

1 MINUTES OF THE REGULAR SCHEDULED MEETING
2 OF THE EMERALD ISLE BOARD OF COMMISSIONERS
3 TUESDAY, MARCH 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 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, and Planning Director Kevin Reed.
14

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

17 **4. ADOPTION OF AGENDA**
18

19 ***Motion was made by Commissioner Hedreen to add an item to the Agenda***
20 ***on Motor Vehicle Laws in Gated Communities to follow Public Comment as***
21 ***Item 7a. The Board voted unanimously 5-0 in favor. Motion carried.***
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23 **5. PROCLAMATION / PUBLIC ANNOUNCEMENTS**
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25 Mayor Art Schools noted the following proclamations and announcements for the
26 public:
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- 28 • Special Presentation to Ceil Saunders, Departing Planning Board Chair
- 29 • Proclamation – Multiple Sclerosis Awareness Week – March 13-17, 2006 –
30 (06-03-14/P1)
- 31 • Emerald Isle St. Patrick's Festival Opening concert – March 17, 7:00 pm –
32 El Community Center – Doors open at 5:00 pm – Megan Mullins and Josh
33 Turner performing
- 34 • Emerald Isle St. Patrick's Festival 8k Road Race – March 18, 8:00 am –
35 Eastern Ocean Regional Access
- 36 • Emerald Isle St. Patrick's Festival – 9:00 am – 5:00 pm – Emerald
37 Plantation Shopping Center
- 38 • Bicycle & Pedestrian Advisory Committee Meeting – March 20, 6:00 pm –
39 El Community Center
- 40 • Planning Board Regular Meeting – March 27 – 6:00 pm – Town Hall
41 Meeting Room
- 42 • Board of Commissioners Regular Meeting – April 18 – 6:00 pm – Town
43 Hall Meeting Room (note that the regular meeting date has been changed)
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2 Mayor Schools noted that departing Planning Board Chair Ceil Saunders was
3 unable to attend tonight's meeting to receive her Service Award. The Mayor and
4 Board thanked Ms. Saunders for her years of service on the Emerald Isle
5 Planning Board.

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7 **Note: A copy of Proclamation 06-03-14/P1 is incorporated herein by reference and hereby made a**
8 **part of these minutes.)**
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11 **6. CONSENT AGENDA**

- 12
13 a. Tax Refunds / Releases
14 b. Order to Advertise Tax Liens
15 c. Budget Amendment – Parks and Recreation
16 d. Budget Amendment – Disaster Recovery Fund
17 e. Capital Project Ordinance Amendment – FEMA Ophelia Beach
18 Nourishment Project
19 f. Resolution Authorizing National Institute of Justice Grant
20 Application for Bullet-Proof Vests for Law Enforcement Officers – (06-
21 03-14/R1)
22

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

25
26 **Note: A copy of Resolution 06-03-14/R1 is incorporated herein by reference and hereby made a part**
27 **of these minutes.)**
28

29 **7. PUBLIC COMMENT**

30
31 There were no comments from the public.
32

33 **7.A – ITEM ADDED – ENFORCEMENT OF STATE MOTOR VEHICLE LAWS**
34 **IN GATED COMMUNITIES**
35

36 Commissioner Hedreen requested that this item be added to the Agenda for
37 discussion by the Board. Commissioner Hedreen stated that she, along with her
38 neighbors, just became aware over the past weekend that the Chapter 20
39 Statutes actually limit our Police Officers abilities to charge people with certain
40 crimes or actions, namely driving infractions, drunk in public, death by motor
41 vehicle in gated communities. Commissioner Hedreen, at the request of her
42 neighbors following this incident in their neighborhood, brought this up to
43 determine what could be done about this situation in gated communities.
44 Commissioner Hedreen thanked the Police Chief, Town Manager and Town
45 Attorney for their research in finding out what options were available.
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2 Commissioner Hedreen felt that there may be other gated communities that
3 would like to know about their options as well.

4
5 Police Chief Bill Hargett stated that when the gates to a community are closed,
6 requiring access, and not open to the public, it is considered private property.
7 Chief Hargett said they cannot enforce any of the Chapter 20 violations inside of
8 a gated community. Once the gates are down, it is private; they have no
9 authority whatsoever to charge anyone with motor vehicle laws.

10
11 Town Manager Rush said there are a couple of provisions that would allow a
12 gated community or perhaps the Town to be authorized to enforce these State
13 Motor Vehicle laws; 1) there is a provision in the law for a petition process to the
14 DOT and involves the posting of signs at the gated communities that puts the
15 driver on notice that this is a public vehicular area, which would then enable the
16 Police Department to enforce the motor vehicle laws; 2) the other option is to
17 seek special legislation from the General Assembly. Mr. Rush noted there was
18 one community in the western part of the state that got special legislation that
19 allowed the law enforcement officers to enforce these laws within that
20 community, and also allowed them to drive golf carts within the community as
21 well. Mr. Rush said the options may be taken by the gated communities'
22 property owners association, or perhaps by the Town of Emerald Isle.

23
24 Following further discussion the Board agreed that the information regarding
25 these options should be made available to the homeowners associations of each
26 of the gated communities in Emerald Isle so they would be aware of this
27 information if they choose to pursue either option.

28
29 Chief Hargett noted that the Emerald Isle Police Department aggressively
30 pursues drunk drivers, arresting 191 last year, adding this is one of their main
31 priorities. Commissioner Hedreen expressed to Chief Hargett how extremely
32 professional were the police officers who responded to their neighborhood.

33
34 Mayor Schools asked Lieutenant Jeff Waters who was also in attendance to
35 address the Board concerning the various programs and events the Police
36 Department has planned in the community. Lieutenant Waters spoke about the
37 DARE Program, Safe Kids organization, National Night Out for Kids, and the
38 Child Identification booth at the St. Patrick's Day Festival. Lt. Waters spoke
39 about a new program he is incorporating a VIPs program - Volunteers in Police
40 Services. Mayor Schools and the Board added their thanks and noted that the
41 Police Department should be proud of all they do in our community.

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2 **8. PUBLIC HEARING – EARLY CITIZENS INPUT ON FY 06-07 BUDGET**

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4 ***Motion was made by Commissioner Messer to open the Public Hearing.***
5 ***The Board voted unanimously 5-0 in favor. Motion carried.***
6

7 There were no comments from the public. Town Manager Rush noted that the
8 public hearing on the recommended budget would be held in June, the public
9 hearing tonight is to give an opportunity to hear concerns from citizens upfront
10 before starting the budget process.

11
12 ***Motion was made by Commissioner Messer to close the Public Hearing.***
13 ***The Board voted unanimously 5-0 in favor. Motion carried.***
14

15 Doje Marks, 134 Sandcastle Drive, asked to be allowed to speak at this time
16 concerning Item 12 – Parking on Town Right-of-Way. Ms. Marks commented
17 that parking on town right-of-way allows many residents and property owners a
18 place for safe overflow parking without having to park vehicles on the streets.
19 She felt a bigger problem is construction vehicles parked on both sides of the
20 roadway often impeding regular traffic and blocking the passage of an
21 ambulance or fire truck. She mentioned the problem of stone walls being
22 installed right up to the pavement, and also the bigger problem in areas such as
23 Islander Drive around the amusement areas. She felt these issues need to be
24 addressed before worrying about cars parking off the pavement and on town
25 right-of-way.
26

27 **9. RESOLUTION AUTHORIZING CONTRACT FOR DEVELOPMENT OF A**
28 **UNIFIED DEVELOPMENT ORDINANCE – (06-03-14/R2)**
29

30 It was noted to the Board that a substitute Agenda Item had been provided
31 tonight at their places for this item.
32

33 Planning Director Kevin Reed discussed with the Board the reasons for the
34 development of a Unified Development Ordinance. Mr. Reed stated that the
35 Town's current development regulations date back as far as 1975 and they are
36 found in multiple chapters of the Town Code. Mr. Reed said what has resulted is
37 scattered development regulations that sometimes conflict among themselves,
38 and are difficult to understand, interpret, and enforce, not only from staff
39 perspective but also from a property owner perspective. Mr. Reed felt the
40 solution was to develop a Unified Development Ordinance which is essentially a
41 concise and better organized document that attempts to put development
42 regulations in one place rather than finding them in multiple places throughout
43 the Town Code. Mr. Reed stated that the Town's 2004 CAMA Land Use Plan
44 also contains specific redevelopment ideas for the Village East and West
45 commercial areas, both of which encompass potentially new zoning districts to

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2 make the redevelopment of those areas happen. Mr. Reed discussed the
3 selection process the Town undertook to find a consulting firm to help with this
4 process. The selection committee consisted of Mr. Reed, Town Manager Rush,
5 Commissioner Wright, and Planning Board member Jerry Huml. Mr. Reed asked
6 on behalf of the consulting selection committee and staff, that the Board
7 authorize execution of a contract with Clarion Associates, LLC, the desired firm
8 to complete this work.
9

10 Following discussion by the Board ***motion was made by Commissioner Wright***
11 ***to authorize a contract for the Development of a Unified Development***
12 ***Ordinance. The Board voted unanimously 5-0 in favor. Motion carried.***
13

14 ***Motion was made by Commissioner Wootten to adopt the General Fund***
15 ***Budget Amendment to appropriate funds for the Unified Development***
16 ***Ordinance. The Board voted unanimously 5-0 in favor. Motion carried.***
17

18 **Note:** A copy of Resolution 06-03-14/R2 is incorporated herein by reference and hereby made a part
19 of these minutes.)
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22 **10. REQUEST FROM LANDS END BOARD OF DIRECTORS FOR STORM**
23 **WATER OPERATION FUNDING**
24

- 25 **a. Budget Amendment – General Fund**
26 **b. Resolution Authorizing Funding – (06-03-14/R3)**
27

28 Town Manager Frank Rush discussed this item with the Board. An excerpt from
29 Town Manager Rush's memo to the Board is provided as background:
30

31 I have scheduled time on the Board's March 14 agenda to consider a request from the Lands End Board of Directors
32 for storm water operations funding. If the Board concurs, the attached General Fund budget amendment and
33 resolution would authorize a \$15,000 contribution for FY 05-06 (the current fiscal year).
34

35 As you know, Lands End has an extensive pond control system that it has operated for the past several years. Lands
36 End has invested significant sums of money in infrastructure, direct annual expenses, and paid and volunteer labor to
37 manage the storm water, ground water, and pond levels in Lands End. Their efforts have enabled Lands End's
38 residents to avoid major flooding problems, and have likely benefited other areas along the Coast Guard Road corridor
39 by diverting storm water and ground water flows out of the Coast Guard Road trough.
40

41 As you know, FY 05-06 has been an especially challenging year due to the heavy rainfall from Hurricane Ophelia and
42 several other heavy rainfall events. Lands End's costs to operate their system continue to increase as the need for
43 continuous pumping has increased. As a result, Lands End is seeking a financial contribution from the Town to cover
44 these expenses. The attached letter from Doug Fleming, President of the Lands End Board of Directors, explains the
45 request in more detail. The attached letter indicates that Lands End expects their expenses to reach \$25,000 for this
46 fiscal year, however, Doug Fleming indicated at the Board of Commissioners February 17 workshop meeting and in
47 subsequent conversations that these expenses are now expected to reach \$40,000 for this fiscal year. The Board
48 should note that this cost does not include many hours of volunteer labor.
49

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2 Based on direction from the Board at the February 17 meeting, I have placed this item on the March 14 agenda for
3 formal consideration. Based on the Board's comments, subsequent conversations with Doug Fleming, and additional
4 contemplation, the Board is asked to consider a \$15,000 contribution for the current fiscal year to cover Lands End's
5 additional costs and in recognition of the benefits that their system provides to the Town's residents within Lands End
6 and in other neighborhoods along the Coast Guard Road corridor. The attached budget amendment would appropriate
7 \$15,000 from General Fund balance for a contribution to Lands End.
8

9 Doug Fleming's letter and subsequent conversations indicate that the annual cost for Lands End's efforts are expected
10 to be \$25,000 to \$30,000 in a "normal" year. Given the benefits that this effort provides to the Town's residents within
11 Lands End and in other neighborhoods along the Coast Guard Road corridor, the Board may wish to consider funding
12 50% of this expense in the FY 06-07 budget and future budget years.
13

14 Phil Wagner, representing the Board of the Lands End Homeowners Association
15 addressed the Board concerning this request for funding. He spoke of the
16 extraordinary expenses that Lands End had incurred in flood control in 2005. Mr.
17 Wagner stated that they anticipate the same problem next year and their request
18 would carry over for succeeding years until the implementation of Phase II of the
19 Coast Guard Road flood control plan. Mr. Wagner briefly explained how the
20 Lands End system works, the impact of the storms, and gave a few facts and
21 figures on the money spent. Mr. Wagner added that the money spent over the
22 years, and especially this year, had helped to offset costs in flooding of sister
23 neighborhoods up and down Coast Guard Road. Mr. Wagner reviewed the
24 significant infrastructure of pumps and pipes that had been installed over the
25 years, totally funded by the Land's End Homeowner's Association.
26

27 Commissioner Messer mentioned his concerns initially to take public money into
28 a private subdivision, but felt after studying this and finding out what had been
29 done, and the role Lands End was playing in the overall problem on Coast Guard
30 Road he was supportive.
31

32 Following further discussion ***motion was made by Commissioner Messer to***
33 ***approve the General Fund Budget Amendment appropriating \$15,000 for***
34 ***Lands End. The Board voted unanimously 5-0 in favor. Motion carried.***
35

36 ***Motion was made by Commissioner Wootten to approve the Resolution***
37 ***Authorizing Funding for Lands End Storm Water Operations. The Board***
38 ***voted unanimously 5-0 in favor. Motion carried.***
39

40 **Note: A copy of Resolution 06-03-14/R3 is incorporated herein by reference and hereby made a part**
41 **of these minutes.)**
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43
44 **11. DISCUSSION – SOLID WASTE SERVICES**
45

46 Town Manager Frank Rush discussed this item with the Board. An excerpt from
47 Town Manager Rush's memo to the Board is provided as background:
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1 As you know, the Town's long-standing contract with Waste Industries expires on December 31, 2006, and the Town
2 intends to seek competitive bids for this service for the first time in approximately 15 years. The upcoming competitive

3
4 bid process is the opportune time to make any desired changes to the Town's solid waste services. I have scheduled
5 time on the March 14 agenda to receive the Board's input and/or concurrence on the two solid waste service options
6 for which bids will be solicited later this year.

7
8 Original Timetable

9 The originally discussed timetable for exploring changes, completing the bid process, and gearing up for the new
10 contract is as follows:

11 Determine any desired changes to the Town's services	January – May 2006
12 Solicit bids from solid waste companies	June 2006
13 Open bids	July 2006
14 Award contract	August 2006
15 Prepare for (potential) transition to new services and company	August – December 2006.

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22 At this time, it appears that we are slightly ahead of schedule after having discussed these issues at the January
23 regular meeting and the February 17 workshop meeting. Based on your input at those meetings, I believe I have a
24 good understanding of your preferences. If the Board concurs with the two solid waste service options below, I would
25 like to solicit bids sooner rather than later.

26
27 Based on past experience, research completed to date, and your input, I propose to solicit bids for the two service
28 options outlined below.

29
30 Option A

31 Option A can be characterized as the "ideal" service option, and would include the following service specifications:

- 32 • Provide weekly residential trash collection year-round on Mondays in the entire Town; do not split the
33 Town into east and west. This would enable the Town to have all weekend visitor-generated trash
34 collected immediately after the weekend, and would expedite the collection on the western end of Town
35 by one day.
 - 36 • Provide a second residential trash collection during the summer months only on Fridays for the entire
37 Town; do not split the Town into east and west. This would enable the Town to have all trash collected
38 immediately prior to the weekend, and would insure adequate capacity for the trash generated over the
39 weekend.
 - 40 • Provide weekly recycling collection year-round also on Mondays in the entire Town; do not split the
41 entire Town into east and west. This would enable the Town to have all weekend visitor-generated
42 recyclables collected immediately after the weekend. Mondays would be ideal, however, it may not be
43 feasible to do both trash and recycling on the same day. Thus, Option A would be structured with an
44 option for the contractor to provide recycling on Tuesdays as an acceptable alternative.
 - 45 • Include the roll-back of all containers (permanent residents, rental units, and second home-owners) in
46 the solid waste contract. Residents, rental companies, and/or visitors would be responsible for getting
47 the container to the street, however, the contractor would roll it back under the home or adjacent to the
48 home after collection. It would likely be very inefficient to have the contractor roll-out the containers
49 from under the homes or adjacent to the homes to the street for collection, as there would likely be
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- many homes that would not need to have the containers rolled out each week (particularly during the off-season).
- Install and secure standard 90-gallon containers on the street-side of the public beach accesses, and task the contractor with collecting this trash each week instead of having Town crews collect this trash.
- Town crews would continue to provide beach strand trash collection, yard waste collection, and white goods collection.
- The Town would continue to use the standard 40, 65, and 90 gallon roll-out and back containers.

The Board should note that this option is likely to be more expensive than the Town's current service. Obviously, cost will be a major issue driving the Board's decision. The potential factors affecting the cost of this service option include the contractors' limited trucks and human resources to accomplish the collection from the entire Town in one day, the schedules already established for the contractors' other clients, and the additional effort and cost associated with the roll-back of all containers. Due to cost concerns, the Town's bid solicitation would also include a second service option, described as Option B below.

Option B

Option B can be characterized as an improvement over the current service structure, but not to the same degree as Option A. The main difference between Option B and the Town's current service is that the Town would be divided north vs. south instead east vs. west, as is currently the case. For this reason, the cost of Option B is likely to be more in line with the Town's current costs.

- Provide weekly residential trash collection year-round on Mondays in the areas of Town south of NC 58 and Coast Guard Road, including the Point area. The areas north of NC 58 and Coast Guard Road would be collected on Tuesdays. This would enable the Town to have the ocean side of Town (where there are more visitors) collected on Mondays.
- Provide a second residential trash collection during the summer months on Thursdays and Fridays, with the Monday areas also collected on Thursdays and the Tuesday areas also collected on Fridays.
- Provide weekly recycling collection year-round also on Mondays and Tuesdays according to the same north-south breakdown indicated for residential trash collection. This would enable the Town to have most weekend visitor-generated recyclables collected soon after the weekend.
- Include the roll-back of all containers (permanent residents, rental units, and second home-owners) in the solid waste contract. Residents, rental companies, and/or visitors would be responsible for getting the container to the street, however, the contractor would roll it back under the home or adjacent to the home after collection. It would likely be very inefficient to have the contractor roll-out the containers from under the homes or adjacent to the homes to the street for collection, as there would likely be many homes that would not need to have the containers rolled out each week (particularly during the off-season).
- Install and secure standard 90-gallon containers on the street-side of the public beach accesses, and task the contractor with collecting this trash each week instead of having Town crews collect this trash.
- Town crews would continue to provide beach strand trash collection, yard waste collection, and white goods collection.
- The Town would continue to use the standard 40, 65, and 90 gallon roll-out and back containers.

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The Board should note that this option still has the potential to be more expensive than the Town's current service, but will hopefully be less expensive than Option A. Option B is similar to the Town's current service with three exceptions:

- 1) the Town would be divided north vs. south instead of east vs. west,
- 2) the recycling days would be on Mondays and Tuesdays (sooner after the weekend) instead of on Thursdays and Fridays, and
- 3) the roll-back function would be completed by the contractor.

Revised Timetable

If the Board concurs with this approach, I will attempt to adhere to the following timetable

Determine any desired changes to the Town's services	March 2006
Solicit bids from solid waste companies	April 2006
Open bids	May 2006
Award contract	June 2006
Prepare for (potential) transition to new services and company	July – December 2006.

This schedule would enable the Town to know the actual solid waste costs prior to finalizing the FY 06-07 budget, and would also provide additional time if costs are excessive and it is advantageous to re-solicit bids.

The Board discussed these options with Town Manager Rush. The Board agreed that Mr. Rush should proceed with these two options, isolating the roll-back feature as a separate line item on each.

12. DISCUSSION – ON-STREET PARKING ORDINANCE

Town Manager Frank Rush discussed this item with the Board. An excerpt from Town Manager Rush's memo to the Board is provided as background:

I have again scheduled time on the March 14 agenda for the Board to discuss issues associated with the Town's ordinance regulating on-street (or "on the public right-of-way") parking, and I am seeking your direction on this issue.

As you know, we discussed this issue at the Board's January 10 meeting, and the Board provided general direction to proceed with an ordinance amendment to include a provision that simply prohibits parking on public right-of-ways on all public streets in Emerald Isle, except in specifically designated public parking spaces. A copy of my January 10 memo the Board outlining this issue is attached for your information, and I encourage you to review that memo again prior to the March 14 meeting.

I have purposely held off on preparing the appropriate ordinance amendment for Board consideration due to additional concerns that have been expressed by some members of the community. Among the concerns expressed are the following:

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1. the use of the public rights of ways for the parking of boats and / or boat trailers,
 2. the use of the public rights of ways for temporary parking associated with construction activities,
 3. the use of the public rights of ways for parking for temporary events such as parties, etc.,
 4. a perception that a prohibition on parking on the public rights of ways could harm the vacation rental industry and tourism in general, and
 5. the specific areas in the public right of way designated for public parking.

It may be possible to draft an ordinance that accommodates all or some of the concerns above, and still prohibits parking on the public right-of-way as discussed on January 10. These concerns may also cause the Board to reach the conclusion that the current ordinance is sufficient to address on-street parking issues. If the Board reaches the latter conclusion, I would request that the Board adopt a formal list of those streets in Emerald Isle where on-street parking is prohibited. The Towns' current ordinance references a list of streets, however, staff are unable to locate a current list of streets.

Town Manager Rush stated that the list of streets had recently been located but it is very old with information dating back to 1964, with such things as limited time-frames. Mr. Rush said another concern is that in the future if the Town does pursue the idea of putting public parking spaces on the Ocean Drive right-of-way in order to meet beach nourishment funding requirements, they would need to make sure that the right-of-way is available for the Town to construct those spaces, meet the federal and state guidelines for parking in the future, and make sure there are not others encroaching on the right-of-way spaces when we need it. In addition, Mr. Rush noted that we are starting to see the construction of some privately owned, privately built, parking spaces on the public right-of-ways to serve some of the newer homes that are built as overflow parking.

Mr. Rush said he decided to put this issue back on the agenda tonight as an additional discussion item to get direction from the Board as to what they would like staff to do if anything. Mr. Rush said he felt there were two options; 1) proceed with an ordinance amendment not allowing parking on the right-of-ways anywhere in Town except in specifically designated areas; or, 2) keep the ordinance that we have now, getting an updated list of the streets that you can't park on, so there is something in writing that backs up this position and makes it clear to staff and citizens where you cannot park.

During discussion of this item Commissioner Allen brought up the issue of the federal governments parking requirements for the 50-year beach nourishment plan, mentioning the action being taken by Pine Knoll Shores and suggesting the possibility of some type of a resolution by the Town.

Ronnie Watson, spoke from the audience, suggesting from the political aspect, that if the Board does adopt a resolution, it needs to be addressed to Senator Burr, Senator Dole, and Congressman Walter Jones to let them know the problems that exist in Emerald Isle, if the funds are ever available. Mr. Watson

1
2 felt that Emerald Isle has a special situation and that if these individuals were
3 made aware of this problem, and in addition people contacted their senators and
4 congressman that would be the right approach.

5
6 Following further discussions concerning this agenda item regarding the on-
7 street parking ordinance the general consensus of the Board was to leave this
8 issue alone at this time.

9
10 Town Manager Rush added, regarding the federal governments parking
11 requirements, that he would put a resolution along with a letter on the Board's
12 next agenda for their consideration.

13
14 **13. APPOINTMENT – BICYCLE & PEDESTRIAN ADVISORY COMMITTEE**

15
16 **Summary of this item: There is currently one vacancy on the Bicycle &**
17 **Pedestrian Advisory Committee. The term of the vacancy expires in**
18 **December 2006.**

19
20 *Motion was made by Commissioner Wootten to appoint David Slyck to the*
21 *Bicycle & Pedestrian Advisory Committee to fill an unexpired term that*
22 *expires in December 2006. The Board voted unanimously 5-0 in favor.*
23 *Motion carried.*

24
25 **14. COMMENTS FROM TOWN CLERK, TOWN ATTORNEY, AND TOWN**
26 **MANAGER**

27
28 There were no comments from the Town Clerk or the Town Attorney.

29
30 Town Manager Rush reminded the Board about the luncheon on Monday at
31 noon. The Commissioner of Labor would be making a special presentation to the
32 Town for being the first municipality in North Carolina to receive the Municipal
33 Star designation from the Department of Labor for our efforts to promote a safe
34 workplace. Mr. Rush said a special thanks to Bill Walker and Dean Griffin, and
35 the Fire Department for their efforts with the Town's Safety Committee and
36 ultimately all the town employees because this is an honor to be the first
37 community to receive this designation.

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3 **15. COMMENTS FROM BOARD OF COMMISSIONERS AND MAYOR**
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5 There were no further comments from the Board of Commissioners.
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7 Mayor Schools thanked Town Manager Frank Rush for all that he does,
8 recognizing that it is not easy to bring up items that are controversial. Mayor
9 Schools stated that after hearing comments made by other towns and seeing
10 how other towns operate he felt proud to be in Emerald Isle, and he appreciated
11 all of the efforts made by Mr. Rush, these sentiments being echoed by the Board
12 of Commissioners.
13

14 **16. CLOSED SESSION – PURSUANT TO NCGS 143-318.11 (5), POTENTIAL**
15 **ACQUISITION OF REAL PROPERTY**
16

17 ***Motion was made by Commissioner Messer to go into Closed Session.***
18 ***The Board voted unanimously 5-0 in favor. Motion carried.***
19

20 ***Motion was made by Commissioner Messer to come out of closed session.***
21 ***The Board voted unanimously 5-0 in favor. Motion carried.***
22

23 There was no action taken as a result of the Closed Session.
24

25 **17. ADJOURN**
26

27 ***Motion was made by Commissioner Wootten to adjourn the meeting. The***
28 ***Board voted unanimously 5-0 in favor. Motion carried.***
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30 ***The meeting adjourned at 7:45 pm.***
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32 Respectfully submitted:
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36 Rhonda C. Ferebee
37 Town Clerk
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