • The design includes travel lanes that are approximately 10 ft. wide near the intersection with NC 58. This  
25 lane width is acceptable but is on the narrow side. NCDOT recommends lane widths of 9 – 12 feet. It may  
26 be possible to widen the lanes by 6 – 8 inches by reducing the width of a planned concrete island adjacent to  
27 the planned bicycle path.  
28
- 29 • The design assumes the placement of a ditch along a portion of the west side of Coast Guard Road on  
30 private property at Bell Cove Village shopping center. It will be necessary to secure a stormwater easement  
31 from the owner of Bell Cove Village for this purpose. Fortunately, the area is not currently used for anything  
32 other than landscaping and storm water from the existing road. I will meet with the owner prior to  
33 construction to attempt to secure the necessary easement. If the owner is not willing to provide the  
34 necessary easement, the Town will be forced to construct additional curb and gutter and route the storm  
35 water further west to an existing ditch on the public right of way.  
36
- 37 • The design does not include a new sidewalk on the west side of Coast Guard Road. The developer of Bell  
38 Cove Village has previously made a contribution to the Town for the construction of sidewalks along the  
39 entire frontage of Bell Cove Village, and because there is not sufficient room to construct the sidewalk, I will  
40 likely reimburse these funds to the developer.  
41
- 42 • The existing large trees in front of Bell Cove Village are located in the middle of the main travel lane, and will  
43 be cut down, unfortunately.  
44
- 45 • The new turn lanes will require NCDOT to adjust the signal cycles at the intersection of Coast Guard Road  
46 and NC 58, and this work would likely be done in conjunction with planned signal system improvements.  
47
- 48 • The project design should enable two lanes of traffic to remain flowing during construction of the project.  
49 There is a provision for a temporary travel lane on the east side of the road, and this feature would be  
50 demolished upon completion of the project. We will coordinate heavily with Police, Fire, and EMS during  
51 construction to insure adequate response times in the Coast Guard Road area, and will also engage in a  
52 significant public education effort before construction begins.  
53

MINUTES OF THE REGULAR MEETING  
OF THE EMERALD ISLE BOARD OF COMMISSIONERS  
NOVEMBER 14, 2006

Page 9 of 15

1 The final design has been reviewed and critiqued by many individuals and groups over the past 18 months, and I  
2 believe we have incorporated all reasonable suggestions and addressed all reasonable concerns expressed to date. If

3  
4 the Board and/or the public has additional concerns or suggestions, I will attempt to address these with the successful  
5 contractor and the Town's engineer prior to construction.

6  
7 The Town is currently soliciting bids for this project, and bids are due by 2 pm on November 28. I hope to have a  
8 construction contract on the Board's December 12 agenda. If all goes according to schedule, work will begin shortly  
9 after January 1 and will hopefully be complete by the end of February.

10  
11 The Board discussed and asked questions of Town Manager Rush concerning  
12 the proposed project, specifically issues related to pedestrian safety, sidewalks,  
13 bike paths, and storm water retention areas.

14  
15 Doje Marks, 134 Sandcastle Drive, urged the Board to consider approaching the  
16 owner of Bell Cove Village to put signage at the entrance across from Pebble  
17 Beach to avoid having drivers turning left into the no left turn entrance. Ms.  
18 Marks said tourists unfamiliar with the area would not realize how to enter the  
19 shopping center, suggesting even arrows on the pavement to help.

20  
21 Jerry Huml, 303 Live Oak Street, questioned regarding the Pebble Beach  
22 property, if there was a need for a Memorandum of Understanding before going  
23 ahead with this project. Mr. Rush said the situation is being improved; the  
24 current road on the ground today is about 30 feet onto Pebble Beach's property,  
25 the road will now actually be reconstructed back into the right-of-way.

26  
27 **14. DISCUSSION – EMERALD ISLE 50<sup>TH</sup> ANNIVERSARY CELEBRATION**

28  
29 Parks and Recreation Alesia Sanderson addressed the Board concerning the  
30 Town's approaching 50<sup>th</sup> anniversary of incorporation in 2007. The following  
31 excerpt from Town Manager Rush's memo to the Board is provided for  
32 background:

33  
34 As you know, the Town is approaching its 50<sup>th</sup> anniversary of incorporation in 2007. I would like to see the Town  
35 commemorate this anniversary with a special celebration next year, and I have scheduled time on the Board's  
36 November 14 agenda to discuss this idea.

37  
38 I have asked Alesia Sanderson, Parks and Recreation Director, to work with her staff to brainstorm ideas for the 50<sup>th</sup>  
39 anniversary celebration. I have attached a memo from Alesia that includes many good suggestions, including a  
40 monthly "teaser" event tied into the 50<sup>th</sup> anniversary theme. Alesia will attend the November 14 meeting to discuss  
41 these ideas with the Board.

42  
43 If the Board concurs, I would like to assign Alesia and the Parks and Recreation Department the responsibility of  
44 organizing the 50<sup>th</sup> anniversary celebration. As noted in Alesia's memo, we are tentatively targeting Saturday,  
45 September 29 for the main event. This date was chosen to avoid the busy summer season, increase the chances for  
46 warm weather and outside activities, and provide some distance between other big events planned by the Town.

47  
48 If the Board concurs, I would like the Board to appoint and/or identify interested citizens who would be interested in  
49 serving on a volunteer / advisory committee to assist with the planning of the 50<sup>th</sup> anniversary celebration. Ideally,  
50 such a group would consist of approximately 10 dedicated volunteers to work closely with Alesia and her staff. We

MINUTES OF THE REGULAR MEETING  
OF THE EMERALD ISLE BOARD OF COMMISSIONERS  
NOVEMBER 14, 2006

Page 10 of 15

1 would like this group to be as diverse as possible, including a good mix of long-time Emerald Isle residents and relative  
2 newcomers.

3  
4 The following excerpt from Parks & Recreation Director Sanderson's memo to  
5 the Town Manager is provided for additional background:

6  
7 ....my staff held our annual planning meeting earlier this week and came up with some ideas for the town's 50<sup>th</sup>  
8 Birthday in 2007. We would like to schedule monthly "teasers" leading up to a proposed birthday celebration date of  
9 September 29<sup>th</sup>, 2007. The following are our ideas. The monthly events will be funded through the Parks and  
10 Recreation budget and all proceeds from the events will be earmarked for the celebration on the 29<sup>th</sup> of September.  
11 The following are our ideas for the year:

12	January 25 <sup>th</sup>	Clambake Pre-sell tickets and host at the WORA if weather permits-Community Center is alternate site
13		
14	February 23 <sup>rd</sup>	50's Sock Hop Community Center, DJ playing 50's music, prizes for best dressed
15		
16	March 31 <sup>st</sup>	50's Wooden Raquet Tennis Tournament
17		
18	April?	Dinner and a Movie-Invite famous chef to prepare dinner and Show a 1957 movie at the Community Center
19		
20	May 19 <sup>th</sup>	Drive In Movie at the EORA
21		
22	June 7 <sup>th</sup>	Drive In Diner at the Community Center-Contract with a Vendor such as Andy's to sell Hamburgers and Shakes With servers on roller skates
23		
24	July 19 <sup>th</sup>	Family Fun Beach Day at the WORA followed by a larger band For BJAF. Have traditional games such as 3 legged races, Hoola Hoop Contest, etc...
25		
26	August 17 <sup>th</sup>	Photography Contest "What Emerald Isle is to YOU" Display Photos on the 17 <sup>th</sup> and 18 <sup>th</sup> at the Community Center Through September 29 <sup>th</sup> .
27		
28	September 29 <sup>th</sup>	Antique Car Show
29		5K Road Race
30		Shriner's Fish Fry
31		Fireworks
32		Roundtable Discussions with folks who have been here And know Emerald Isle history
33		Amusement Rides
34		Fireworks
35		Concert

36  
37 These are just our ideas and we are open to suggestions but feel we need to get started on the foundation if the event  
38 is to be as remarkable as Emerald Isle deserves.

39  
40  
41 If you and the Board are not opposed, I would like to get a brochure printed (professionally) in order to get the word out  
42 about our proposed activities to draw as much participation and publicity as possible.  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53

1  
2  
3 Ms. Sanderson noted that the staff was excited about doing this, and to do it first  
4 class, making it a fun year round event. The Board was very pleased with the  
5 ideas presented by Ms. Sanderson, and also agreed with Ms. Sanderson's plan  
6 to get professional brochures printed for the 50<sup>th</sup> Anniversary events.  
7

8 **15. SOLID WASTE CONTRACTS**  
9

- 10 a. **Resolution Authorizing Contract with Waste Industries for Container**  
11 **Service – (06-11-14/R3)**  
12 b. **Resolution Amending Contract with Simmons & Simmons**  
13 **Management To Delete Container Service – (06-11-14/R4)**  
14  
15

16 Frank Rush, Town Manager addressed the Board concerning this agenda item.  
17 The following excerpt from his memo to the Board is provided as background:

18  
19 The Board of Commissioners is scheduled to consider two resolutions authorizing changes to the Town's solid waste  
20 service contracts. These two resolutions will essentially shift responsibility for (dumpster) container service in  
21 condominium complexes from Simmons & Simmons Management, Inc. to Waste Industries in a move that will not  
22 impact the service provided to our residents and property owners but that is advantageous for all parties concerned.  
23

24 The attached Resolution Authorizing a Contract with Waste Industries for Container Service authorizes the Town  
25 Manager to enter into a new 5-year contract with Waste Industries for this service for the unit costs submitted by Waste  
26 Industries during the Town's overall solid waste bid process in June 2006. Although Waste Industries was not the  
27 overall low bidder, they did submit the lowest bid for container service. Waste Industries has agreed to honor these bid  
28 prices, with normal adjustments based on the Consumer Price Index and fuel price adjustments.  
29

30 The attached Resolution Amending Contract with Simmons & Simmons Management to Delete Container Service  
31 authorizes the Town Manager to execute an amended contract with Simmons & Simmons that relieves Simmons &  
32 Simmons of this responsibility and reduces the monthly charge to the Town from \$64,519 to \$58,600, a decrease of  
33 \$5,919 per month. This amount is expected to be sufficient to cover the Town's average monthly expense for service  
34 provided by Waste Industries, thus resulting in no net increase in the Town's anticipated cost for solid waste services.  
35

36 This proposed change resulted from several factors, including a change in Simmons & Simmons' strategy for providing  
37 container service in condominium complexes (they initially intended to purchase a new truck and provide this service  
38 directly, but then decided to sub-contract this portion), a disagreement over the existing residential recycling containers  
39 between Waste Industries and the Town, and a cost saving opportunity for Simmons & Simmons for "igloo" recycling  
40 containers in use at condominium complexes.  
41

42 It was of primary importance to me that Simmons & Simmons be comfortable with this change, and they have indicated  
43 that they are comfortable with this change. In fact, the change was initially suggested by Simmons & Simmons. This  
44 change is beneficial to Simmons & Simmons because it reduces their responsibility to oversee a sub-contractor, and  
45 results in a savings because they no longer need to provide the initial recycling "igloos". This change is beneficial for  
46 Waste Industries because it allows them to retain a portion of the Town's business for a 5-year period. Finally, this  
47 change is beneficial for the Town because it resolves the residential recycling container issue in an amicable fashion  
48 and also enables the Town to maintain a positive relationship with Waste Industries.  
49  
50  
51

1  
2  
3  
4 ***Motion was made by Commissioner Messer to approve the Resolution***  
5 ***Authorizing Contract with Waste Industries for Container Service. The***  
6 ***Board voted unanimously 5-0 in favor. Motion carried.***  
7

8 ***Motion was made by Commissioner Messer to approve the Resolution***  
9 ***Amending Contract with Simmons & Simmons Management to Delete***  
10 ***Container Service. The Board voted unanimously 5-0 in favor. Motion***  
11 ***carried.***  
12

13 **Note: A copy of Resolution 06-11-14/R3 and Resolution 06-11-14/R4 are incorporated herein by**  
14 **reference and hereby made a part of these minutes.**  
15

16 **16. NC 58 SIDEWALK CONSTRUCTION**  
17

- 18 **a. Resolution Authorizing Contract with Johnson Construction**  
19 **Company – (06-11-14/R5)**  
20 **b. Budget Amendment – General Fund (if necessary)**  
21 **c. Capital Project Ordinance Amendment – NC 58 Sidewalk Project**  
22

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

26 The Board of Commissioners is asked to approve the attached resolution authorizing a construction contract with  
27 Johnson Construction Co. in the amount of \$37,700 for the construction of new sidewalk stubs at the Town's signalized  
28 intersections and along the north side of NC 58 from the Town Hall complex to Lee Street. An associated General  
29 Fund budget amendment and capital project ordinance amendment are also presented for the Board's consideration.  
30

31 This project involves the construction of approximately 600 linear feet of new 6 ft. wide sidewalk from the existing  
32 sidewalks and bicycle paths at the Town's 4 signalized intersections out to the edge of the asphalt travel lanes of NC  
33 58. New sidewalk stubs would be constructed at the following locations:  
34

- 35
  - the east side of the Coast Guard Road / NC 58 intersection
  - the west and east side of the Emerald Plantation / NC 58 intersection
  - the west and east side of the Mangrove Drive / NC 58 intersection, and
  - the west side of the Bogue Inlet Drive / NC 58 intersection.  
39

40 The attached aerial photos indicate the approximate locations of these new sidewalk stubs. The total cost for this 600  
41 linear feet of new sidewalk is \$17,400.  
42

43 The Board should note that this work is planned in anticipation of upcoming traffic signal system improvements by  
44 NCDOT, and the Town is requesting the installation of pedestrian signals as part of this work. NCDOT will not install  
45 pedestrian signals at these locations until the new sidewalk stubs are in place. If approved by the Board, these  
46 sidewalk stubs will be constructed in December. I am hopeful that NCDOT will begin the traffic signal system  
47 improvements early in 2007.  
48  
49  
50

MINUTES OF THE REGULAR MEETING  
OF THE EMERALD ISLE BOARD OF COMMISSIONERS  
NOVEMBER 14, 2006  
Page 13 of 15

1  
2  
3  
4 The Board should also note that earlier discussion of these stubs involved the installation of 8-ft. wide asphalt stubs on  
5 the south side of NC 58 to tie into the existing asphalt bicycle paths, and 6 ft. wide concrete stubs on the north side to  
6 tie into the existing concrete sidewalks. I have revised the plan, and I am now recommending 6 ft. wide concrete  
7 sidewalks for both sides of the road. In this case, it is approximately \$8,000 less expensive to construct concrete  
8 sidewalk than asphalt bicycle path.  
9

10 The project authorized by the attached resolution also involves the construction of approximately 700 linear ft. of new  
11 concrete sidewalk along the north side of NC 58 from the Town Hall complex to Lee Street. The total cost of this work  
12 is \$20,300. The completion of this segment would enable a safe pedestrian and bicycle connection from Lee Street  
13 and the Archers Point neighborhoods. An aerial photo indicating the proposed location of the new sidewalk is  
14 attached.  
15

16 The total cost of both project components is \$37,700. The FY 06-07 budget appropriated a total of \$30,000 for this  
17 work, thus the project exceeds the established budget by \$7,700. If the Board approves the attached resolution, the  
18 Board is also asked to approve the attached General Fund budget amendment appropriating an additional \$8,000 for  
19 this project. The additional \$8,000 would be taken from the General Fund contingency, and would result in a remaining  
20 contingency balance of \$57,000. The attached Capital Project Ordinance amendment is procedural in nature, and  
21 simply recognizes the additional \$8,000 in the capital project account.  
22

23 If the Board is not comfortable appropriating an additional \$8,000 for this project, I recommend that the Board authorize  
24 the construction of the various sidewalk stubs at the signalized intersections in the amount of \$17,400, and delay the  
25 Town Hall – Lee Street sidewalk segment until a later date. It will be important to complete the various sidewalk stubs  
26 as quickly as possible in order to secure the pedestrian signals from NCDOT.  
27

28 The Board should note that the Town has only received a price quote from one company, Johnson Construction Co.  
29 Unfortunately, there are very few companies in our area interested in these kinds of projects. As you know, Johnson  
30 Construction Co. has completed other segments of the NC 58 sidewalk and both phases of the NC 58 Bicycle Path.  
31 The Town has developed a good working relationship with Johnson Construction Co., and they have provided a  
32 reasonable (albeit higher than previous projects) quote for this work. The unit price is \$29.00 per linear ft, and includes  
33 all site preparation work. This price is higher than their quote for the segment from Emerald Plantation to Coast Guard  
34 Road completed last December (\$20.20 per linear ft.), however, there have been significant increases in concrete  
35 prices since that time. If the Board is not comfortable with Johnson Construction Co. or this price, I will attempt to seek  
36 out other companies to provide a price for this work.  
37

38 Following discussion concerning the pros and cons of delaying the Lee Street  
39 segment until a later date, ***motion was made by Commissioner Hedreen to***  
40 ***approve the Resolution Authorizing Contract with Johnson Construction***  
41 ***Co. for NC 58 Sidewalks in the amount of \$37,700 for all work. The Board***  
42 ***voted unanimously 5-0 in favor. Motion carried.***  
43

44 ***Motion was made by Commissioner Wootten to approve the General Fund***  
45 ***Budget Amendment. The Board voted unanimously 5-0 in favor. Motion***  
46 ***carried.***  
47

48 ***Motion was made by Commissioner Wright to approve the Capital Project***  
49 ***Ordinance Amendment. The Board voted unanimously 5-0 in favor. Motion***  
50 ***carried.***  
51

1  
2  
3 **Note:** A copy of Resolution 06-11-14/R5 is incorporated herein by reference and hereby made a part  
4 of these minutes. A copy of Budget Amendment – General Fund and Capital Project Ordinance  
5 Amendment - NC 58 Sidewalk Project are incorporated herein by reference and hereby made a part  
6 of these minutes.  
7

8 **17. APPOINTMENTS**  
9

- 10 **a. Board of Adjustment – 1 Alternate**  
11 **b. Carteret County Beach Commission (Recommendation)**  
12

13 **Summary of this Item:** There is currently a vacancy in the Alternate #2 position  
14 on the Board of Adjustment. This term will expire in May 2008.  
15

16 The term of one of the Carteret County Beach Commission slots reserved for an  
17 Emerald Isle resident will expire in January 2007, and the Board is asked to  
18 make a recommendation to the Carteret County Board of Commissioners for this  
19 3-year term.  
20

21 ***Motion was made by Commissioner Wootten to appoint Frank Powell to the***  
22 ***Alternate #2 position on the Board of Adjustment, with a term expiring in***  
23 ***May 2008. The Board voted unanimously 5-0 in favor. Motion carried.***  
24

25 ***Motion was made by Commissioner Wright to recommend that the Carteret***  
26 ***County Board of Commissioners appoint Jerry Huml to the Carteret***  
27 ***County Beach Commission for a 3-year term expiring in January 2010. The***  
28 ***Board voted unanimously 5-0 in favor. Motion carried.***  
29

30 **18. COMMENTS FROM TOWN CLERK, TOWN ATTORNEY, AND TOWN**  
31 **MANAGER**  
32

33 There were no comments from the Town Clerk or the Town Attorney.  
34

35 Town Manager Frank Rush noted that he and Ben Dadd with EMS met with the  
36 lead architect Robert Brown with EDA Morehead to kick off the process for the  
37 EMS Station design. Mr. Rush said he hoped to be presenting a final design and  
38 specifications, going out for bid for construction in the April, May, June  
39 timeframe. Mr. Rush said he understood that EDA Morehead met with a group of  
40 EMS volunteers the past week to start getting input as to what the building  
41 should include for preparing the preliminary design.  
42

43 Mr. Rush also made the Board aware of the Town's Employee Christmas party,  
44 Thursday, December 14, hoping they could all attend.  
45  
46

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

**19. COMMENTS FROM MAYOR AND BOARD OF COMMISSIONERS**

Commissioner Messer thanked outgoing Commissioner Pete Allen for his service here and wished him well with the County.

Mr. Rush asked that Commissioner Allen keep December 12<sup>th</sup> open as the Board would like to have him return and attend the meeting that night.

Commissioner Hedreen added that it had been a pleasure serving with him.

Mayor Schools commented that Town Manager Rush the past month had visited the Town of Nags Head to discuss with them a multitude of issues related to beach nourishment; Mayor Schools had received a letter from the Mayor of Nags Head thanking the Board for allowing Mr. Rush to visit and make such an excellent presentation. Nags Head representatives would be coming here to Emerald Isle on November 30 and December 1 to tour the beach.

**20. 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 7:15 pm.***

Respectfully submitted:

Rhonda C. Ferebee  
Town Clerk