

1                                   **MINUTES OF THE REGULAR SCHEDULED MEETING**  
2                                   **OF THE EMERALD ISLE BOARD OF COMMISSIONERS**  
3                                   **TUESDAY, MAY 13, 2014 – 7:00 P.M.**  
4                                   **TOWN BOARD MEETING ROOM**  
5  
6

7    **1. Call To Order**  
8

9    The regular monthly meeting of the Emerald Isle Board of Commissioners was called to  
10 order by Mayor Eddie Barber at 7:00 PM in the Emerald Isle Town Board Meeting  
11 Room.  
12

13   **2. Roll Call**  
14

15   Present for the meeting: Mayor Eddie Barber, Commissioners Nita Hedreen, Tom  
16 Hoover, Floyd Messer, John Wootten, and Maripat Wright.  
17

18   Also present during the regular meeting: Town Manager Frank Rush, Town Attorney  
19 Richard Stanley, Asst. Town Manager/Finance Officer Mitsy Overman, Town Clerk  
20 Rhonda Ferebee, Planning Director Kevin Reed, and Police Chief Jeff Waters.  
21

22   **3. Opening Prayer**  
23

24   Opening prayer was offered by Mayor Barber.  
25

26   **4. Pledge of Allegiance**  
27

28   The Pledge of Allegiance was led by Boy Scout Troop 446. The Troop performed the  
29 Scout Flag Opening Ceremony for all in attendance.  
30

31   Mayor Barber thanked the Troop and the leaders for attending tonight and for helping to  
32 make Emerald Isle such a great place to live.  
33

34   **5. Adoption of Agenda**  
35

36   ***Motion was made by Commissioner Wright to add a new Item 15 to the agenda to***  
37 ***discuss changing the meeting start time from 7pm back to 6pm beginning next***  
38 ***month and amending the Rules of Procedure, the numbering of the current***  
39 ***agenda items would then continue on as 16, 17, 18. The Board voted***  
40 ***unanimously 5-0 in favor. Motion carried.***  
41

42   ***Motion was made by Commissioner Hoover to approve the Agenda as amended.***  
43 ***The Board voted unanimously 5-0 in favor. Motion carried.***  
44  
45  
46

1 **6. Proclamations / Public Announcements**

2  
3 Mayor Barber announced Proclamations and notices for the public:

- 4
- 5 • Proclamation – Alzheimer’s and Brain Awareness Month – June 2014 – and The
  - 6 Longest Day – June 21, 2014 (14-05-13/P1)
  - 7 • Proclamation – National Public Works Week – May 18 – 24, 2014 (14-05-13/P2)
  - 8 • Proclamation – National Emergency Medical Services Week – May 18 – 24,
  - 9 2014 (14-05-13/P3)
  - 10 • Proclamation - Safe Boating Week – May 17 – 23, 2014 (14-05-13/P4)
  - 11 • Proclamation – National Police Week – May 11 – 17, 2014 (14-05-13/P5)
  - 12 • Emerald Path Bike Ride – Every Tuesday – 5:30 pm – Hwy 58 Bikes
  - 13 • Spring Walking club – Fridays, May 16 and May 23 – 9 am – Community Center
  - 14 • Planning Board Regular Meeting – Monday, May 19 – 6 pm – Town Board
  - 15 Meeting Room
  - 16 • Police Educating The Public – Tuesday, May 20 – 10 am – Town Board Mtg.
  - 17 Room – “Hurricane Preparedness”
  - 18 • Budget Workshop Meeting – Tuesday, May 20 – 6 pm – Town Board Meeting
  - 19 Room
  - 20 • Coffee With a Cop – Thursday, May 22 – 9 am – Stir It Up
  - 21 • Beach Safety Course – Thursday, May 22 – 1 pm and Monday, June 2 – 1 pm –
  - 22 Town Board Meeting Room
  - 23 • Beach Safety Course – Thursday, May 22 – 1 pm and Monday, June 2 – 1 pm –
  - 24 Town Board Meeting Room
  - 25 • Memorial Day Holiday – Monday, May 26 – Town Offices Closed, Community
  - 26 Center Closed
  - 27 • CPR and First Aid Class – Wednesday, May 28 – 4 pm – 8 pm – Community
  - 28 Center
  - 29 • Budget Workshop Meeting / Public Hearing – Tuesday, June 3 – 6 pm – Town
  - 30 Board Meeting Room
  - 31 • Youth Fishing Derby – Saturday, June 7 – 9 am – 11 am – Bogue Inlet Pier
  - 32 • Board of Commissioners Regular Meeting – Tuesday, June 10 – 7 pm – Town
  - 33 Board Meeting Room
  - 34 • EmeraldFest Concert – Thursday, June 19 – 6:30 pm – 8 pm – Western Ocean
  - 35 Regional Access
- 36

37 Mayor Barber recognized Susan Smith, an Emerald Isle resident who had spearheaded  
38 and coordinated the Longest Day event to be held in Emerald Isle on Saturday, June 21  
39 to increase awareness for Alzheimer’s disease. Mayor Barber signed a Proclamation  
40 for the event and thanked her for her efforts and for being in attendance during tonight’s  
41 meeting.

42

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1 **Clerks Note:** A copy of Proclamation 14-05-13/P1, 14-05-13/P2, 14-05-13/P3, 14-05-13/P4, and 14-05-13/P5 as  
2 noted above are incorporated herein by reference and hereby made a part of these minutes.  
3

4 **7. Service Award – 20 Years – Police Captain Paul Cheshire**  
5

6 Mayor Barber, Town Manager Rush, and Police Chief Waters recognized Police  
7 Captain Paul Cheshire for his 20 years of service to the Town of Emerald Isle,  
8 presenting him with a service award plaque. Captain Cheshire joined the Town in April  
9 of 1994 as a Patrol Officer, and also served as a Detective and Lieutenant before  
10 serving in his current role as Captain. In addition, Captain Cheshire served for many  
11 years as the Town's information technology specialist as well as volunteering with  
12 Emerald Isle EMS, Inc. for many years.  
13

14 **8. Public Comment**  
15

16 **Brief Summary:** The public has the opportunity at this time to address the Board about  
17 any items of concern not on the agenda.  
18

19 Paul Schwartz, Wyndtree and Coast Guard Road, spoke of his concerns at the parking  
20 lot at Parker/Station Street as people leave and walk down the center of Coast Guard  
21 Road en masse with children and dogs in tow. He said the difficulty was Coast Guard  
22 Road was about 15 feet wide with no where to go to get off the road. Mr. Schwartz said  
23 that with signage giving people an alternative as to where to go that could be controlled,  
24 however, with the completion of the bike path now there would be many more people  
25 going an even further distance. He felt this was a danger and they needed to do  
26 something to get the children and cyclists off the middle of the street in that area.  
27

28 Town Manager Rush noted they had adjusted the alignment of the bicycle path to end  
29 on the north side of Coast Guard Road right at Ring Street with the intention being for  
30 folks to get on Ring Street and then get on Channel Drive and head to the Point, and  
31 they would certainly have signage as well. Mr. Rush indicated there was also an  
32 alternate route being installed onto Wyndward Court, a small spur where people could  
33 travel on Wyndward Court and then on the public access easement at the cul-de-sac all  
34 the way to the beach. Mr. Rush said this would provide two alternate paths and they  
35 would try to educate people with signage and could certainly look at some kind of  
36 walkway on Coast Guard Road in the future, and that would be up to the Board and the  
37 Bicycle and Pedestrian Advisory Committee as well. Mr. Rush said they wanted to do  
38 everything they could so it would be as safe as possible.  
39

40 Jim Hackett, 6410 Ocean Drive, commented that it was nice to have a retired minister  
41 open the meeting with a prayer, which was an extra benefit to having Mayor Barber as  
42 mayor. Mr. Hackett also congratulated the Town on the completion of the bike path. He  
43 also loved the new sound side pier. He said the Town Manager always did a wonderful  
44 job with the budget and he again brought everyone the delicious Berger cookies.  
45

1 Bill Ellis, Cedar Street, said that all the staff of Emerald Isle Baptist Church wished to  
2 thank everyone for all they did for making this such a wonderful place to live. He spoke  
3 of how much he enjoyed Emerald Isle whenever he crossed the bridge and saw the  
4 wonderful shrubbery, and watched the sunset from his chair back toward Swansboro;  
5 Mr. Ellis thanked all of the town staff, and the Board for all they had done for him.  
6

7 Mayor Barber thanked him for the wonderful remarks, and said they appreciated both  
8 he and his wife very much.  
9

10 **9. Consent Agenda**

- 11  
12 a. Tax Releases  
13 b. Minutes – March 11, 2014 Regular Meeting  
14 c. Minutes – April 8, 2014 Regular Meeting  
15 d. Resolution Authorizing Audit Services Contract (14-05-13/R1)  
16 e. Resolution Authorizing Auction of Surplus Items (14-05-13/R2)  
17 f. Resolution Authorizing Change Order – Coast Guard Road Bicycle Path  
18 (14-05-13/R3)  
19

20 ***Motion was made by Commissioner Hedreen to approve the items on the Consent***  
21 ***Agenda. The Board voted unanimously 5-0 in favor. Motion carried.***

22  
23 **Clerks Note:** A copy of Resolution 14-05-13/R1, 14-05-13/R2, 14-05-13/R3 and all consent agenda items as  
24 noted above are incorporated herein by reference and hereby made a part of these minutes.  
25

26 **10. Proposed Rezoning – 101 Islander Drive – From Business (B) to Village**  
27 **West (VW)**

- 28  
29 a. Public Hearing  
30 b. Consideration of Rezoning  
31

32 Planning Director Kevin Reed addressed the Board concerning this agenda item. The  
33 following excerpt from Town Manager Rush's memo to the Board is provided for  
34 additional background:  
35

36 A request has been received from Stroud Engineering, PA, on behalf of Island Ventures of Emerald Isle, LLC, for the rezoning of  
37 102 Islander Drive from Business (B) to the Village West (VW) Zoning District. The property contains approximately 4.42 acres  
38 and is the location of The Islander Suites. The owners are seeking the rezoning to Village West so they can proceed with  
39 additional redevelopment plans for the property. The Town owns the property immediately to the west, which is zoned  
40 Government (G), and is the location of the Western Ocean Regional Access. The property immediately to the east, which is the  
41 Boardwalk RV Park, is privately owned and is currently zoned Business (B). The property immediately to the north is also zoned  
42 Business (B). It should be noted that the property proposed for rezoning is located within the boundaries of the Village-West  
43 Redevelopment Area as currently delineated in the Town's 2004 CAMA Land Use Plan (LUP), specifically the Future Land Use  
44 Map (FLUM). Therefore, the rezoning would be consistent with the Town's CAMA LUP.  
45

46 This rezoning request was discussed with the Planning Board at its meeting held on April 28, 2014. Following its discussion of  
47 the request, the Planning Board voted unanimously (5 to 0) to recommend to the Board of Commissioners that the rezoning be

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1 approved. Attached to this memorandum is an aerial photography excerpt which shows the property to be rezoned from  
2 Business to Village-West as well as adjacent land uses.  
3

4 Planning Director Reed noted that he had heard from one adjacent property owner who  
5 was notified as required by mail, John McLean, and he did respond that he had no  
6 objection to the rezoning.  
7

8 Commissioner Wootten asked the reason for the rezoning request. Mr. Reed said that  
9 several years ago the Board approved a commercial development plan that included  
10 significant rehabilitation of the Islander Motel which actually won a redevelopment  
11 award from the Chamber of Commerce. In addition, the plan was at that time to  
12 demolish the larger building to the north which was the old restaurant building and  
13 construct a series of three buildings unified as one. Mr. Reed said that there  
14 development plans had slightly changed but their intention was to proceed with the  
15 demolition of that old restaurant/office building and create some type of new commercial  
16 or mixed use building that will house not only potential hotel rooms but also meeting  
17 space; as they have a robust wedding business and they were looking at enhancing  
18 some of their meeting room options in order to accommodate the hotel and wedding  
19 party plans, and to offer some more rooms as well.  
20

21 ***Motion was made by Commissioner Wright to open the Public Hearing for the***  
22 ***proposed rezoning of 101 Islander Drive. The Board voted unanimously 5-0 in***  
23 ***favor. Motion carried.***  
24

25 There were no comments from the public.  
26

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

30 ***Motion was made by Commissioner Wright to rezone 101 Islander Drive from***  
31 ***Business to Village West as the rezoning is both reasonable and in the public***  
32 ***interest for the following reasons – the Town’s Land Use Plan, specifically the***  
33 ***Future Land Use Map, projects that the property to be rezoned is part of the***  
34 ***Village West Area; and the community’s overall interest in maintaining a small-***  
35 ***town atmosphere. The Board voted unanimously 5-0 in favor. Motion carried.***  
36

37 **11. Ordinance Amending Chapter 6 – Development Standards – of the Unified**  
38 **Development Ordinance – Regarding Storm Water Management Designer**  
39 **Credentials for Certain Small Residential Projects (14-05-13/O1)**  
40

- 41 a. Public Hearing
  - 42 b. Consideration of Ordinance Amendment
- 43

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1 Planning Director Kevin Reed addressed the Board concerning this agenda item. The  
2 following excerpt from Town Manager Rush's memo to the Board is provided for  
3 additional background:

4  
5 Town staff discussed with the Planning Board, at its meeting held on April 28, 2014, a possible amendment to Chapter 6,  
6 "Development Standards", Section 6.3.3, "Stormwater Management Standards", Paragraph 6.3.3(2), "Design Standards", of the  
7 Town's Unified Development Ordinance (UDO) in order to amend the stormwater regulations for certain residential projects.  
8 Currently, the aforementioned section of the UDO requires certain small residential to have a stormwater plan prepared by a  
9 licensed professional engineer and essentially meeting the same design requirements as a commercial project. The requirement  
10 for an engineered plan is mandated only if the grading activity for the lot results in an average of more than 2-feet of fill being  
11 placed on the disturbed portion of the lot prior to the construction of a home. If the more than 2-feet of fill threshold is not met or  
12 exceeded, then the owner/builder may prepare their own typical stormwater plan by performing some basic calculations and  
13 design the stormwater collection system themselves. This method is commonly referred to as the simple approach and does not  
14 require any engineering expertise or the expense of hiring an engineer.

15  
16 The requirement for a typical stormwater plan vs. an engineered plan for a home is expensive from both a permitting and  
17 construction/design standpoint. For example, the stormwater permit fee for a typical single-family home or duplex is currently  
18 \$50 and the permit fee for an engineered stormwater plan for a single-family home or duplex is currently \$750. In addition, the  
19 actual costs of hiring an engineer to prepare an engineered plan can be costly as opposed to a homeowner or builder preparing  
20 the plan themselves. Finally, a typical stormwater plan for a home can cost anywhere from a few hundred dollars upwards  
21 which is significantly less than the thousands of dollars in cost for an engineered system. Again, an engineered stormwater plan  
22 for a single-family home or duplex is designed and constructed to the same standards as a large commercial project.

23  
24 Town staff believes that even if the 2-foot of fill limitation is exceeded, that a typical stormwater plan is sufficient to manage the  
25 stormwater on site for a single-family home or duplex and is requesting that the Board of Commissioners consider an  
26 amendment to the UDO that would alleviate the requirement for an engineered plan based on the 2-foot fill threshold being  
27 exceeded. Large residential projects (multi-family projects) and single-family homes and duplexes that disturb more than 10,000  
28 square feet would still be required to meet the engineered plan standards. The 10,000 square feet of disturbed area is a  
29 requirement that makes the Town's stormwater regulations consistent with the State's guidelines of the Universal Stormwater  
30 Management Program; therefore, no changes to this requirement are suggested at this time.

31  
32 Town staff discussed this issue with the Planning Board at its meeting held on April 28, 2014. Following its discussion of the  
33 matter the Planning Board voted unanimously (5 to 0) to recommend to the Board of Commissioners that the UDO be amended.  
34 Attached to this memorandum you will find a copy of the amendment to the UDO in ordinance format for the Board of  
35 Commissioner's consideration. Text being deleted is shown in a strikethrough format and text benign added is shown in an  
36 underlined format.

37  
38 Planning Director Reed stated that Town Manager Rush mentioned in his memo to the  
39 Board that in the recent 10 years since they had this approach there had only been one  
40 residential project that exceeded the 2-foot fill and was required to do an engineered  
41 stormwater plan. He felt there was an opportunity to assist property owners in the future  
42 as they build and also there were many times in which they were cautious about the  
43 2-foot fill limitation potentially being exceeded and in order to document that it was not  
44 exceeded they required the owner or developer after grading activity to have a surveyor  
45 verify that the 2-foot fill threshold was not exceeded. Mr. Reed said after speaking with  
46 a local surveyor he found the cost to be about \$300 just to confirm the 2-foot fill  
47 threshold not exceeded.

48

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1 Commissioner Wootten confirmed with Mr. Reed that this wouldn't change any of the  
2 current regulations in terms of filling in depression areas; to which Mr. Reed stated that  
3 they would still make sure that when folks did fill a lot that they did so in a manner that  
4 didn't unnecessarily divert stormwater, they still would allow incidental filling as long as  
5 it wouldn't inadvertently divert stormwater onto property or town streets, and they would  
6 still hold them to managing the first 2 inches of stormwater from all impervious surfaces.

7  
8 ***Motion was made by Commissioner Wootten to open the Public Hearing. The***  
9 ***Board voted unanimously 5-0 in favor. Motion carried.***

10  
11 There were no comments from the public.

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

15  
16 ***Motion was made by Commissioner Hedreen to approve the Ordinance Amending***  
17 ***Chapter 6 – Development Standards – of the Unified Development Ordinance –***  
18 ***Regarding Storm Water Management Designer Credentials for Certain Small***  
19 ***Residential Projects. The Board voted unanimously 5-0 in favor. Motion carried.***

20  
21 **Clerks Note:** A copy of Ordinance Amendment 14-05-13/O1 as noted above is incorporated herein by  
22 reference and hereby made a part of these minutes.

23  
24 **12. Presentation – FY 14-15 Recommended Budget**

25  
26 Town Manager Frank Rush provided a PowerPoint presentation as he addressed the  
27 Board concerning this agenda item. The following excerpt from his memo to the Board  
28 is provided for additional background:

29  
30 The FY 14-15 Recommended Budget is complete and will be formally presented to the Board and the public at the May 13, 2014  
31 regular meeting. In an effort to better educate the Board and the public about the Town's budget, I will make a detailed  
32 presentation summarizing the FY 14-15 Recommended Budget, and will provide handouts for the public at the May 13 meeting.

33  
34 I have attached a copy of the "Budget Message", which provides a comprehensive discussion of the issues associated with the  
35 FY 14-15 budget. A "Quick Summary", "All Funds (Summary)", "General Fund Budget Summary", and other materials are also  
36 attached. The full budget document will be provided to you under separate cover.

37  
38 The total FY 14-15 Recommended Budget is \$8,686,115, a \$285,257, or 3.2% decrease from the adopted FY 13-14 budget.  
39 The recommended General Fund tax rate for FY 14-15 is 14 cents per \$100 of assessed value, a 1.5-cent increase over the  
40 current 12.5 cent rate. However, the 1.5-cent rate increase is offset by a 1.5-cent decrease in the Primary Benefit District  
41 (oceanfront and inlet-front) tax rate (from 4.5 cents to 3 cents) and the elimination of the 1.5 cent Secondary Benefit District (all  
42 other properties) tax rate. The net effect is no increase in the property tax rate or property tax bill for any Town taxpayers. This  
43 adjustment is purely administrative, and a new \$450,000 transfer from the General Fund to the Future Beach Nourishment Fund  
44 will maintain the Town's historical funding levels for future beach nourishment projects without impacting the General Fund  
45 budget.

46  
47 The FY 14-15 Recommended Budget is essentially a "business as usual" budget that seeks to maintain the current property tax  
48 rate for our taxpayers, recognizes the need to "pause" on additional capital improvements (with the upcoming completion of

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1 significant storm water, bicycle path, and other projects included in the 2013 Community Improvements Package), and maintain  
2 the Town's high service levels and quality. The Recommended Budget does not include any Town funding for new employees,  
3 new programs, or new capital initiatives, but it does include funding to compensate Town employees fairly, replace necessary  
4 capital items, and enhance staff capabilities. The Recommended Budget also envisions the Town moving forward with two  
5 significant capital initiatives funded by outside funding sources – 1) the construction of new parking lot and storm water  
6 improvements at the Eastern Ocean Regional Access (future ocean fishing pier site) and 2) the construction of a new Welcome  
7 Center at Merchants Park (assuming acceptable lease arrangements are approved by the Tourism Development Authority and  
8 the Board in the coming weeks).

9  
10 The FY 14-15 Recommended Budget does include a few minor fee increases, most notably a \$5 increase in the annual solid  
11 waste fee charged to all developed residential properties. This increase will maintain the Town's policy of funding 100% of solid  
12 waste expenditures with the annual solid waste fee. There is also a proposed increase in the annual beach driving permit fee,  
13 which has not been increased in the past 14 years. The Recommended Budget also includes minor fee increases for short-term  
14 users of the Community Center.

15  
16 We have tentatively scheduled two special budget meetings to review and discuss the Recommended Budget. The first one is  
17 tentatively scheduled for Tuesday, May 20 at 6:00 pm, and the second, which includes the legally required public hearing, is  
18 tentatively scheduled for Tuesday, June 3 at 6:00 pm. If these dates and times are not acceptable and/or additional meetings  
19 are necessary, we can adjust to fit the Board's schedule.

20  
21 I am hopeful that the Board will formally approve the FY 14-15 budget at your regularly scheduled meeting on Tuesday, June 10  
22 at 7:00 pm.

23  
24 Town Manager Rush outlined the FY14-15 Budget recommendations noting that one  
25 big change was the tax rate. Mr. Rush recommended a 14 cent general fund tax rate  
26 for the next year which was a 1.5 cent increase in the general fund tax rate; however it  
27 was completely offset by a 1.5 cent decrease in the beach nourishment special district  
28 tax rates. Mr. Rush said that the net effect would be the same tax rate for all taxpayers  
29 in Emerald Isle, in fact every property tax payer in Emerald Isle would pay the same  
30 amount in FY 14-15 that they paid in FY13-14, with one very minor exception and that  
31 was the recommended \$5 increase in the annual solid waste fee for all developed  
32 residential properties. Mr. Rush said that with the beach nourishment special districts  
33 the primary benefit district would go from 4.5 cents to 3 cents (a 1.5 cent decrease), and  
34 the secondary benefit district would essentially exist no more, that 1.5 cent tax rate  
35 would go away. Mr. Rush said the reason this recommendation was made was to make  
36 things easier administratively for town staff, and for the taxpayers going forward with  
37 really no need to have the secondary benefit district in the future. As everyone in Town  
38 was included in one of the two districts, this would enable them to remove about 6,000  
39 property owners from that special tax district, and would lessen the administrative  
40 burden for the town staff and the county tax office.

41  
42 One other key factor noted by Mr. Rush for the Board to consider as part of the budget  
43 process and as they go through the course of next year was they were very pleased to  
44 be nearing the completion of all the projects in the community improvements package  
45 and especially pleased that all of those projects had come in under budget. Mr. Rush  
46 said they expect to have about \$160,000 left over once they complete the bicycle path  
47 and storm water projects, community center, and so forth, and that \$160,000 will be  
48 available for the Board to decide what to use that for going forward. Mr. Rush said he

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1 intentionally did not include any of those funds in the recommended budget as he  
2 wanted to reserve the options for the Board as they may want to use it to pay down  
3 debt, add to fund balance, fund some other smaller project that the community might  
4 benefit from, but that money wasn't at all factored into the recommended budget.

5  
6 Mr. Rush pointed out a couple of important issues to watch, with the first being to  
7 continually monitor the General Assembly's actions and working with the NC League of  
8 Municipalities to make sure they are not taking any actions that would have a harmful  
9 effect on the Town's budget next year or at some point in the future. Mr. Rush said  
10 there was currently one proposal that would limit the amount of property tax increase a  
11 community could have each year. Mr. Rush also said the big elephant in the room was  
12 that the county was talking about changing the sales tax distribution formula; he  
13 expected that issue would come to a head over the next 3-5 months, and that was very  
14 significant for Emerald Isle. Mr. Rush said that the county had received a request from  
15 some of the mainland towns to simply look at changing the distribution formula, there  
16 were only two legal ways the county can distribute the sales tax funds and one was  
17 based on population, and one was based on property tax levy. Mr. Rush said we were  
18 fortunate that Carteret County had used property tax levy basis since 1971, if they  
19 switch to per capita it would cost Emerald Isle about \$600,000 per year, equivalent to  
20 about 2 cents on our tax rate really for nothing, a simple vote, a simple stroke of the  
21 pen. Mr. Rush said that we needed to be very heavily engaged in that discussion when  
22 that occurred and make sure our folks are engaged and communicating with their  
23 county commissioners.

24  
25 Mr. Rush stated that he was proud of the Town's efforts to keep the cost of local  
26 government low for our property owners, that was a high priority for the Board as  
27 elected officials, and he and the town staff worked hard to implement that and he was  
28 proud of what they had been able to do over the last several years.

29  
30 At the conclusion of Town Manager Rush's presentation of the FY 14-15  
31 Recommended Budget to the Board the dates were confirmed for the special budget  
32 meetings to be Tuesday, May 20 at 6pm, and Tuesday, June 3 at 6pm, with the official  
33 public hearing on the FY14-15 budget scheduled for the Tuesday meeting on June 3 at  
34 6pm, in the Administration Building Conference Room. Mr. Rush expected if the Board  
35 was comfortable with it they would adopt the budget at their June 10 meeting.

36  
37 Mayor Barber thanked the Town Manager for his hard work on the budget, recognizing  
38 the many long hours spent on it, and appreciated everything he did for them.

39  
40  
41  
42  
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1 **12. Draft – Welcome Center Construction and Lease Agreement**

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

5  
6 The Board of Commissioners is scheduled to review a draft agreement between the Town and the Crystal Coast Tourism  
7 Development Authority (TDA) for the construction and lease of a new Welcome Center in Emerald Isle. If the Board is  
8 comfortable with the agreement, I will present the agreement to the TDA for their formal approval in the coming weeks.  
9 Assuming TDA approval, I would then expect to return to the Board for final, formal approval soon thereafter.

10  
11 The new Welcome Center would be located on NC 58 right of way in Emerald Isle at the current location of Merchants Park, and  
12 would replace the existing Western Carteret Visitors Center located on the mainland on the NC 58 right of way between Cedar  
13 Point and Cape Carteret. A location on the island is expected to significantly increase the utilization of the Welcome Center, and  
14 a new building with a coastal design will be a significant improvement to the image presented to visitors to our area. Additionally,  
15 the proximity of the new Welcome Center along the Emerald Path (NC 58 bike path) is expected to also result in a significant  
16 increase in utilization of the resources at the Welcome Center.

17  
18 The existing building on the mainland is approximately 14 years old, and is of modular construction. The new building would be  
19 stick-built, and would have a similar appearance as the Town Administration Building. The new building would include  
20 approximately 1,400 sq. ft., including two public restrooms accessible from the exterior of the building. These two public  
21 restrooms would replace the Town's existing public restrooms as Merchants Park that have been in place for many years. The  
22 parking area would be paved, and attractive landscaping and signage would be installed at the new Welcome Center. The new  
23 Welcome Center is expected to enhance the aesthetics of this site at the main entrance to the "downtown" area.

24  
25 The usable area of Merchants Park is approximately 80 ft. by 400 ft., or 32,000 sq. ft. (0.73 acres). This area is more than  
26 sufficient to house a new Welcome Center, and there are several options for the specific placement of the building on that site.  
27 Both existing driveways could be maintained, or one could be closed if desired. If approved by the Board and the TDA, I imagine  
28 working closely with the Executive Director of the TDA on the specific design of the new Welcome Center.

29  
30 The attached agreement was drafted based on feedback from both the Board of Commissioners and the TDA Board of Directors  
31 over the past several months. I am hopeful that both governing bodies will find the agreement to be acceptable. The key  
32 provisions of the agreement are as follows:

- 33
- 34 • The Town would finance and construct the new building, which has a total estimated budget of \$240,000. I  
35 envision the Town executing an inter-fund loan whereby the Town would essentially borrow \$240,000 from fund  
36 balance in the Future Beach Nourishment Fund and pay itself 1% interest over an 8-year period (which is higher  
37 than current interest earnings).
  - 38 • The TDA would lease the new building from the Town for a period of 8 years for \$2,500 per month, followed by  
39 an additional 2 years at \$1,250 per month. The lease payments for the first 8 years total \$240,000, enabling the  
40 Town to fully recover the initial construction cost. The lease payments for the final 2 years total \$30,000,  
41 enabling the Town to recover insurance and maintenance costs during the 10-year lease term. If the new  
42 Welcome Center experiences cost overruns, the draft agreement includes a \$100 per month increase in the  
43 monthly lease payment for every \$12,000 of cost overruns.
  - 44 • At the conclusion of the 10-year lease term, Carteret County, the governmental entity ultimately responsible for  
45 the TDA, would have the option to purchase the building from the Town for \$1. If the County declines this option,  
46 the Town and the TDA would negotiate a new lease agreement at that time.
  - 47 • The agreement is subject to an amendment to the Town's existing encroachment permit from NCDOT for  
48 Merchants Park. John Rouse, NCDOT Division Engineer, has expressed his support for this project, and I  
49 expect to secure formal NCDOT approval. The existing Western Carteret Visitors Center encroachment would  
50  
51  
52

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1 be removed, thus removing one of the two encroachments from the NC 58 right of way, so this project is helpful  
2 to NCDOT in that regard. John Rouse has indicated that a stick-built structure could be permitted, provided that  
3 it could be relocated in the future if necessary. I think it is highly unlikely that the structure will need to be  
4 relocated during the lifespan of the new building, as NCDOT has no plans to widen NC 58, the Town does not  
5 support widening, such projects often take decades to become a reality, and the Merchants Park site is at the  
6 "end of the line" of the 200 ft. NC 58 right of way and could likely be avoided entirely in any widening project that  
7 might occur someday.

- 8
- 9 • The Town would provide property and liability insurance for the new building (estimated at \$1,300 per year), and  
10 would also maintain responsibility for outdoor maintenance (Merchants Park is currently maintained by Town  
11 staff, and the new Welcome Center will likely be easier to maintain in the future). The Town would also maintain  
12 the exterior public bathrooms, as is the case at Merchants Park now. The TDA would be responsible for all  
13 routine maintenance (up to \$2,500) associated with the building. The Town would be responsible for repairs and  
14 building maintenance beyond \$2,500, however, any repairs and building maintenance of that cost would  
15 hopefully be covered by insurance.
  - 16 • The draft agreement was modeled after the Town's lease agreement with the NC Wildlife Resources  
17 Commission for the Emerald Isle Public Boating Access Area, and includes many standard legal provisions that  
18 should be reviewed by Town Attorney Richard Stanley before formal consideration.
- 19  
20

21 Mayor Barber and I presented this concept to the TDA Board of Directors at their March 12 meeting, and received generally  
22 favorable comments from the TDA Board members. I have attached a copy of the March 12 proposal summary that I distributed  
23 to the TDA for your review. The Board should note that I initially presented a concept to the TDA whereby the Town would  
24 recover the construction cost over the initial 8-year period, and then renegotiate a lower monthly lease payment at that time. At  
25 the suggestion of one TDA Board member regarding future certainty of lease payments, I have drafted the attached agreement  
26 to add 2 more years to the lease agreement at \$1,250 per month, or only 50% of the lease payment amount (\$2,500) for the first  
27 8 years. I also included the option for the County to take ownership of the new building after the initial 10 year term is complete.  
28 As discussed previously and as I communicated to the TDA Board, the Town's goal is simply to recover its cost associated with  
29 constructing the new Welcome Center, which should be a win-win-win scenario for the TDA, the Town's and the County's  
30 businesses, and the Town's aesthetics.

31  
32 Mr. Rush outlined the details of the proposed draft lease agreement and its terms and  
33 the vision for the new Welcome Center proposed to be built in Merchant's Park. Mr.  
34 Rush noted that he and Mayor Barber met with the TDA in March to give them the  
35 conceptual proposal. If the Board was comfortable with the proposal he expected to  
36 formally present the draft lease agreement to the Tourism Development Authority Board  
37 of Directors in the next month or so, receive their feedback, and once TDA approved or  
38 made suggested changes he would bring back to the Board at the June or July meeting  
39 for final approval.

40  
41 Mr. Rush added that in terms of the upfront construction costs, \$240,000, the Town has  
42 a little more than \$2 million in fund balance, and would also have at the end of this year  
43 probably \$700,000 in fund balance in the beach nourishment fund. What he would  
44 propose was an internal financing agreement where essentially the Town would loan  
45 the money to itself and then use the TDA lease payments to pay itself back with  
46 interest, it could be 1%, could be the prime rate, could be federal fund rates, whatever  
47 the Board determined. Commissioner Hoover suggested they look at a 2% rate since  
48 the Town would be spending the time doing the project, and that the Town Manager and

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1 staff time for taking care of the place and everything that went along with it was worth  
2 some money.

3  
4 Julia Wax, Tourism Development Authority, commented that the TDA Board had  
5 enjoyed talking about this recently as well. Ms. Wax said that this was something she  
6 knew would have the TDA support. Ms. Wax said she felt that this would be like “the  
7 front porch of Emerald Isle”; something that residents and rental guests, tourists, day  
8 trippers, bicyclists, moms with strollers, would all enjoy and she felt it would get some  
9 good usage. Ms. Wax thanked the Board for considering it.

10  
11 Jim Hackett, Emerald Isle property owner said he hoped the bicycle path would be tied  
12 into this project with access in some way.

13  
14 ***The Board concurred with 1) the terms as outlined in the draft agreement, and 2)***  
15 ***that the Town Manager makes a formal request to the Tourism Development***  
16 ***Authority Board of Directors.***

17  
18 **14. Appointments**

- 19  
20 **a. Planning Board – 3 Vacancies**  
21 **b. Board of Adjustment – 3 Vacancies**

22  
23 **Brief Summary:** The Board of Commissioners is scheduled to consider appointments to the Planning Board and the  
24 Board of Adjustment at the May 13 meeting.

25  
26 Planning Board – 3 Vacancies  
27 The terms of Jim Craig (Chairman), Bill Keadey, and Pete Wachter expired in March, and the Board should appoint 3 individuals  
28 to new 2-year terms that will expire in March 2016.

29  
30 Jim Craig and Pete Wachter have both expressed an interest in being reappointed, however, Bill Keadey has indicated he does  
31 not have the time to continue serving.

32  
33 Rhonda Ferebee, Town Clerk, has contacted the individuals who applied for the vacant Planning Board seat in January 2014,  
34 and the following have expressed continued interest in being appointed: Malcolm Boartfield, Natalie Crumpler, Candace Dooley,  
35 Barry Hallock, John Henrickson, Paul Schwarz, and Don Wells.

36  
37 Board of Adjustment – 3 Vacancies  
38 The terms of regular members Mark Brennesholtz and Don Wells expire in May, and the Board should appoint 2 individuals to  
39 new 3-year terms that expire in May 2017. The term of Alternate #1 member Malcolm Boartfield also expires in May, and the  
40 Board should appoint an individual to a new 2-year term that expires in May 2016.

41  
42 All 3 members have expressed interest in being reappointed.

43  
44 Rhonda Ferebee, Town Clerk, has contacted the individuals who expressed interest in the vacant Board of Adjustment seat in  
45 January 2014, and the following have expressed continued interest in being appointed to the Board of Adjustment: Candace  
46 Dooley, Barry Hallock, and Paul Schwartz.

47

1 **Motion was made by Commissioner Messer to reappoint Jim Craig and Pete**  
2 **Wachter to terms on the Planning Board that expire in March 2016. The Board**  
3 **voted unanimously 5-0 in favor. Motion carried.**  
4

5 **Motion was made by Commissioner Wootten to appoint Candace Dooley to a term**  
6 **on the Planning Board expiring March 2016. The Board voted unanimously 5-0 in**  
7 **favor. Motion carried.**  
8

9 **Motion was made by Commissioner Messer to reappoint Don Wells and Mark**  
10 **Brennesholtz to regular seats on the Board of Adjustment with a term that expires**  
11 **May 2017, and to reappoint Malcolm Boartfield to the Alternate #1 seat on the**  
12 **Board of Adjustment with a term that expires in May 2016. The Board voted**  
13 **unanimously 5-0 in favor. Motion carried.**  
14

15 **15. ADDED ITEM – Change of Meeting Start Time**  
16

17 Commissioner Messer said that 3 years ago he received a Governors Appointment to  
18 the Board of Trustees of Carteret Community College, which was an honor for him and  
19 he really wanted to do it, but their meetings started on the same dates at 5pm and the  
20 Town Board meetings started at 6pm, and so he told them that he couldn't do it.  
21 Commissioner Messer said when the former Mayor and Board found out about this they  
22 were kind enough to change the Town Board meeting start time to 7pm to enable him to  
23 make the 5pm Board of Trustee meeting in Morehead City. Commissioner Messer said  
24 that he was up for reappointment this year as it was a 3 year term this month, he asked  
25 not to be reappointed to the Board of Trustees because of time constraints and  
26 occasionally conflicts with the Board of Commissioners meetings. The good thing was  
27 that the Board of Trustees appointed him to the Foundation Board that he had grown to  
28 love, and the good thing about that was that they meet on Monday mornings at 8:30am.  
29 Commissioner Messer knew that this Board changed the meeting time for his benefit so  
30 he could serve on the Board of Trustees which he appreciated very much.  
31 Commissioner Messer said that he was in favor now of changing the meeting start time  
32 back to 6pm.  
33

34 **Motion was made by Commissioner Messer to change the Town Board meeting**  
35 **start time from 7pm back to 6pm. The Board voted unanimously 5-0 in favor.**  
36 **Motion carried.**  
37

38 **Motion was made by Commissioner Wright to amend the Rules of Procedure to**  
39 **reflect that change. The Board voted unanimously 5-0 in favor. Motion carried.**  
40  
41  
42  
43  
44

1 **16. Comments from Town Clerk, Town Attorney, and Town Manager**

2  
3 There were no comments from the Town Clerk or the Town Attorney.

4  
5 Town Manager Rush updated the Board on several projects nearing completion, the  
6 stormwater project, community center expansion, and bicycle path. Town Manager  
7 Rush also noted that the Town of Indian Beach had offered \$5,000 to purchase the  
8 1989 Fire Engine, after it had been auctioned online twice and unfortunately the high bid  
9 was only \$4,300. Mr. Rush said he had been hoping on about \$15,000 in the current  
10 budget. Mr. Rush wanted the Board's opinion on whether to proceed with disposing of it  
11 to the Town of Indian Beach for \$5,000 or try auctioning again. The Board felt that  
12 \$5,000 didn't seem like enough and recommended the Town Manager investigate  
13 scrapping it out or re-auctioning again.

14  
15 The following is an excerpt from the Town Manager Comments memo to the Board  
16 providing additional background information for all items of importance:

17  
18 **Proposed State Legislation Restricting Municipal Authority to Regulate Tree Preservation, Removal, and Replacement**

19 I have attached a copy of proposed State legislation that essentially prohibits local government from regulating tree preservation,  
20 removal, and replacement. This legislation was endorsed by a legislative study commission, and presumably will be considered  
21 in the 2014 Short Session.

22  
23 This legislation is very concerning for the Town, as it would nullify the tree provisions included in the Town's Dunes and  
24 Vegetation Protection Ordinance that have been in place since 1977. The Town's ordinance has long required residential  
25 development to designate 35% of each lot as "natural area", and the ordinance essentially prohibits the alteration of the  
26 topography or the removal of any trees with a diameter greater than 3" at waist height within the designated "natural area". The  
27 exact location of the "natural area" is flexible and is chosen by the property owner. Although the Town's ordinance can  
28 sometimes be challenging for property owners, for the most part it has been relatively easy for property owners to comply with its  
29 provisions.

30  
31 Emerald Isle is fortunate to have so many trees preserved despite the Town being nearly 90% developed. Without the Town's  
32 Dunes and Vegetation Ordinance, and the foresight of the Town's leaders in 1977, the Town might look very different today.

33  
34 I have already expressed the Town's concerns about this proposed legislation to Rep. McElraft and Sen. Sanderson, and will  
35 continue to communicate with them about this issue. I remain hopeful that the proposed State legislation will not be approved in  
36 its current form. The Board should note that the topography protection in the Town's ordinance would not be impacted by this  
37 proposed legislation, and if it does become law I am hopeful that the topography protection provisions in our ordinance would still  
38 deter property owners from removing trees unnecessarily.

39  
40 **Proposed State Legislation to Cap Local Property Tax Revenues**

41 On page 25 in a 29-page bill entitled "Energy Modernization Act" (that includes fracking provisions) is a provision that would  
42 statutorily restrict a city or town from increasing property tax revenues more than 8% in a fiscal year. A copy of page 25 of the  
43 bill is attached. Although it would be highly unusual for the Town to increase property tax revenues by more than 8%, this  
44 legislation is very concerning on a couple of different levels.

45  
46 First, from a practical standpoint, if this provision was law in 2002 or 2011 the Town would not have been able to levy the full  
47 amount of the special district property taxes for beach nourishment. I can't imagine the Town seeking an 8% increase very often  
48 in the future, however, such a limit could prevent the Town from taking a very necessary, beneficial, and/or popular action in the  
49 future.

50

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1 Second, this legislation is very concerning as a matter of principle. Essentially, this provision can be perceived as a lack of trust  
2 for municipal elected officials to make the best decisions for their community. Local government democracy is the most effective  
3 form of democracy because the elected officials are surrounded by their constituents on a daily basis, and those constituents can  
4 change local elected officials every 2 years if they are not pleased with the decisions for their community, or they can continue to  
5 support the local elected officials that make good decisions.  
6

7 If the Board is comfortable, I will plan to contact Rep. McElraft and Sen. Sanderson to seek their opposition to this provision.  
8

9 **NCLM Town Hall Day**

10 Mayor Barber and I plan to attend the NC League of Municipalities' annual Town Hall Day on Wednesday, June 4. I plan to  
11 discuss the tree preservation and property tax issues with Rep. McElraft and Sen. Sanderson at that event, and also the County  
12 sales tax distribution issue.  
13

14 **Proposed Change in County Sales Tax Distribution**

15 The Carteret County Commissioners discussed this issue at their "retreat" in March, and decided not to implement this change  
16 for FY 14-15, but agreed to review the issue further this fall so that if they do make a change they will give the towns plenty of  
17 time to plan for any changes. They will also apparently be reviewing potential "hybrid" approaches.  
18

19 As discussed previously, this change is potentially devastating for the beach towns, and could result in the shifting of up to \$2.1  
20 million annually from the budgets of the 4 beach towns to the budgets of the 7 mainland towns. In its simplest form, it is simply a  
21 redistribution of wealth from the beach towns to the mainland towns. Emerald Isle could potentially lose \$600,000 or more  
22 annually, the equivalent of 2 cents or more on the Town's tax rate.  
23

24 I plan to devote significant time toward this issue in May and June to put forth the best arguments possible against such a  
25 change in the distribution formula so the Town is prepared to discuss this issue with the County and others this fall.  
26

27 **Fire Department Beach Safety Course**

28 The Fire Department is offering a new Beach Safety Course all summer long. The new course will include helpful information  
29 about the Town's programs, how to prepare for a beach visit, warning flags and what they mean, rip current identification and  
30 survival, spinal injury prevention, lightning safety, potentially harmful aquatic life, and more. The course is designed for beach  
31 visitors of all ages, and is free of charge to everyone.  
32

33 Summer 2014 sessions will be held at the Town Board Meeting Room, 7500 Emerald Drive (next to the Police Station) at 1 pm  
34 on the following dates:  
35

36 Thursday, May 22

37 Monday, June 2

38 Monday, June 16

39 Tuesday, July 8

40 Tuesday, July 22

41 Monday, August 4

42 Monday, August 18.  
43

44 **Change in Coast Guard Road Bicycle Path Route**

45 SunLand Builders is making great progress on the Coast Guard Road bicycle path, and I expect paving to occur during the week  
46 of May 19, if not sooner.  
47

48 For safety reasons, we have made one change to the route near The Point. Instead of terminating across the street from Ring  
49 Street, with a crossing of Coast Guard Road to Ring Street, the path will now cross Coast Guard Road near Wyndward Court  
50 and continue along the north side of Coast Guard Road to Ring Street. (See attached map.) This route will enable bicyclists and  
51 pedestrians to cross Coast Guard Road in a straight segment of the road, increasing visibility for motorists and bicyclists and  
52 pedestrians, rather than in the sharp curve near Ring Street. This route still enables bicyclists and pedestrians to reach The  
53 Point in a safe manner via Ring Street, Channel Drive, and Inlet Drive.

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1  
2 In addition, we are planning a very short spur from Coast Guard Road to Wyndward Court, which would enable bicyclists and  
3 pedestrians to reach Wyndward Court, use the public access path from Wyndward Court to Wyndtree Drive, and reach the  
4 beach safely via that route.

5  
6 **Update – NC 58 Bicycle Path – Eastern Ocean Regional Access to Indian Beach Town Limits**

7 Barnhill Contracting continues to make very good progress on this bike path segment, and we are pushing hard to complete the  
8 project by Memorial Day weekend.

9  
10 Approximately 1.7 miles of the 2.7 mile path are ready for paving, and Barnhill should begin paving those areas any day. Work  
11 will also continue on the installation of rock base in the remaining ~1 mile segment, and we hope to finish right before or soon  
12 after Memorial Day weekend.

13  
14 **Update – Island Circle Storm Water Pipe Connection**

15 All pipe segments are in the ground and connected to the Island Circle pump station. All work included in Thomas Simpson  
16 Construction Company's contract is complete, and the required pressure test is scheduled for May 13.

17  
18 SunLand Builders is responsible for connecting the new pipe to the Town's system in front of Lands End, and that work will likely  
19 occur within the next week or so.

20  
21 **Update – Coast Guard Road / Lands End Storm Water Pipe Connection**

22 All pipe segments are in the ground, and the only remaining work is the completion of the connections at the Lands End pump  
23 house, at the main entrance to Lands End, and at the main entrance to Dolphin Ridge. This work is expected to occur within the  
24 next two weeks. The required pressure tests for the various pipe segments are scheduled for May 13.

25  
26 **Community Center Expansion**

27 The Community Center expansion is finally nearing completion. All exterior work on the building is complete, and HVAC,  
28 electrical, and interior work is underway. I remain hopeful that the new area will be open for exercise classes by June 1.

29  
30 **Eastern Ocean Drive Resurfacing**

31 Onslow Grading and Paving has returned to address the problem areas previously identified, and these corrections are  
32 complete. Unfortunately, we are still concerned about 7 locations that were not corrected satisfactorily and that still have  
33 significant defects. Additionally, I continue to be very disappointed in the overall quality and appearance of this resurfacing work,  
34 and I am in the process of determining the best course of action for the future. In all honesty, this 2.7 mile segment is the worst  
35 resurfacing work completed in the Town in my 13 years here.

36  
37 To date, the Town has paid \$200,000 of the \$260,000 contract amount, and the Town is still holding \$60,000.

38  
39 **Deer Horn Drive Beach Access Walkway**

40 The Town's contractor continues to work on the Deer Horn beach access walkway, and we hope to have this completed by May  
41 16. This work has taken longer than desired, due primarily to the Town directing the contractor to work first on wood support  
42 structures associated with the NC 58 bike path between the Eastern Ocean Regional Access and the Indian Beach town limits.  
43 In order to stay on the critical path for that project, the contractor was directed to first complete that work.

44  
45 **Regional Access Parking Fees**

46 The Town has collected \$11,249 in parking fees through May 4. This compares to \$2,770 through the same weekend in 2013.

47  
48 **A Second Helping – Food Donation Program**

49 A local volunteer group will be collecting leftover food from vacationers each Saturday morning from 7 am – 12 noon on Islander  
50 Drive near NC 58 and on Reed Drive near Holiday TravLPark. The group hopes to catch vacationers on their way out of  
51 Emerald Isle. All food will be donated to local food banks and soup kitchens.

52  
53

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1 **Emerald Path Weekly Bike Ride**

2 The Bicycle and Pedestrian Advisory Committee is hosting weekly bike rides each Tuesday evening at 5:30 pm at Highway 58  
3 Bikes.

4  
5 **EmeraldFest Concert Series**

6 The first EmeraldFest concert will be held on Thursday, June 19 at 6:30 pm at the Western Ocean Regional Access, and  
7 continue every Thursday evening through August 21.

8  
9 **New Phones, New IT Services**

10 The installation of the new phone system and computer system is complete, and is functional. However, there are still a few  
11 glitches in each department to be addressed, and we continue to work to resolve all remaining issues. I am scheduled to meet  
12 with VC3 again on May 15.

13  
14 **FEMA Irene Beach Nourishment Project Close-Out**

15 We have completed all necessary paperwork to close-out this project, but are still awaiting the final reimbursement of  
16 approximately \$270,000. Of this amount, the Town will need to reimburse Carteret County approximately \$150,000.

17  
18 **Executed WAMI Grant Agreement In-Hand**

19 The fully executed WAMI grant agreement was received in April, and we are cleared to proceed with the parking lot and storm  
20 water improvements at the Eastern Ocean Regional Access (future ocean fishing pier site). I expect to present a construction  
21 contract recommendation to the Board by late summer or early fall, and to have the improvements constructed this winter.

22  
23 **Update to Residents & Visitors Guide**

24 Unfortunately, this project has been stalled due to more pressing issues and projects over the past few months. I still hope to  
25 have an updated version printed and posted on the Town's website in the near future.

26  
27 **New Kayak-Friendly Launching Docks**

28 Alesia Sanderson, Parks and Recreation Director, is proceeding with plans to install a new kayak-launching dock at Emerald Isle  
29 Woods Park, and we hope to have this installed within the next month.

30  
31 We have met some permitting resistance from the NC Division of Coastal Management for the new kayak-launching dock at the  
32 EI Public Boating Access Area, and continue to work through this issue. Due to other more pressing projects, we have placed  
33 this project on-hold temporarily, and will continue work on this issue later this summer.

34  
35 **Bogue Inlet Navigation Dredging Funding, Permits**

36 Carteret County has approved their share of funding for Bogue Inlet dredging (\$55,000), and has also approved the Federal  
37 permit transfer effort. Cape Carteret has approved their \$5,000 contribution, and the combination of the County, Cape Carteret,  
38 and Emerald Isle results in \$75,000 locally and \$75,000 from the State. This \$150,000 will be available for immediate dredging  
39 needs, and Onslow County, Swansboro, and Cedar Point contributions (total of \$85,000) are expected by July. These  
40 contributions will yield an additional \$170,000 (State plus local funding) for dredging in FY 14-15. Bogue Inlet is scheduled for  
41 dredging beginning around June 10.

42  
43 **Potential Ordinance Amendment Regarding Non-Profit / Charitable Event Temporary Signs in Public Right of Way**

44 Kevin Reed, Planning and Inspections Director, and I are currently working on an ordinance amendment that would clarify the  
45 Town's regulations for non-profit / charitable event temporary signs in the public right of way.

46  
47 The Town currently allows non-profit entities to place banners and signs up in the right of way for special charitable events.  
48 Some events use very attractive, fixed backing signs (i.e., Library Homes Tour, St. Patrick's Festival), while others use banners  
49 that often become loose, flap in the wind, or become damaged. The potential ordinance amendment will likely continue to allow  
50 temporary signs for charitable events, but not allow the banners to be used. The potential ordinance amendment may also allow  
51 charitable events sponsored by local businesses to use temporary signs.  
52

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1 Please let me know your thoughts on this issue. This ordinance amendment may appear on an upcoming Planning Board  
2 meeting agenda.  
3

4 **Potential Ordinance Amendment – Mixed Use Building Heights**

5 Kevin Reed is currently drafting a potential ordinance amendment that would clarify the UDO provisions for the maximum height  
6 of mixed use buildings in the Village East, Village West, and Marina Village districts. Currently, residential buildings are limited to  
7 40 ft. mean roof height and commercial buildings are limited to 50 ft. mean roof height. Mixed use buildings are limited to 40 ft.  
8 mean roof height. The potential ordinance amendment would classify a mixed use building with more than 75% of the floor area  
9 used for commercial purposes as a commercial building for purposes of determining maximum roof height.

10  
11 Please let me know your thoughts on this issue. This ordinance amendment may appear on an upcoming Planning Board  
12 meeting agenda.  
13

14 **Surplus Fire Engine**

15 The Town has attempted to auction the surplus 1989 Fire Engine on internet sites on multiple occasions, but has only received a  
16 maximum bid of approximately \$4,300. I had hoped to receive at least \$15,000 for this surplus Fire Engine, but that does not  
17 appear likely at this time.  
18

19 The Town of Indian Beach has offered \$5,000 for the surplus Fire Engine, and I am currently considering the sale to Indian  
20 Beach. According to Chief Walker, it is unlikely that the Town will sell the Fire Engine for much more than this amount due to its  
21 age, condition, brand, and other limitations.  
22

23 Please let me know if you have any concerns with this approach.  
24

25 **17. Comments from Board of Commissioners and Mayor**

26  
27 There were no comments from the Board of Commissioners. Mayor Barber commented  
28 that it was a great meeting tonight, and that it was really refreshing to be a Mayor of a  
29 Town where people came to say such positive things about the Town. He thought the  
30 Boy Scouts did a great job kicking the meeting off, and thanked everyone for coming  
31 out, thanked the Commissioners and Town staff for the marvelous job they do, and for  
32 the Berger cookies too.  
33

34 **18. Adjourn**

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

38  
39 ***The meeting was adjourned at 8:17pm.***  
40

41 Respectfully submitted:  
42  
43  
44

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