

1 MINUTES OF THE REGULAR SCHEDULED MEETING
2 OF THE EMERALD ISLE BOARD OF COMMISSIONERS
3 TUESDAY, JUNE 13, 2006 – 6:00 P.M. – TOWN HALL
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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, and Town Clerk Rhonda
13 Ferebee.
14

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

17 **4. ADOPTION OF AGENDA**
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19 *Motion was made by Commissioner Hedreen to adopt the Agenda. The*
20 *Board voted unanimously 5-0 in favor. Motion carried.*
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22 **5. PROCLAMATION / PUBLIC ANNOUNCEMENTS**
23

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

- 27 • **Beach Jive After Five – Thursday, June 15 – 5:30 pm – Western**
- 28 **Ocean Regional Access**
- 29 • **Beach Volleyball Series – Saturday, June 17 – 9:00 am – Western**
- 30 **Ocean Regional Access**
- 31 • **Bicycle and Pedestrian Advisory Committee – Monday, June 19 –**
- 32 **6:00 pm – Community Center**
- 33 • **Planning Board Monthly Meeting – Monday, June 26 – 6:00 pm –**
- 34 **Town Hall**
- 35 • **4th of July Fireworks – Tuesday, July 4 – 9:30 pm – Bogue Inlet Pier**
- 36 • **Board of Commissioners Regular Meeting – Monday, July 10 – 6:00**
- 37 **pm – Town Hall (if acceptable)**
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39 It was noted that due to a scheduling conflict the regular Board of Commissioners
40 monthly meeting in July would be held on Monday, July 10 – 6:00 pm.
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4 **CONSENT AGENDA**
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- 6 a. Tax Refunds / Releases
7 b. Minutes – April 18, 2006 Regular Meeting
8 c. Minutes – May 9, 2006 Regular Meeting
9 d. Resolution Authorizing Acceptance of Wellness Grant – (06-06-13/R1)
10 e. Resolution Authorizing Contract with Pittard, Perry, and Crone
11 CPAs for Annual Audit Services – (06-06-13/R2)
12 f. Capital Project Ordinance Amendments – Various Fiscal Year End
13 Adjustments
14 g. Budget Amendment – General Fund – Fiscal Year End Adjustments
15 h. Budget Amendment – Disaster Recovery Fund – Fiscal Year End
16 Adjustments
17

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

20
21 (Note: A copy of Resolution 06-06-13/R1 and 06-06-13/R2 are incorporated herein by reference and
22 hereby made a part of these minutes)
23

24 **7. PUBLIC COMMENT**
25

26 Ed Harrison, 105 Ethel Street, spoke concerning the disrepair of several of the
27 public walkways to the beach. He felt there were safety issues with some of the
28 walkways, particularly the one at the end of Tracy Dr., with missing rails and
29 planks. He said that he had requested repair 3 years ago, and again more
30 recently. He asked the Board to consider replacing, and stated in the very near
31 term it needs to be repaired immediately.
32

33 Town Manager Rush stated that the Parks & Recreation Department is aware of
34 this situation, and apologized that the walkway has not yet been repaired, noting
35 the Parks and Recreation Department was stretched very thin at this time with
36 some very significant capital projects, and the Parks Superintendent would try to
37 get this fixed in the next week. Mr. Rush stated in response to a question from
38 Mr. Harrison that the Town does not have any money to replace the walkways in
39 next year's budget. Mr. Rush said it cost \$30,000 to \$40,000 to replace some of
40 the walkways, with about 50-60 of them in Town. Mr. Rush said this will be a real
41 challenge in the future. The Town has been able to replace a couple of
42 walkways by securing Coastal Management grant funds and converting them into
43 handicap access areas in order to qualify for that funding. This will no longer be
44 allowed and the Town will have to fund complete replacement of these walkways
45 from town general funds in the future.
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4 Doje Marks, 134 Sandcastle, spoke concerning what she felt was an ongoing
5 problem of parking in the fire lane in front of Food Lion. Ms. Marks said she had
6 mentioned this problem to previous boards. She talked about the danger of
7 children darting out between these illegally parked cars as well as the elderly
8 trying to walk into the store. She felt that police officers on the west end could
9 issue verbal or written warnings, and then ticket those who refuse to obey the no
10 parking area, the signs indicate fines up to \$100. She said the illegal parking
11 also made it difficult for emergency personnel to respond on a call to one of the
12 stores. Ms. Marks asked the Board to please address this issue.

13
14 **8. FY 06-07 BUDGET**

- 15
16 **a. Budget Ordinance**
17 **b. Fee Schedule**
18 **c. 5-Year Capital Replacement / Improvement Program**
19 **d. FY 06-07 Pay Plan**
20

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

24
25 The Board of Commissioners is scheduled to formally consider the FY 06-07 budget ordinance, fee schedule, capital
26 replacement / improvement program, and the Town's official pay plan at the June 13 meeting.

27
28 FY 06-07 Budget Ordinance

29 The attached FY 06-07 budget ordinance is consistent with the Recommended Budget and the Board's discussions
30 during the recent budget workshop meetings, with a few exceptions, and is presented for formal consideration and
31 adoption at the June 13 meeting. As you know, the required public hearing was held on June 1.

32
33 The total FY 06-07 General Fund budget included in the attached budget ordinance is \$6,420,916, which is a
34 \$148,172, or 2.36%, increase from the FY 05-06 adopted budget amount. The General Fund budget is balanced with
35 a 15.5-cent tax rate, which is the same tax rate as FY 05-06. The attached budget ordinance also includes
36 appropriations for the Town's various Other Funds, including the Beach Nourishment Debt Service / Reserve Fund.
37 The Beach Nourishment Debt Service / Reserve Fund includes sufficient appropriations to meet debt service
38 requirements for the beach nourishment bonds, and is balanced with a 48-cent Primary Benefit District (oceanfront) tax
39 rate, and a 3-cent Secondary Benefit District (non-oceanfront) tax rate for the 5th year in a row.

40
41 The attached budget ordinance reflects the changes discussed by the Board of Commissioners at its May 15, May 30,
42 and June 1 workshop meetings. The total General Fund budget of \$6,420,916 is slightly higher than the \$6,405,416
43 total that was included in the Recommended Budget. As discussed, the most significant change made by the Board of
44 Commissioners is the establishment of a special contingency earmarked for potential cost over-runs on major capital
45 projects. The attached budget ordinance establishes a \$70,000 contingency, derived primarily from reductions in
46 expenditures across the General Fund budget. This contingency is equal to 16.3% of the amount budgeted for major
47 capital projects in FY 06-07 (\$430,000).
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The specific adjustments to the General Fund Recommended Budget that were identified by the Board of Commissioners and / or are now recommended by the Town Manager are as follows:

<u>Revenues</u>		
Parks and Recreation Fees (increase in membership fees)		\$ 8,000
Other Revenues (higher sales of surplus property revenues)		2,500
Interest Earnings (escalating interest rates)		<u>5,000</u>
TOTAL REVENUES		\$ 15,500
<u>Expenditures</u>		
Governing Body (operating lines)	(1,000)	
Administration (operating lines)	(2,000)	
Planning and Inspections (operating lines)	(2,000)	
Police (operating lines)	(3,000)	
Fire (operating lines)	(3,000)	
Public Works (new Town Hall generator)	10,000	
Solid Waste (operating lines)	(2,000)	
Parks and Rec (aerobics carpet, shingle roofs, operating lines)	(9,000)	
NonDepartmental (reduce contributions to Lands End, other groups)	(17,500)	
Transfer to Beach Nourishment Debt Service / Reserve Fund	(25,000)	
Establish Capital Project Contingency (in NonDepartmental)	<u>70,000</u>	
TOTAL EXPENDITURES		\$ 15,500

The Board should note that I have recommended a few additional changes beyond those discussed by the Board at the recent workshop meetings. We have recently learned that the cost to repair the Town Hall generator is approximately \$5,000, and our goal is to have the generator operational prior to the heart of the 2006 hurricane season. A new generator can be purchased for \$10,000, and it now appears more prudent to replace the generator if the cost difference is only \$5,000. As such, I have included \$10,000 in the attached budget ordinance in the Public Works budget for this item. This expense is offset by a slight reduction in the capital project contingency (the Board had previously discussed a total contingency of \$72,500 instead of the \$70,000 now included), a \$5,000 increase in anticipated interest earnings (as rates continue to climb), and a \$2,500 increase in miscellaneous revenues from the sale of surplus property (based on excellent results with the online auction).

The Board should also note that the attached budget ordinance temporarily maintains the \$150 annual solid waste service fee and includes a solid waste budget that assumes "business as usual". As discussed previously, the Town will open bids for contracted solid waste services on June 13, and it is anticipated that the annual solid waste fee and solid waste budget will be adjusted at the Board of Commissioners' July meeting.

I have included a revised summary of the General Fund budget that reflects the changes above in your agenda packets.

There are no differences between the FY 06-07 budget ordinance and the FY 06-07 Recommended Budget for any of the Town's Other Funds, with the exception of the Beach Nourishment Debt Service / Reserve Fund. As noted above, the attached budget ordinance decreases the transfer from the General Fund to the Beach Nourishment Debt Service Reserve Fund from \$100,000 to \$75,000 for FY 06-07. This change is reflected in the budget ordinance for the Beach Nourishment Debt Service / Reserve Fund, and also results in additional adjustments to the amount of fund balance

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2 and interest earnings in this fund. As discussed previously, this reduction in the transfer from the General Fund is not
3 projected to have a significant impact on the overall fund balance in the Beach Nourishment Debt Service / Reserve
4 Fund. A total ending balance of approximately \$538,000 is projected after all bonds are retired in FY 12-13.
5

6 Fee Schedule

7 The Town's official fee schedule is attached to the budget ordinance, and is presented in conjunction with the budget
8 ordinance. The only changes in the fee schedule are increases in annual membership fees at the Community Center.
9 These changes are as follows:

10 Resident / Property Owner – Individual Membership	from \$60 to \$75 per year
11 Resident / Property Owner – Family Membership	from \$90 to \$115 per year
12 Non Resident / Property Owner – Individual Membership	from \$165 to \$225 per year
13 Non Resident / Property Owner – Family Membership	from \$225 to \$345 per year.

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16 These increases are expected to generate an additional \$8,000 of revenue for the Town. Although the increases
17 range from 25% to 53%, the annual fees for a membership at the Community Center are still significantly lower than
18 those charged by the private sector.
19

20 There are no other fee changes in the attached fee schedule.
21

22 5-Year Capital Replacement / Improvement Program

23 I have also attached a revised copy of the 5-Year Capital Replacement / Improvement Program in the agenda packet,
24 and request that the Board formally adopt this plan in conjunction with the budget ordinance and fee schedule. The
25 attached plan is consistent with the plan included in the Recommended Budget and the Board's recent discussions.
26 The only change in the revised plan is that the construction of Fire Station #3 has been pushed back one year to FY
27 08-09. As discussed, additional research must be completed regarding the need for and benefits associated with this
28 project.
29

30 I have included a revised General Fund 5-Year Forecast in the agenda packet for your information, and the forecast
31 incorporates all planned expenditures in the 5-Year Capital Replacement / Improvement Program. As indicated, and
32 as discussed over the past several weeks, the forecast indicates a deficit of approximately \$750,000 next year and
33 beyond if all planned projects are initiated. This deficit may require a General Fund tax rate increase in the future.
34

35 FY 06-07 Pay Plan

36 I have also attached a copy of the proposed FY 06-07 Pay Plan, and request that the Board formally adopt this plan at
37 the start of the fiscal year. The attached Pay Plan is identical to the Pay Plan adopted by the Board in December
38 2005, and reflects no changes in the minimum or maximum salaries for Town positions for FY 06-07. I envision asking
39 the Board to adopt an official Pay Plan at the beginning of each fiscal year as part of the annual budget process in the
40 future.
41

42 Other Information

43 I have also included a detailed list of the Board's adjustments to the FY 06-07 Recommended Budget, a copy of the
44 Beach Nourishment Debt Service / Reserve Fund Forecast, Town organization chart, and summary of authorized
45 positions for your information. As you know, the FY 06-07 budget includes funding for 1 new position in the Parks and
46 Recreation Department, bringing the total number of full-time employees in the Town to 61.
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48 I will distribute a bound copy of the adopted FY 06-07 budget booklet to the Board shortly after the start of the new
49 fiscal year on July 1.
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2 Commissioner Wootten asked why the Pay Plan was included since it was
3 already approved. Mr. Rush said that he wanted to establish the plan on a fiscal
4 year calendar, there is no change now, and it may be adjusted next fiscal year or
5 it may not, but it is typically the kind of thing that is adjusted each year by the
6 Board. Commissioner Wootten asked if Mr. Rush planned to adjust the pay plan
7 every year for COLA. Mr. Rush said he is trying to get the plan set up on this
8 schedule this year so that there is a statement of what the Town's pay plan is at
9 the start of each fiscal year.

10
11 Following further discussion ***motion was made by Commissioner Allen to***
12 ***adopt the FY 06-07 Budget Ordinance, adopt the FY 06-07 Fee Schedule,***
13 ***adopt the Capital Replacement / Improvement Program, and adopt the FY***
14 ***06-07 Pay Plan. The Board voted unanimously 5-0 in favor. Motion carried.***

15
16 **Note: A copy of the Budget Ordinance, Fee Schedule, 5-Year Capital Replacement / Improvement**
17 **Program, and FY 06-07 Pay Plan are incorporated herein by reference and hereby made a part of**
18 **these minutes.)**

19
20 **9. RESOLUTION AUTHORIZING PRE-POSITIONED DEBRIS REMOVAL**
21 **CONTRACT FOR HURRICANE DEBRIS - (06-06-13/R3)**

22
23 Town Manager Frank Rush addressed the Board concerning this agenda item.
24 Mr. Rush noted that he had placed additional information at their places tonight;
25 consisting of two letters; one being from Coastal Plains Recovery, Inc. and one
26 from W. T. Humphrey, Inc. The following excerpt from Town Manager Rush's
27 memo to the Board is provided as background:

28
29 The Board of Commissioners is asked to approve the attached resolution authorizing the Town Manager to execute a
30 pre-positioned disaster debris removal contract with Coastal Plains Recovery (and/or W.T. Humphrey, Inc.),
31 Jacksonville, NC. This contract would only be activated if a hurricane strikes and the Town needs outside assistance
32 to remove storm debris.

33
34 The Town is wise to enter into a pre-positioned contract for debris removal, as it fosters a quick response in the event
35 that a storm does strike Emerald Isle. It also allows us to resolve contractual issues up-front, without the stress of
36 responding in the immediate aftermath of a hurricane. The Town entered into a pre-positioned contract last year, and
37 unfortunately was required to activate it due to debris generated by Hurricane Ophelia. The pre-positioned nature of
38 the contract enabled the contractor, Tarheel Specialties, Linden, NC, to begin work almost immediately after the storm,
39 and also saved Town staff valuable time to devote to other storm-related issues. I am hopeful that we will not be
40 impacted by a storm this year and will thus not activate the debris contract, however, I am pleased that we will be
41 prepared ahead of time.

42
43 Barry Johnson, the Town's FEMA consultant, and Mitsy Overman, Assistant Town Manager, coordinated the bid
44 process for this pre-positioned contract. We received bids from 7 firms, and Coastal Plains Recovery is the lowest
45 bidder. Unit price costs are as follows:

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2	Construction and Demolition Debris Removal	\$12.48 per cubic yard
3	(disposal at CRSWMA facility in Tuscarora, NC)	
4	Construction and Demolition Debris Removal – Beach	\$13.98 per cubic yard
5	(disposal at CRSWMA facility in Tuscarora, NC)	
6	Vegetative Debris Removal (disposal within 50 miles)	\$9.10 per cubic yard
7	Vegetative Debris Removal (disposal within 50-70 miles)	\$9.35 per cubic yard .
8		

9 The Board should note that the bid process was based on assumptions that the construction and demolition debris will
 10 be disposed of at the Coastal Regional Solid Waste Management Authority's (CRSWMA) facility in Tuscarora, NC,
 11 however, if Carteret County establishes a closer facility in the aftermath of a storm this strategy and pricing will be re-
 12 evaluated. The bid process also assumed that vegetative debris would either be disposed of at the Hibbs Road facility
 13 in Newport or in Tuscarora, hence the alternate bid prices for the disposal of vegetative debris. All costs for hurricane
 14 debris removal should be eligible for FEMA reimbursement if Carteret County is declared a disaster area.
 15

16 Barry Johnson and Mitsy Overman have thoroughly evaluated Coastal Plains Recovery, and several concerns were
 17 identified about their ability to complete this work in a timely and quality manner. Specifically, some previous clients
 18 expressed concerns about Coastal Plains Recovery's lack of production and over-reliance on subcontractors, some
 19 without the most efficient equipment. A review of Coastal Plains Recovery's financial statements also revealed very
 20 limited assets, although their parent company, W.T. Humphrey, Inc., listed significant assets. Town staff are
 21 concerned about the ability of Coastal Plains Recovery to complete the work if they are unable to identify reliable
 22 subcontractors, and would like assurances that W.T. Humphrey's assets will be devoted to the Town's work if
 23 necessary. As a result, after discussing these concerns with Richard Stanley, Town Attorney, the Town Manager sent
 24 the attached letter to Coastal Plains Recovery / W.T. Humphrey, Inc. seeking assurances that
 25

- 26 1. a minimum of 4 complete crews will be dispatched to Emerald Isle, with each crew capable of removing
 27 250 cubic yards of debris per day,
- 28 2. W.T. Humphrey's assets will be made available in the event that Coastal Plains Recovery's
 29 subcontractors cannot meet the standard outlined in #1 above, and
- 30 3. that the required \$500,000 performance and payment bonds be provided before work commences
 31 (required to commence work within 48 hours of notice).

32 We expect a response to this letter before 5:00 pm on June 13.
 33
 34

35 If Coastal Plains Recovery / W.T. Humphrey, Inc. provides these assurances, then the Board is asked to authorize the
 36 Town Manager to enter into a contract with Coastal Plains Recovery / W.T. Humphrey, Inc. at the specified unit prices.
 37 If these assurances are not provided, then the Board of Commissioners is asked to authorize the Town Manager to
 38 enter into a contact with the next lowest bidder, Natco, Inc., Bristol, TN at the unit costs outlined below:
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41		
42	Construction and Demolition Debris Removal	\$13.97 per cubic yard
43	(disposal at CRSWMA facility in Tuscarora, NC)	
44	Construction and Demolition Debris Removal – Beach	\$14.47 per cubic yard
45	(disposal at CRSWMA facility in Tuscarora, NC)	
46	Vegetative Debris Removal (disposal within 50 miles)	\$10.47 per cubic yard
47	Vegetative Debris Removal (disposal within 50-70 miles)	\$11.97 per cubic yard .
48		

49 Barry Johnson and Mitsy Overman have also thoroughly evaluated Natco, Inc., and did not identify any significant
 50 concerns regarding Natco's to complete this work in a timely and quality manner.
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2 A copy of the "due diligence" reports on both Coastal Plains Recovery and Natco, Inc. are attached for your
3 information. A copy of the complete bid tabulation is also attached.

4
5 Town Manager Rush indicated that after receiving the additional information from
6 Coastal Plains Recovery, Inc. and W. T. Humphrey, that he, the Town Attorney,
7 and the FEMA Consultant were satisfied with the responses received regarding
8 their commitment to get the work done efficiently and effectively in Emerald Isle,
9 and it was his recommendation that the Board award a pre-positioned contract to
10 Coastal Plains Recovery, Inc. at the specified unit prices.

11
12 Following further discussion ***motion was made by Commissioner Wootten to***
13 ***approve the Resolution Authorizing Pre-Positioned Debris Removal***
14 ***Contract for Hurricane Debris. The Board voted unanimously 5-0 in favor.***
15 ***Motion carried.***

16
17 **Note: A copy of the Resolution 06-06-13/R3 is incorporated herein by reference and hereby made a**
18 **part of these minutes.)**

19
20 **10. DISCUSSION – SOLID WASTE SERVICES**

21
22 Town Manager Frank Rush discussed with the Board the results of the Town's
23 recent request for proposals for residential solid waste collection and disposal
24 services. Mr. Rush indicated that he had placed an additional handout at their
25 places tonight labeled Agenda Item 10 - Additional Information – Summary of
26 Solid Waste Collection Proposals Received. Mr. Rush said that bids were
27 opened at 2:00 this afternoon. Mr. Rush said he hopes to present a contract to
28 the Board at their July meeting. The following excerpt from Town Manager
29 Rush's memo to the Board is provided as background:

30
31 The Town issued a request for proposals on May 15, 2006. Based on questions from interested contractors,
32 Addendum #1 was issued on May 22, 2006. A pre-proposal conference was held on June 2, 2006, and resulted in the
33 issuance of Addendum #2 on June 7, 2006. A copy of these documents is attached for the Board's information.

34
35 To summarize, the Town requested proposals for the following options:

36
37 Option A-1 & B-1 – Calls for residential garbage collection for the entire town on Mondays and on Fridays
38 (during the summer only); also calls for residential recycling collection for the entire town on Tuesdays.

39
40 Option A-2 & B-2 – Calls for residential garbage collection for the areas south of NC 58 and Coast Guard
41 Road on Mondays and Thursdays (during the summer only), and the areas north of NC 58 and Coast Guard
42 Road on Tuesdays and Fridays (during the summer only); also calls for residential recycling collection for the
43 entire town on Wednesdays.

44
45 Option C – Calls for the contractor to be responsible for the roll-BACK of residential garbage and recycling
46 containers to the house after collection. Roll-OUT would be the responsibility of the residents, property
47 owners, visitor, or rental company.
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3 Option D – Calls for weekly dumpster service at condominium complexes, etc. on Mondays and Fridays
4 (during the summer only).
5

6 If prices are acceptable, it is my expectation that the Town will award either Option A-1 & B-1 or Option A-2 & B-2,
7 along with Option D. Option C would be evaluated based on the additional cost.
8

9 I am hopeful that the Town will be able to afford a combination that includes Option A-1 & B-1, as this option allows for
10 the Town's residential garbage and recyclables to be collected as quickly as possible after the weekends, and also
11 directly before the following weekend. This option is almost certain to be more expensive than the Town's current
12 service, however, I remain hopeful that it will be relatively affordable.
13

14 The Board should note that I also requested that interested solid waste collection firms also submit alternative
15 strategies and pricing for the Board to consider beyond those options specified by the Town. It is possible that one or
16 more firms may put forth other options to consider.
17

18 Proposals are due from interested solid waste collection and disposal firms on Tuesday, June 13 at 2:00 pm. The
19 Board will not be asked to authorize a contract at the June 13 meeting, however, the results of the recent process
20 should enable the Board to provide direction to the Town Manager. Potential options are as follows:
21

- 22 1) Negotiate a contract with the contractor offering the lowest price overall,
- 23 2) Negotiate a contract with the contractor offering the best combination of price and service,
- 24 3) If all prices are deemed excessive, negotiate with the contractor offering the lowest price overall,
- 25 4) If an alternative strategy is offered that is desirable, negotiate with the contractor offering that alternative
26 strategy, or
- 27 5) Reject all proposals and initiate a new process.
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33 As you know, the start date for the new contract is January 1, 2007, thus the Town does have some luxury of time. At
34 the latest, I would like the Board to authorize a new contract no later than the September meeting.
35

36 Mr. Rush stated that much research will be needed going through the proposals
37 submitted as it is very complex. Mr. Rush said there were a total of 4 proposals
38 from firms, one of the proposals from GDS Republic only bid on one component
39 of the project, the specifications did allow companies to bid only on the dumpster
40 service. GDS Republic bid only on the dumpster service. Mr. Rush noted the
41 other 3 proposals were from Waste Industries, Simmons & Simmons, and Inland
42 Service Corp. Mr. Rush said it appears at this time that Simmons & Simmons is
43 the low bidder for this work regardless of which option chosen. Mr. Rush pointed
44 out that this garbage collection operation would be a brand new operation for
45 Simmons & Simmons which concerned him a great deal, and felt they would
46 need to have a lot of conversation and dialogue with this company to make sure
47 their figures are accurate, they understand the scope of work, that they are a
48 reputable company, and if unable to do that, they can talk with the next lowest
49 bidder, or they may reject all proposals and go through another bid process if
50 necessary.
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2 Mr. Rush gave a hypothetical example, that if Simmons & Simmons contract is
3 accurate and the Board reaches a comfort level with their company, essentially
4 the Town could implement the "ideal" version of the service for an annual solid
5 waste fee of between \$165 and \$170 per year, the current fee being \$150. Mr.
6 Rush felt in light of the additional service benefits this seemed reasonable. Mr.
7 Rush said he would like to talk with the firms and do some more research and
8 then come back to the Board over the next few weeks with additional information
9 and recommendations. The Board was in agreement with this.

10
11 Norma Yanez, Waste Industries, was in attendance and commented about the
12 proposals submitted by Waste Industries.

13
14 Doje Marks, 134 Sandcastle Drive, suggested that the Board consider basing the
15 fee charged for waste pickup on assessments. She felt that the people hurt most
16 by the plan now are those with the small properties, that don't generate anything
17 near that which is collected from Ocean Drive, the huge rental units. She felt
18 they are making this a rich mans paradise and the rest would have to find
19 somewhere else to go.

20
21 Commissioner Wootten asked Mr. Rush to look into the suggestion made by Ms.
22 Marks to see if there was a way to do that legally, and justifiably.

23
24 Mr. Rush said he envisioned a special meeting at some point between now and
25 the next regular board meeting depending on negotiations and research to allow
26 for further discussion by the Board.

27
28 **11. DISCUSSION – "GATEWAY" CONSERVATION EASEMENT**

29
30 Town Manager Frank Rush said he was pleased to report that the Board had at
31 their places tonight an executed agreement to enter into a conservation
32 easement between the Town and Mrs. Martha Howe. Mr. Rush said this finalizes
33 the negotiations on the acquisition of the "gateway" conservation easement. Mr.
34 Rush said as outlined in the agreement the Town will receive a 30 foot wide
35 conservation easement from the Cameron Langston Bridge back almost to the
36 Coast Guard Road intersection, in exchange the Town agrees to pave Crew
37 Drive to town street standards. Mr. Rush noted that with the execution of this
38 agreement and with the \$130,000 included in the FY 06-07 budget, work will
39 begin immediately on design and permitting for the project. Mr. Rush and the
40 Board thanked the Howe family; Mrs. Martha Howe, and family members Rhett
41 Ricks, and Georgia Murray for working with the Town on this agreement.

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2 Town Attorney Richard Stanley stated that once the easement is executed and
3 tendered, it will be held in escrow while the Town completes the paving, and at
4 that point the Town will accept the easement as a donation.

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6 **12. COMMENTS FROM TOWN CLERK, TOWN ATTORNEY, AND TOWN**
7 **MANAGER**

8
9 There were no comments from the Town Clerk or the Town Attorney.

10
11 Town Manager reminded the Board that the regular board meeting for July would
12 be on July 10 and the change from the regular meeting date would be publicized.

13
14 **13. COMMENTS FROM BOARD OF COMMISSIONERS AND MAYOR**

15
16 Commissioner Hedreen again thanked the Howe family for helping to finalize this
17 important contribution to Emerald Isle.

18
19 There were no further comments from the Board of Commissioners or Mayor.

20
21 **14. CLOSED SESSION – PURSUANT TO NCGS 143-318.11(6), FOR THE**
22 **PURPOSE OF EVALUATING THE TOWN MANAGER'S PERFORMANCE**

23
24 *Motion was made by Commissioner Messer to go into closed session. The*
25 *Board voted unanimously 5-0 in favor. Motion carried.*

26
27 *Motion was made by Commissioner Messer to return to open session. The*
28 *Board voted unanimously 5-0 in favor. Motion carried.*

29
30 Upon returning to open session *motion was made by Commissioner Wootten*
31 *to increase the Town Manager's salary to \$88,400 annually, effective in July*
32 *2006. The Board voted unanimously 5-0 in favor. Motion carried.*

33
34 **15. ADJOURN**

35
36 *Motion was made by Commissioner Messer to adjourn the meeting. The*
37 *Board voted unanimously 5-0 in favor. Motion carried.*

38
39 Respectfully submitted:

40
41
42
43 Rhonda C. Ferebee
44 Town Clerk