

1 **MINUTES OF THE REGULAR SCHEDULED MEETING**
2 **OF THE EMERALD ISLE BOARD OF COMMISSIONERS**
3 **TUESDAY, FEBRUARY 11, 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
10 called to order by Mayor Eddie Barber at 7:00 PM in the Emerald Isle Town
11 Board Meeting Room.
12

13 **2. Roll Call**
14

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

18 ***Motion was made by Commissioner Hoover to excuse the absence of***
19 ***Commissioner Hedreen. The Board voted unanimously 4-0 in favor.***
20 ***Motion carried.***
21

22 Also present during the regular meeting: Town Manager Frank Rush, and Town
23 Attorney Richard Stanley.
24

25 **3. Opening Prayer**
26

27 Opening prayer was offered by Bernie Whalley, Emerald Isle resident and
28 business person.
29

30 **4. Pledge of Allegiance**
31

32 The Pledge of Allegiance was led by David Suitt, 4th grader at White Oak
33 Elementary. His parents are Judy and Chet Suitt of Emerald Isle.
34

35 **5. Adoption of Agenda**
36

37 ***Motion was made by Commissioner Messer to approve the revised Agenda.***
38 ***The Board voted unanimously 4-0 in favor. Motion carried.***
39

40 **6. Proclamations / Public Announcements**
41

42 Mayor Barber announced the following announcements for the public:
43

- 44 • **Friday Free Flick – “Planes” – Friday, February 14 – 7 pm –**
45 **Community Center**
46

- 1
- 2 • **Bicycle & Pedestrian Advisory Committee Meeting – Tuesday,**
- 3 **February 18 – 9 am – Community Center**
- 4 • **Police Educating the Public (PEP) – Tuesday, February 18 – 10 am –**
- 5 **Town Board Meeting Room**
- 6 • **Board of Commissioners Annual Budget Planning Workshop – Fri,**
- 7 **Feb 21 – 8:30 am – Town Admin Building**
- 8 • **Blood Drive – Friday, February 21 – 2 pm – 7 pm – Community Center**
- 9 • **Planning Board Regular Meeting – Monday, February 24 –**
- 10 **CANCELLED**
- 11 • **Coffee with a Cop – Thursday, February 27 – 9 am – Ben & Jerry’s**
- 12 • **Board of Commissioners Regular Meeting – Tuesday, March 11 – 7**
- 13 **pm – Town Board Meeting Room**
- 14 • **23rd Annual St. Patrick’s Festival – Saturday, March 15 – 9 am – 6 pm**
- 15 **–Emerald Plantation Shopping Center**
- 16 • **Inaugural Emerald Isle Half-Marathon & 5K Race – Saturday, March**
- 17 **29 – 7 am – Western Ocean Reg Access**
- 18

19 **7. REMOVED from Agenda due to Weather**

20

21 **8. Public Comment**

22

23 **Brief Summary:** The public has the opportunity at this time to address the

24 Board about any items of concern not on the agenda.

25

26 There were no comments from the public.

27

28 **9. Consent Agenda**

- 29
- 30 a. **Tax Refunds / Releases**
- 31 b. **Minutes – December 10, 2013 Regular Meeting**
- 32 c. **Minutes – December 10, 2013 Closed Session**
- 33 d. **Resolution Authorizing Police Grant Application – New Handguns**
- 34 **(14-02-11/R1)**
- 35 e. **Budget Amendment – General Fund – Blue Heron Park Playground**
- 36 **Equipment**
- 37 f. **Capital Project Ordinance Amendment – Coast Guard Road Bicycle**
- 38 **Path (Fundraising Account)**
- 39 g. **REMOVED from Agenda due to Weather**
- 40 h. **Resolution Authorizing Contribution for White Oak Elementary**
- 41 **School Resource Officer (14-02-11/R2)**
- 42

43 ***Motion was made by Commissioner Wright to approve the items on the***

44 ***revised Consent Agenda. The Board voted unanimously 4-0 in favor.***

45 ***Motion carried.***

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1
2 Mayor Barber commended the Board on the approval of Item h. on the Consent
3 Agenda – Authorizing Contribution for White Oak Elementary School Resource
4 Officer. He said he had received calls from citizens and felt that parents and
5 grandparents of students would be very thankful of this action.

6
7 **Clerks Note: A copy of Resolutions 14-02-11/R1, 14-02-11/R2 and all other consent agenda items as**
8 **noted above are incorporated herein by reference and hereby made a part of these minutes.**
9

10 **10. FY 14-15 Budget**

11
12 **a. Budget Calendar**

13 **b. Public Hearing – Early Citizen Input**

14
15 Town Manager Frank Rush addressed the Board concerning this agenda item.
16 The following excerpt from his memo to the Board is provided for additional
17 background:

18
19 The Board is scheduled to consider two items related to the FY 14-15 budget at the February 11 meeting. First, the
20 Board is asked to adopt the official FY 14-15 Budget Calendar, and second, the Board is scheduled to conduct a public
21 hearing to receive early citizen input on the FY 14-15 budget.
22

23 FY 14-15 Budget Calendar

24 A copy of the suggested FY 14-15 Budget Calendar is attached for the Board's review. This calendar outlines the
25 Town's budget process and includes key target dates in the process.
26

27 The FY 14-15 budget process begins with the two items on the February 11 meeting agenda. The FY 14-15 budget
28 public hearing scheduled for the February 11 meeting is a chance for the Town's taxpayers to provide input at the
29 front-end of the FY 14-15 budget process, and we look forward to this input. The next key step in the FY 14-15 budget
30 process is the Board's February 21 budget planning workshop. The Board will review detailed budget information and
31 discuss several potential expenditure items at that meeting, and will provide direction to Town staff regarding the
32 Board's priorities, concerns, ideas, etc. for FY 14-15. Town staff and I will then consider the Board's direction and the
33 public's input, and will work to develop a responsible budget during March and April.
34

35 The FY 14-15 Recommended Budget will be presented to the Board at the May 13 regular meeting. Two budget
36 workshop meetings are tentatively scheduled for May 20 and June 3 (both are Tuesday evenings) to review the
37 Recommended Budget in detail. The official public hearing on the budget is planned for the June 3 workshop meeting,
38 with Board adoption planned for the June 10 regular meeting. (Additional budget workshop meetings can be
39 scheduled between May 21 and June 2 as necessary.)
40

41 The Board has the flexibility to adjust this schedule as we go through the budget process if necessary and/or desired,
42 however, the establishment of the FY 14-15 Budget Calendar will help to keep this lengthy process on track.
43

44 Public Hearing – Early Citizen Input on FY 14-15 Budget

45 We have scheduled and advertised a public hearing on the upcoming FY 14-15 budget for the February 11 meeting.
46

47 NC General Statutes require the Town to conduct a public hearing on the annual budget after the Town Manager
48 presents the Recommended Budget in May, but Emerald Isle has also historically held a public hearing prior to the
49 start of the annual budget process in order to get citizen input at the front-end of the budget process. The purpose of
50 the February 11 public hearing is simply to receive comments or suggestions from our citizens regarding budget
51 priorities for the coming fiscal year before we begin the budget process. The hearing will give citizens a chance to

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1
2 voice their concerns about the tax rate, the fairness of the Town's tax and fee structure, suggest budget and service
3 reductions, suggest funding for certain programs or projects, etc. All thoughtful suggestions are welcomed and
4 encouraged.

5
6 I have attached some basic background budget information, and I will have this information available for the public to
7 review.

8
9 I will be happy to answer any questions about the FY 13-14 budget, the FY 14-15 budget process, and the preliminary
10 outlook for the FY 14-15 budget at the February 11 meeting.

11
12 Town Manager Rush stated that as always in February they kick off the budget
13 process and while it was not legally required the Town had historically held a
14 public hearing at the beginning of the budget process in February. Mr. Rush said
15 the intent was to give citizens the chance to express their concerns at the front
16 end of the process and they would be meeting on Friday, February 21 for the
17 annual budget workshop to get more in depth with the FY 14-15 budget. Mr.
18 Rush said he would ask the Board to approve the Budget Calendar which was
19 procedural and outlined the whole process used to develop the budget including
20 the public hearing tonight and highlighted some of the other key dates.

21
22 ***Motion was made by Commissioner Wright to open the Public Hearing.***
23 ***The Board voted unanimously 4-0 in favor. Motion carried.***

24
25 ***Motion was made by Commissioner Wootten to close the Public Hearing.***
26 ***The Board voted unanimously 4-0 in favor. Motion carried.***

27
28 Commissioner Hoover requested that another public hearing be scheduled for
29 the next regular Town Board meeting on March 11.

30
31 **11. REMOVED from Agenda due to Weather**

32
33 **12. Proposed Installment Financing Agreement – 2013 Community**
34 **Improvements Package (\$2.4 million)**

35
36 **a. Public Hearing**

37 **b. Resolution Approving Financing Terms (14-02-11/R3)**

38
39 Town Manager Frank Rush addressed the Board concerning this agenda item.
40 The following excerpt from his memo to the Board is provided for additional
41 background:

42
43 The Board of Commissioners is scheduled to conduct a formal public hearing and formally consider the issuance of
44 \$2.4 million of new installment financing debt at the February 11 meeting. The new installment financing debt will fund
45 the construction of the various storm water and bicycle path projects included in the 2013 "Community Improvements
46 Package".
47
48

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2 The attached Resolution Approving Financing Terms authorizes a new installment financing agreement with Branch
3 Banking & Trust (BB&T) in the amount of \$2.4 million. The new installment financing agreement includes an annual
4 interest rate of 2.17% over a 9-year term, and results in annual debt service payments that average \$295,600 per year
5 for 9 years. The Board should note, however, that the annual debt service payments are based on "equal principal"
6 rather than "equal payment", thus the first year debt service payment is \$318,747. The annual payment declines
7 gradually each year, with the 9th and final annual payment of \$272,453 due in February 2023.
8

9 I had initially hoped to structure this new debt as "equal payment", however, the NC Local Government Commission
10 (LGC) is requiring that it be structured as "equal principal". This results in a slightly higher annual debt service
11 payment than originally projected for the 2013 "Community Improvements Package", which was estimated at \$298,887
12 (approximately equal to 1 cent on the Town's General Fund tax rate). The additional ~ \$20,000 for the first year's debt
13 service payment is manageable in the FY 14-15 budget, however, and I do not expect this to cause any budget
14 hardship next year. As noted, the annual debt service payment will decline by approximately \$5,000 - \$6,000 each
15 year, and by year 4 the annual debt service payment is approximately equal to the amount originally anticipated.
16

17 The Board should also note that I am recommending that the total principal amount be increased by \$50,000 from the
18 planned \$2.35 million to \$2.4 million. This slightly higher amount was included only to provide a slight cushion in case
19 of higher than anticipated project costs, and because the Town has received favorable bids thus far I do not expect the
20 need to utilize this additional \$50,000. My recommendation is to include the additional \$50,000 in the installment
21 financing agreement for now, and then either use these funds for a different project (perhaps the resurfacing of Coast
22 Guard Road after the bicycle path is completed, splash park, or anything else the Board would like to consider) or
23 simply reduce the total installment financing amount by \$50,000 (back to \$2.35 million) at closing. If the total amount
24 financed is reduced back to \$2.35 million then the first year debt service payment would be \$312,106.
25

26 The new installment financing agreement would be secured by the projects that are financed, and includes a 1%
27 prepayment penalty.
28

29 The Town solicited proposals from several financial institutions in late January and early February, and received two
30 proposals – from BB&T and from PNC Bank. First Citizens Bank, Wells Fargo, and Sound Bank chose not to submit a
31 financing proposal. BB&T's proposal quoted a 2.17% annual interest rate with \$1,900 of closing costs, and PNC's
32 proposal quoted a 2.14% annual interest rate with \$7,500 of closing costs. Although PNC's interest rate is slightly
33 lower, the higher closing costs push the total cost of the PNC proposal slightly higher than the BB&T proposal – thus
34 the recommendation to accept BB&T's proposal. In addition, BB&T has a physical presence in Emerald Isle, is the
35 Town organization's bank, and also holds the Town's other significant debt instrument (the 2013 refinancing).
36

37 The proposed installment financing agreement will be formally considered by the LGC at its meeting on March 4, and is
38 expected to be approved. The closing on the new installment financing agreement is tentatively scheduled for late
39 March 2013.
40

41 ***Motion was made by Commissioner Wright to open the Public Hearing.***
42 ***The Board voted unanimously 4-0 in favor. Motion carried.***
43

44 There were no comments from the public.
45

46 ***Motion was made by Commissioner Messer to close the Public Hearing.***
47 ***The Board voted unanimously 4-0 in favor. Motion carried.***
48

49 ***Motion was made by Commissioner Wootten to adopt the Resolution***
50 ***Approving Financing Terms. The Board voted unanimously 4-0 in favor.***
51 ***Motion carried.***
52

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1
2 **Clerks Note: A copy of Resolution 14-02-11/R3 as noted above is incorporated herein by reference**
3 **and hereby made a part of these minutes.**
4

5 **13. NC 58 Bicycle Path Extention (2.7 miles) – Eastern Ocean Regional**
6 **Access to Indian Beach Town limits (14-02-11/R4)**
7

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

11
12 The Board of Commissioners is scheduled to consider three items that would authorize the construction of a new 2.7
13 mile segment of bicycle path along the south side of NC 58 at the February 11 meeting. The new segment would
14 extend the current NC 58 bicycle path from the Eastern Ocean Regional Access to the Indian Beach town limits, and
15 would complete the entire NC 58 bicycle path extension included in the 2013 "Community Improvements Package".
16

17 Resolution Authorizing Construction Contract

18 The Board will consider a Resolution Authorizing a Construction Contract with Barnhill Contracting Company, Kinston,
19 NC in the amount of \$694,998. This contract is well below the \$800,000 budget for this project that was included in the
20 2013 "Community Improvements Package" approved by the Board in June 2013.
21

22 As discussed previously, the Town did not utilize the services of a professional engineering firm for the design and bid
23 process, and is instead utilizing a field-based design approach that is expected to result in a finished product that is
24 similar to the Town's existing NC 58 bicycle path segments. In a nutshell, Town staff will work very closely with the
25 construction contractor to make field determinations regarding the specific route of the bicycle path based on site-
26 specific conditions. In order to secure competitive formal bids, Town staff prepared (with helpful assistance from
27 Carteret County's GIS staff) aerial photo maps of the project area to indicate the general location of the new bicycle
28 path within the NC 58 right of way, and also prepared a detailed "Construction and Bid Guidelines" document that
29 stipulates the design criteria for the new bicycle path. In summary, the new path will be constructed according to the
30 following guidelines:
31

- 32 • 10 ft. wide asphalt path, generally following existing topography, and solely within the NC 58 right of way,
- 33
- 34 • path placed approximately 1 - 2 feet off the southern right of way boundary, with deviation to the north to
35 avoid significant utilities, significant topographical features, and / or to preserve significant vegetation,
- 36
- 37 • in most locations, separation of approximately 8 - 10 feet between the edge of the NC 58 asphalt shoulder
38 and the new path, and
- 39
- 40 • creation of an ~ 2 ft. deep vegetated swale between the NC 58 asphalt shoulder and the new path (where
41 practical).
42

43 The Town is currently utilizing an identical approach for the 1.35 mile segment of NC 58 bicycle path currently under
44 construction between Fairfax Road and the Ocean Drive "dog-leg". This approach has worked well for this project, and
45 we expect similar success for the 2.7 mile segment between the Eastern Ocean Regional Access and the Indian
46 Beach town limits. We expect that the finished product will look very similar to the existing path located between
47 Seagull Road and the Eastern Ocean Regional Access. It is important to note, however, that the Town has slightly
48 less right-of-way available on the south side of NC 58 for this 2.7 mile segment (approximately 18 – 20 feet in most
49 locations), thus the completed bicycle path will appear slightly closer to NC 58. Additionally, the location of private
50 homes in this area is generally closer to NC 58, and the completed path will appear closer to private homes (but will
51 remain entirely within the NC 58 right of way). Town staff will be making a special effort to address to any concerns
52

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1
2 from adjacent property owners during construction in an effort to minimize any bicycle path-related impacts on these
3 property owners.

4
5 The Town has secured all necessary CAMA, State storm water, and State erosion and sedimentation control permits
6 for this project, and NCDOT has completed its review of the Town's encroachment permit application. NCDOT has
7 verbally indicated that the Town's formal encroachment permit will be issued within the next week or so.

8
9 The Town solicited formal construction bids for this project in January, and placed the legally required advertisements
10 in local newspapers. The Town also directly emailed the bid package to several contractors that have completed
11 successful projects for the Town in the past. Formal bids were opened on February 4, and the Town received the
12 following bids:

- 13
14
- | | |
|--|------------|
| • Barnhill Contracting Company, Kinston, NC | \$699,998, |
| • SunLand Builders, Newport, NC | \$703,611, |
| • Thomas Simpson Construction, Morehead City, NC | \$812,420, |
- 15
16
17
18
19

20 Barnhill Contracting submitted the lowest responsive bid, and this bid amount is well below the Town's established
21 budget of \$800,000 for this project. Town staff subsequently made a slight revision to the scope of work for this project
22 (reduced the number of bollards at each street intersection from 3 bollards to 1 bollard only), and this resulted in a
23 \$5,000 reduction in Barnhill Contracting's bid amount. Thus, Town staff recommend the approval of the attached
24 resolution that authorizes the Town Manager to execute a contract with Barnhill Contracting in the amount of \$694,998.

25
26 The Board should note that the scope of the contract does not include presently unknown costs for retaining walls, fill
27 dirt, and utility relocation costs that will be handled by the Town separately from the construction contract. I do not
28 anticipate that these costs will be significant for this 2.7 mile segment, and these costs would be paid directly by the
29 Town from the remaining funds (\$105,002) in the overall project budget. The Board should also note that I previously
30 approved a change order to the current NC 58 bicycle path extension contract (Fairfax Road to Ocean Drive "dog-leg")
31 for slightly less than \$10,000 for the construction of the new bicycle path directly in front of the Eastern Ocean Regional
32 Access, and this cost was included in the \$800,000 project budget for this 2.7 mile segment. Thus, a total of
33 approximately \$95,000 will be available for retaining wall, fill dirt, and utility relocations for this 2.7 mile segment. I
34 expect to have a significant amount of these funds remaining upon completion of this 2.7 mile segment, and any
35 remaining funds will be available for other Town expenditures as determined by the Board of Commissioners.

36
37 The "Construction and Bid Guidelines" stipulate that all construction work should begin as soon as possible after the
38 Board's February 11 meeting (assuming Board approval) and should be complete by May 22, 2014 (the Thursday prior
39 to Memorial Day weekend). We have discussed the project schedule with Barnhill Contracting and they are ready to
40 begin work and intend to devote the necessary labor and equipment to this project to meet the Town's May 22
41 deadline. They are confident that all work will be completed by the Town's May 22 deadline.

42
43 Declaration of Official Intent to Reimburse

44 The attached declaration is required to comply with US Treasury regulations and maintain the tax-exempt status of the
45 Town's upcoming installment financing agreement, and is procedural in nature.

46
47 As you know, the 2013 "Community Improvements Package" assumes the issuance of \$2.35 million of new installment
48 debt over a 9-year term, and the proceeds will be used to finance the construction of several projects. The Town could
49 not seek NC Local Government Commission (LGC) approval nor issue the new debt until construction bids were in
50 hand for the majority of the projects included in the 2013 "Community Improvements Package". With the completion of
51 the bid process for this 2.7 mile bicycle path segment (and the previously approved 1.35 mile bicycle path segment and
52 the Town's two storm water pipe projects), the Town can now seek formal approval from the LGC. We expect to have
53 formal LGC approval in early March and then close on the new installment financing agreement later in March. In the
54 meantime, the Town must "up-front" the cash for any initial construction expenses for this 2.7 mile bicycle path

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1
2 extension. The attached declaration will then legally allow the Town to reimburse itself from the proceeds of the
3 installment debt to be issued in March.

4
5 The Town is fortunate to be in a good cash position, and has the available cash to temporarily "up-front" the cash
6 necessary to honor the Barnhill Contracting contract.

7
8 I recommend approval of the attached declaration.

9
10 Capital Project Ordinance

11 The attached capital project ordinance is procedural in nature, and formally establishes the project budget for the NC
12 58 Bicycle Path Extension (Eastern Ocean Regional Access to Indian Beach Town Limits). The attached capital
13 project ordinance formally appropriates \$800,000 of expected installment financing proceeds for the construction of this
14 segment of the bicycle path, and is consistent with the budget established for the 2013 "Community Improvements
15 Package". As noted above, any remaining funds available after completion of this project will be available for other
16 Town expenditures as determined by the Board of Commissioners.

17
18 I recommend approval of the attached capital project ordinance.

19
20 ***Motion was made by Commissioner Hoover to adopt the Resolution***
21 ***Authorizing Construction Contract for the NC Bicycle Path Extension***
22 ***(Eastern Ocean Regional Access to Indian Beach Town Limits). The Board***
23 ***voted unanimously 4-0 in favor. Motion carried.***

24
25 ***Motion was made by Commissioner Wootten to adopt the Declaration of***
26 ***Official Intent to Reimburse. The Board voted unanimously 4-0 in favor.***
27 ***Motion carried.***

28
29 ***Motion was made by Commissioner Messer to adopt the Capital Project***
30 ***Ordinance. The Board voted unanimously 4-0 in favor. Motion carried.***

31
32 **Clerks Note: A copy of Resolution 14-02-11/R4 and all other items as noted above are incorporated**
33 **herein by reference and hereby made a part of these minutes.**

34
35 **14. Additional Grading Work – Coast Guard Road Storm Water Pipe**

- 36
37 **a. Resolution Authorizing Change Order with SunLand Builders for**
38 **Additional Grading Work (14-02-11/R5)**
39 **b. Capital Project Ordinance Amendments**
40

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

44
45 The Board of Commissioners is scheduled to consider the attached resolution authorizing a change order to the
46 Town's existing storm water pipe contract with SunLand Builders to perform additional grading work along Coast Guard
47 Road. This change order is presented in anticipation of future bicycle path construction along Coast Guard Road in the
48 same area that the storm water pipe will be installed. The Board will also consider associated amendments to the two
49 capital project ordinances previously established for the Lands End Storm Water Connection project and the Coast
50 Guard Road Bicycle Path Extension project.

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1
2 Resolution Authorizing Change Order with SunLand Builders for Additional Grading Work

3 The Board will consider the attached resolution authorizing a \$130,000 change order with SunLand Builders to perform
4 additional grading and rock base placement along Coast Guard Road (south side) between Dolphin Ridge and Lands
5 End's main entrance. As you know, SunLand was recently awarded a contract for the installation of new storm water
6 pipe in this area, and the new storm water pipe will connect existing storm water pumps in Lands End with the Town's
7 Emerald Isle Woods Park receiving site.

8
9 The proposed change order includes the grading of an approximately 13 ft. wide area along the south side of Coast
10 Guard Road (as opposed to the originally anticipated width of approximately 6 ft. associated with the storm water pipe
11 installation) and the placement of 8 inches of compacted rock base course, 11 ft. wide in this area. This additional
12 grading work and rock base placement can be more easily accomplished in conjunction with the storm water pipe
13 installation, and will enable the Town to move forward with future bicycle path construction in a more expeditious
14 manner later this spring.

15
16 The Town's current contract with SunLand for the storm water pipe installation, approved at the January 14 meeting, is
17 \$369,333. The proposed change order would increase the total contract amount to \$499,333. I expect the work
18 included in the change order to be completed by early April, after which time the Town staff would coordinate the
19 remaining tasks associated with the Coast Guard Road bicycle path extension in this area.

20
21 The Town's previous estimated cost for construction of the Coast Guard Road bicycle path extension between Dolphin
22 Ridge and Lands End was approximately \$213,000, and the budget established in the 2013 "Community
23 Improvements Package" for the bicycle path in this area was \$235,000. The attached change order will utilize
24 \$130,000 of the \$235,000 budget, leaving an additional \$105,000 available for path paving, utility relocation, retaining
25 walls, seeding, bollards, and pavement markings. The estimated paving cost for this bicycle path segment is
26 approximately \$38,000, which would leave a balance of \$67,000 for the other items. At this point, I would not expect to
27 utilize this full amount, and I am hopeful that a portion of these funds will be available for other Town expenditures to
28 be determined by the Board of Commissioners.

29
30 Capital Project Ordinance Amendments

31 The attached capital project ordinance amendments are procedural in nature, and simply shift the \$130,000 necessary
32 for the SunLand change order from the capital project ordinance account previously established for the Coast Guard
33 Road Bicycle Path Extension project to the capital project ordinance account for the Lands End Storm Water Pipe
34 Connection project.

35
36 The total overall budget established in the capital project ordinance for the Coast Guard Road Bicycle Path Extension
37 would decrease from \$500,000 to \$370,000. This \$370,000 would be utilized for paving and other remaining tasks
38 associated with the bicycle path segment between Dolphin Ridge and Lands End, and would also be utilized for the full
39 construction of the future bicycle path segment from Lands End to Ring Street (approximately 0.6 mile).

40
41 The total budget for the Lands End Storm Water Pipe Connection project would increase from \$405,000 to \$535,000 in
42 order to accommodate the proposed SunLand change order.

43
44 Commissioner Wootten asked whether the Town staff would do the markings on
45 this segment. Town Manager Rush said the intent was for staff to do the
46 markings and the bollards on this 0.6 mile segment. Mr. Rush also noted to
47 refresh the Board that the 1.35 mile segment currently under construction would
48 also have the staff doing the markings and bollards and that was a pretty
49 sizeable job. Mr. Rush said the contract just approved included all the bollards
50 and markings.

51
52

1
2 ***Motion was made by Commissioner Wright to approve the Resolution***
3 ***Authorizing Change Order with SunLand Builders for Additional Grading***
4 ***Work. The Board voted unanimously 4-0 in favor. Motion carried.***

5
6 ***Motion was made by Commissioner Hoover to approve the capital project***
7 ***ordinance amendment for the Lands End Storm Water Connection project.***
8 ***The Board voted unanimously 4-0 in favor. Motion carried.***

9
10 ***Motion was made by Commissioner Messer to approve the capital project***
11 ***ordinance amendment for the Coast Guard Road Bicycle Path Extension***
12 ***project. The Board voted unanimously 4-0 in favor. Motion carried.***

13
14 Clerks Note: A copy of Resolution 14-02-11/R5 and all other items as noted above are incorporated
15 herein by reference and hereby made a part of these minutes.

16
17 **15. Appointment – Bicycle and Pedestrian Advisory Committee**

18
19 **Brief Summary:**

20
21 The Board of Commissioners is scheduled to consider an appointment for one
22 vacancy on the Bicycle and Pedestrian Advisory Committee at the February 11
23 meeting.

24
25 Wayne Ryan, co-owner of Highway 58 Bicycles, has expressed interest in being
26 reappointed to the Committee. He previously served on the Committee for
27 several years, and would like to be reappointed to a term that expires in
28 December 2014.

29
30 If the Board makes an appointment at the February, the Bicycle and Pedestrian
31 Advisory Committee will be at full membership with 8 members.

32
33 ***Motion was made by Commissioner Wootten to appoint Wayne Ryan to a***
34 ***term on the Bicycle and Pedestrian Advisory Committee that expires in***
35 ***December 2014. The Board voted unanimously 4-0 in favor. Motion***
36 ***carried.***

37
38 Ken Stone, Chair of the Bicycle and Pedestrian Advisory commented that he was
39 also glad to have some new blood and ideas on the committee with Wanda,
40 Deborah, and Brandon, and now with this re-appointment of Wayne Ryan it
41 would bring the committee to full membership.

42
43 **16. Comments from Town Clerk, Town Attorney, and Town Manager**

44
45 The Town Clerk was absent due to weather. The Town Attorney had no
46 comments.

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1
2 Town Manager Rush updated the Board on the status of the controlled deer hunt.
3 Mr. Rush also noted that the community center expansion was moving forward
4 and they were still hoping it would be completed and opened to the public by May
5 1 if not sooner.
6

7 The following is an excerpt from the Town Manager Comments memo to the
8 Board providing additional background information for all items of importance:
9

10 **Update – Controlled Deer Hunt**

11 As of February 7, the Town's hunters have taken a total of 37 deer (carrying 37 fetuses) in the Town's controlled hunt.
12 No significant problems have been encountered thus far. Hunting activities will continue through February 28.
13

14 **Annual Budget Planning Workshop – Friday, February 21 – 8:30 am**

15 The annual budget planning workshop will be held on Friday, February 21 at 8:30 am in the Town Administration
16 Building conference room, and I expect the meeting to last until early afternoon. We will have continental breakfast
17 foods available at 8:00 am. A copy of the draft meeting agenda is attached. Please let me know if you'd like to add
18 other items for Board discussion.
19

20 **Update - Community Center Expansion**

21 After several weather delays in January, the concrete foundation for the building expansion has been poured, and the
22 building materials are on-site. We expect building erection to begin within the next week. All exterior work associated
23 with the building expansion is expected to be complete no later than the end of February, and Town staff will
24 coordinate interior electrical, HVAC, and wall finishes during March and April. We expect to open the new expansion
25 by May 1.
26

27 **Update – NC 58 Bicycle Path Extension – Fairfax to Ocean Drive**

28 The Town's contractor, Thomas Simpson Construction, is nearing completion of the rock base, and, weather
29 permitting, expects paving of the new path to begin within the next week. After paving is completed, Public Works staff
30 will install bollards, pavement markings, and signage on the new 1.35 mile path segment. We hope to have this
31 segment of the new path fully complete sometime in March.
32

33 **Sand Placement at The Point**

34 The Corps of Engineers' contractor has completed all sand placement at The Point. Approximately 48,000 cy of sand
35 was dredged from the AIWW near Cedar Point, and was placed in a manner that raised the elevation of the spit at The
36 Point by approximately 2 feet across a wide area.
37

38 **Blue Heron Park Playground Equipment – Update**

39 New playground equipment has been ordered, and delivery and erection is expected in March or April. We expect to
40 have the new playground equipment open to the public by May 1.
41

42 **Island Circle Storm Water Pipe Connection – Update**

43 The Town's contractor has secured engineering approvals and has ordered the HDPE pipe for this project. We expect
44 pipe to arrive within the next week, with construction (underground drilling from Island Circle to Lands End) to begin
45 soon thereafter. We expect all work will take approximately 4 weeks once construction begins.
46

47 **Lands End Storm Water Pipe Connection – Update**

48 The Town's contractor has secured engineering approvals and has ordered the HDPE pipe for this project. We also
49 expect this pipe to arrive within the next week, with construction along Coast Guard Road (open cut from Dolphin
50 Ridge to Lands End) beginning soon thereafter. This work is expected to take about 4 – 6 weeks along Coast Guard
51 Road. Some minor lane closures may be required along Coast Guard Road, but we don't expect any significant
52 delays. Work will begin within Lands End (underground drilling) after all work is complete along Coast Guard Road.

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1
2 **Beach Access Walkway Replacements**

3 The Town's contractor is expected to begin work on the replacement of the Fawn Drive and Sea Dunes Drive
4 walkways during the week of February 17, and should complete both walkways by mid or late March.

5
6 Because the bids for these two walkways came in lower than expected, Town staff are planning to use the remaining
7 funds in the walkway budget to also replace the Deer Horn Drive walkway. Informal bids are currently being solicited,
8 and we hope to award a contract within the next week. Our goal is to complete this walkway by Easter.

9
10 **St. Patrick's Day Festival – Transportation Impact NASCAR Display**

11 The 23rd annual St. Patrick's Festival is Saturday, March 15, just a little more than a month away! Transportation
12 Impact will again bring the Richard Petty Motorsports #43 car to the festival, and this year it will have a special Emerald
13 Isle-themed design. Transportation Impact has been a great community partner and title sponsor for this event.

14
15 **EI Half-Marathon & 5K Race – March 29, 2014**

16 As of February 7, there are 498 runners signed up for the Half-Marathon and 279 runners signed up for the 5K race
17 (and we are still 7 weeks away from race day). The event has grown into a much larger event than any of the
18 organizing committee anticipated. (My own internal goal when we began this effort was to have 200 participants total.)
19 I expect that the total profit from the event will be at least \$20,000, and probably more, and these funds will be added
20 to the Bicycle and Pedestrian Advisory Committee's fundraising efforts.

21
22 **Time Warner Cable Channel Lineup Changes**

23 I have attached a copy of Time Warner Cable's new channel lineup, which is effective in late March. Under their State
24 franchise agreement, they are required to communicate these changes to the Town.

25
26 **Critical Habitat Designation – Loggerhead Sea Turtle – Letter from Senator Burr**

27 There have been no significant new developments on the critical habitat issue, however, we did receive the attached
28 letter of support from Senator Richard Burr. We still anticipate a final decision from the US Fish & Wildlife Service and
29 the National Marine Fisheries Service on this issue in summer 2014.

30
31 **Coast Guard Road Bicycle Path Extension – Lands End to Ring Street**

32 We are planning to seek informal bids for the final bicycle path segment included in the 2013 "Community
33 Improvements Package" in late February and early March. The final segment will run from the Lands End main
34 entrance to Ring Street, a distance of a little more than ½ mile. I hope to have a contract recommendation on the
35 Board's March 11 or April 8 meeting agenda, and begin work soon thereafter so this path can be completed by
36 Memorial Day weekend.

37
38 **Special Meeting With Emerald Isle Businesses**

39 Mayor Barber and I have tentatively scheduled this meeting for Monday, March 3 at 9 am, and I will be sending
40 invitations to all business in Emerald Isle in the next week or so. It would be great if 1 or 2 of the Commissioners could
41 also attend. Chief Waters, Chief Walker, and Planning Director Kevin Reed will also attend.

42
43 The purpose of the meeting is receive feedback from local businesses on ways that the Town can better serve their
44 interests, update the business community on various Town initiatives, and also attempt to encourage more of the EI
45 businesses to join and get more involved in the Emerald Isle Business Association. The Town is fortunate to maintain
46 a productive dialogue with the vacation rental agencies and with the Emerald Isle Business Association, however, it
47 has been difficult to maintain a dialogue with Emerald Isle businesses collectively because many of them are not active
48 in the Emerald Isle Business Association. My hope is that this meeting will be the beginning of an ongoing dialogue
49 and better overall communication between Emerald Isle businesses and the Town.

50
51 **Eastern Ocean Drive Resurfacing**

52 As you know, all work is complete, however, we still have some lingering concerns about the quality of the new
53 pavement. Onslow Grading and Paving has agreed to return in the spring to correct the deficiencies, and the Town
54 has withheld a portion of the payment for this work until the deficiencies are corrected in the spring. The total invoice

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1 for this resurfacing was approximately \$258,000, and the Town recently remitted payment of \$200,000. The remaining
2 \$58,000 will not be released until the Town's concerns are addressed.

3
4 **Potential Establishment of Commercial Mooring Facilities at Emerald Isle Public Boating Access Area**

5 I have not yet received any feedback from the NC Division of Coastal Management (DCM) on the draft design, and
6 plan to follow up with DCM staff in the next few weeks. I will continue to pursue this issue over the next several
7 months, and will be working toward a plan that does not involve the expenditure of any general tax revenues and that
8 can hopefully be constructed prior to the 2015 tourism season.

9
10 **EmeraldFest Concert Series**

11 The 2014 EmeraldFest schedule and lineup is attached. We look forward to another good concert series this summer.

12
13 **New Phone System and New IT Services**

14 The new phone system has been configured, and the actual phones have been distributed throughout the organization.
15 We are awaiting the "porting" of the Town's various phone numbers from Century Link to the new "voice over internet
16 protocol" system, and that should occur within the next 2 weeks – at which time we will be "live" with the new phone
17 system. The computer system is in the process of being configured off-site, and is expected to be deployed within a
18 month after the phone system is complete.

19
20 **FEMA Irene Beach Nourishment Project Close-Out**

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

23
24 **Transportation Impact Donating Computer Tablets for Afterschool Program**

25 Transportation Impact is planning to donate several computer tablets for use by the students in the Town's Afterschool
26 Program. We expect that the value of this donation will be in the \$3,000 +/- range. We greatly appreciate
27 Transportation Impact's generosity and support!

28
29 **17. Comments from Board of Commissioners and Mayor**

30
31 Commissioner Wootten announced that Commissioner Hoover had been elected
32 as Vice-Chair of the Beach Committee.

33
34 Mayor Barber thanked the Town Manager for how well he kept everyone posted
35 on today's weather conditions.

36
37 There were no further comments from Commissioners.

38
39 **18. Adjourn**

40
41 ***Motion was made by Commissioner Messer to adjourn the meeting. The***
42 ***Board voted unanimously 4-0 in favor. Motion carried.***

43
44 ***The meeting was adjourned at 7:32 pm.***

45
46 Respectfully submitted:

47
48
49 Rhonda C. Ferebee, CMC, NCCMC
50 Town Clerk