

1 **MINUTES OF THE REGULAR SCHEDULED MEETING**
2 **OF THE EMERALD ISLE BOARD OF COMMISSIONERS**
3 **TUESDAY, SEPTEMBER 10, 2013 – 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 Art Schools at 7:00 PM in the Emerald Isle Town Board
11 Meeting Room.
12

13 **2. Roll Call**
14

15 Present for the meeting: Mayor Art Schools, 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
19 Attorney Richard Stanley, Town Clerk Rhonda Ferebee, Parks and Recreation
20 Director Alesia Sanderson, Public Works Director Artie Dunn, and Planning
21 Director Kevin Reed.
22

23 Mayor Schools said it was good to have Commissioner Hedreen back tonight.
24 Commissioner Hedreen commented briefly about her recovery and progress
25 following her recent surgery and thanked everyone for their prayers.
26

27 **3. Opening Prayer**
28

29 Kate Vere, youth member from Emerald Isle Baptist Church offered the opening
30 prayer for the meeting.
31

32 **4. Pledge of Allegiance**
33

34 All who were present recited the Pledge of Allegiance.
35

36 **5. Adoption of Agenda**
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38 ***Motion was made by Commissioner Hoover to adopt the Agenda. The***
39 ***Board voted unanimously 5-0 in favor. Motion carried.***
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2 **6. Proclamations / Public Announcements**
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4 Mayor Schools noted the following Proclamations and announcements for the
5 public:
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- 7 • Transportation Impact / First Flight Solutions Day – September 6, 2013
8 (13-09-10/P1)
- 9 • Constitution Week – September 17 – 23, 2013 (13-09-10/P2)
- 10 • Walking Club – Wednesdays, September 11 – October 23 – 9 am –
11 Community Center
- 12 • Open Play Wii Bowling – Wednesdays – 6 pm – 8 pm – Community
13 Center
- 14 • Friday Free Flick – Friday, September 13 – 7 pm – Community Center
- 15 • 9/11 Memorial Ride – Saturday, September 14 – Should Pass Through EI
16 Around 2 pm – NC 58
- 17 • Women's Self Defense Class – Mondays, September 16 – October 21 –
18 4:30 pm – 5:30 pm – Community Center
- 19 • Adult Introduction to Art Class – Tuesdays, September 17 – October 22 –
20 10 am – 11 am – Community Center
- 21 • EDC Municipal Initiative – Tuesday, September 17 – 3 pm – Town Board
22 Meeting Room
- 23 • Household Hazardous Waste & Electronics Collection – Sat, Sept 21 – 8
24 am – 1 pm – Carteret Health Department
- 25 • Emerald Isle Day4Kids – Saturday, September 21 – 10 am – 2 pm –
26 Community Center
- 27 • Planning Board Regular Meeting – Monday, September 23 – 6 pm – Town
28 Board Meeting Room
- 29 • CPR & First Aid Training – Mon, Sept 23 – 5:30 pm – 9 pm – Community
30 Center
- 31 • 7th Annual Flounder Fishing Tournament – September 28 – October 5
- 32 • 2 v 2 Beach Volleyball Tournament – Saturday, September 28 – 9 am until
33 – Western Ocean Regional Access
- 34 • Flu Shot Clinic – Friday, October 4 – 10 am – 2 pm – Community Center
- 35 • Classic Movie Night – Friday, October 4 – 7 pm – Community Center
- 36 • Free Surf Fishing Seminar (Dr. Bogue) – Monday, October 7 – 6 pm –
37 Community Center
- 38 • Board of Commissioners Regular Meeting – Tuesday, October 8 –
39 7:00 pm – Town Board Meeting Room
- 40 • 10th Annual Emerald Isle Triathlon – Saturday, October 19 – 9 pm –
41 Eastern Ocean Regional Access
42
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44

1
2 Commissioner Wright noted that the Friends of the Library and the Maritime
3 Museum were sponsoring Pirate Day on Saturday, September 14, a free event at
4 Western Park Community Center.

5
6 **Clerks Note: A copy of Proclamations 13-09-10/P1 and 13-09-10/P2 as noted above are incorporated**
7 **herein by reference and hereby made a part of these minutes.**

8
9 **7. Introduction of New Employees**

- 10
11 **a. Christopher Bach, Parks and Recreation**
12 **b. Montana Hines, Public Works**

13
14 Alesia Sanderson, Parks and Recreation Director, introduced Chris Bach, Parks
15 Maintenance Worker who came onboard in late August. Ms. Sanderson noted
16 that Mr. Bach had lived in Emerald Isle for 4 years, was originally from Virginia,
17 but spent most of his youth in Georgia. Mr. Bach also held an Associates
18 Degree in Criminal Justice from Carteret Community College.

19
20 Artie Dunn, Public Works Director, introduced Montana Hines, Equipment
21 Operator, for Public Works. Mr. Dunn noted that Mr. Hines began over the
22 summer as a seasonal laborer with a great skill set and had been promoted
23 recently when an opening presented itself. Mr. Hines was born and raised here
24 in Carteret County.

25
26 The Board and public welcomed both new full-time employees to their positions
27 with the Town.

28
29 **8. Public Comment**

30
31 There were no comments from the public.

32
33 **9. Consent Agenda**

- 34
35 **a. Minutes – July 9, 2013 Regular Meeting**
36 **b. Minutes – July 9, 2013 Closed Session**
37 **c. Minutes – August 13, 2013 Regular Meeting**
38 **d. Minutes – August 13, 2013 Closed Session**
39 **e. Order Directing 2013 Tax Levy and Collections**
40 **f. Tax Refunds / Releases**
41 **g. Budget Amendment – General Fund – Recycling Containers, IT**
42 **Service Agreement**
43 **h. Budget Amendment – Special Revenue Fund – Emerald Isle Half-**
44 **Marathon & 5K**
45 **i. Resolution Authorizing Fire Department Grant Applications –**
46 **Automatic External Defibrillators (13-09-10/R1)**

- 1
- 2 **j. Resolution in Honor S. Ellis Hankins, NCLM Executive Director**
- 3 (13-09-10/R2)
- 4 **k. Amendments to Pay Plan – Police Department Reorganization**
- 5

6 ***Motion was made by Commissioner Wright to approve the items on the***
7 ***Consent Agenda. The Board voted unanimously 5-0 in favor. Motion***
8 ***carried.***

9
10 **Clerks Note: A copy of Resolutions 13-09-10/R1 and 13-09-10/R2 and all other Consent Agenda**
11 **items as noted above are incorporated herein by reference and hereby made a part of these minutes.**

12
13 **10. Resolution Authorizing Street Resurfacing Contract – Eastern Ocean**
14 **Drive (13-09-10/R3)**

15
16 Public Works Director Artie Dunn addressed the Board concerning this agenda
17 item. The following excerpt from the Town Manager’s memo is provided for
18 additional background:

19
20 The Board of Commissioners is asked to approve the attached resolution authorizing a contract for the resurfacing of
21 an ~ 2.7 mile segment of Ocean Drive between the eastern Town limits and 25th Street at the September 10 meeting.
22 A resolution authorizing a \$257,986 contract with Onslow Grading & Paving, Inc., Jacksonville, NC, is presented for
23 Board consideration, and this contract amount is within the FY 13-14 adopted budget amount appropriated for this
24 project.

25
26 As discussed previously by the Board, this segment of Ocean Drive is of poor quality and is in need of resurfacing.
27 The Town completed the resurfacing of an ~ 2.2 mile segment of Ocean Drive in central Emerald Isle in spring 2012,
28 with a stated plan to resurface this 2.7 mile segment when sufficient Powell Bill funds could be allocated for this
29 project. The Town specifically reserved approximately \$105,000 of FY 12-13 Powell Bill funds to be added to the
30 anticipated FY 13-14 Powell Bill amount of approximately \$148,000 (plus a small General Fund appropriation) in the
31 FY 13-14 adopted budget to complete the resurfacing of this ~ 2.7 mile segment in fall 2013.

32
33 Artie Dunn, Public Works Director, solicited informal quotes from 3 contractors for this project, and the quotes are as
34 follows:

35
36 Contractor

37 Onslow Grading & Paving, Inc.	Jacksonville, NC	\$ 257,986
38 Barnhill Contracting Company	Jacksonville, NC	\$ 314,160
39 Morton Trucking, Inc.	Jacksonville, NC	\$ 290,000.

40
41 As you know, there are several areas along this segment of Ocean Drive that typically experience storm water flooding
42 after significant rainfall events. The storm water flooding along Ocean Drive occurs in impervious areas at the lowest
43 elevations where the water simply has nowhere else to flow. The flooding in these areas is sometimes several inches
44 to a foot or more deep, but usually abates relatively quickly (within a matter of hours or a day; as opposed to chronic
45 flooding in the Coast Guard Road area that is more associated with high groundwater tables and often persists for
46 several days). Prior to resurfacing, the Town’s Public Works Department will be constructing drainage improvements
47 consisting of catch basins and underground infiltration devices at 9 locations along Ocean Drive near the following
48 cross streets: 5th Street, 8th Street, 9th Street, 10th Street, 12th Street, 16th Street, 17th Street (2 locations), and 20th
49 Street. In addition, Public Works staff have already or will soon also complete additional grading along the edge of
50 Ocean Drive in other problem locations. Although we do not expect these improvements to completely resolve flooding
51 issues in these locations, we are hopeful that they will reduce the severity, frequency, and duration of flooding events.

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2 The total cost of the planned drainage improvements is approximately \$18,300, and sufficient funds for these
3 improvements are included in the FY 13-14 adopted budget.

4
5 Public Works staff expect to complete the planned drainage improvements within the next 2 – 3 weeks, after which
6 Onslow Grading and Paving, Inc. would complete the street resurfacing. We expect resurfacing activities to take no
7 more than 1 week to complete. All work associated with this project is expected to be complete by early or mid-
8 October.

9
10 Mayor Schools asked for comments from the public.

11
12 There were no comments from the public.

13
14 ***Motion was made by Commissioner Messer to approve the Resolution***
15 ***Authorizing Street Resurfacing Contract – Eastern Ocean Drive. The Board***
16 ***voted unanimously 5-0 in favor. Motion carried.***

17
18 **Clerks Note: A copy of Resolution 13-09-10/R3 as noted above is incorporated herein by reference**
19 **and hereby made a part of these minutes.**

20
21 **11. Update – Carteret County EDC Municipal Initiative Project**

22
23 Planning Director Kevin Reed addressed the Board concerning this agenda item.
24 The following excerpt from his memo to the Town Manager is provided for
25 additional background:

26
27 As you know, the Town is participating in an EDC Municipal Initiative being led by the Carteret County Economic
28 Development Council (EDC) that will result in the creation of an economic development plan for the Town. This local
29 initiative, along with others being developed in the County, will be used by the EDC to support local and county-wide
30 economic development efforts. The planning process to develop the local initiative is being led by personnel from the
31 NC Department of Commerce (NCDOC) and the lead planner from NCDOC is Trey Smith. I have been serving as the
32 local staff representative for this planning effort. In addition, there is a local Steering Committee comprised of Mayor
33 Art Schools, Travis Burt, Candace Dooley, Jim Normile, Morgan Shipp and Woody Warren. Myles Stempin with the
34 EDC is also a participant in the effort. To date, there have been three meetings of the Steering Committee.

35
36 The first meeting of the Steering Committee was held on August 6 and the plan is for the Committee to meet
37 approximately every two weeks until the planning process has been completed which may require a total of 8-10
38 meetings. During the August 6 meeting, NCDOC staff introduced the Committee to the comprehensive community
39 visioning process that will be used to develop the Town's EDC Municipal Initiative. Attached to this memorandum is a
40 copy of the planning process being used to develop the plan. The end result will be a plan that identifies five
41 strategies to support municipal economic development efforts that can be implemented over a five year period. During
42 the first Committee meeting, the members focused on identifying the "greatest successes" of the Town in addition to its
43 "strengths" and "weaknesses". "Strengths" are essentially assets that the Town possesses that make it attractive for
44 businesses to locate and grow. Likewise, "weaknesses" are obstacles or other constraints that make it difficult for
45 businesses to develop and grow. Attached is a copy of the summary of the August 6 meeting prepared by NCDOC
46 staff highlighting the comments from the Committee.

47 The second meeting of the Committee was held on August 20 and during that meeting those in attendance focused on
48 identifying the "opportunities" for the Town. These "opportunities" are essentially conditions external to the Town that
49 make is possible or easier for the Town to develop a competitive advantage. Attached is a copy of the summary of the
50 August 20 meeting prepared by NCDOC staff highlighting the comments from the Committee.
51

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1
2 The third meeting of the Committee was held on September 3. During that meeting, the Committee focused on
3 identifying the "threats" to the Town. These "threats" are essentially unfavorable trends or things external to the
4 Town's economy that can lead to a loss or decline in the Town's competitive advantage. The "threats" identified at the
5 September 3 meeting included: BRAC and other unfavorable federal budget issues; an economic down turn; increases
6 in insurance rates (flood and wind/hail); road improvements in other areas that make travel to "competing" beach towns
7 easier; severe weather; lack of funding for beach re-nourishment; additional unwarranted regulations (state and
8 federal); rising fuel prices; loss of ability to maintain our family-beach image; negative publicity; loss of recreational and
9 beach accesses; outside competition from other beach towns for entertainment opportunities; loss of low-tax rate;
10 maintaining outstanding resource waters; loss of quality drinking water and lack of employment opportunities. The
11 Committee also discussed the public input method that would be utilized during the planning process which will be a
12 brief survey. The Committee identified some general questions that should be included in the survey and agreed that
13 making it available online would be the best approach to soliciting feedback and completion of the survey. It was also
14 agreed by the Committee that staff from NCDOC will begin working on a draft of the survey for the Committee to
15 review at its next meeting which is scheduled for September 17.
16

17 Planning Director Reed spoke about the public survey and at this point they were
18 focusing on an electronic version of a survey that could be posted on our website
19 to be accessed easily. Mr. Reed noted that during their last meeting the
20 committee had provided the planner in charge some key questions they wanted
21 to appear on the survey questionnaire. Mr. Reed said he expected the process
22 to continue for the next 2-3 months until they end up with the final document.
23

24 Mayor Schools spoke highly of the involvement of all the Committee members
25 including the input from Myles Stempin and Jimmy Farrington, and assured the
26 Board that by the time they got to the final report it would reflect the goals for a
27 small town family beach.
28

29 Mayor Schools asked for comments from the public.
30

31 There were no comments from the public.
32

33 Commissioner Wootten noted that in the report it mentioned the lack of a sewer
34 system as being a weakness, and he felt that was a strength.
35

36 Mayor Schools said that the comments were all made as part of brainstorming
37 different ideas. Planning Director Reed agreed as the Mayor had said, adding
38 that the idea was really to get comments and thoughts that were unfettered and
39 free thinking. Mr. Reed also addressed Commissioner Wootten's comments,
40 stating that when the comment came up about public sewer it was quickly
41 mentioned that public sewer was not in conformity with the CAMA Land Use Plan
42 and that the final document would reflect the true vision for the Town.
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2 **12. Resolution Opposing the National Marine Fisheries Service's Proposed**
3 **Designation of Critical Habitat for the Northwest Atlantic Ocean Distinct**
4 **Population Segment of the Loggerhead Sea Turtle (Water Designation)**
5 **(13-09-10/R4)**
6

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

10
11 The Board of Commissioners is scheduled to consider the attached resolution formally expressing the Town's
12 opposition to the proposed designation of waters off Emerald Isle as critical habitat for the loggerhead sea turtle. This
13 proposed designation by the National Marine Fisheries Service "in the water" follows a separate proposed critical
14 habitat designation for the loggerhead sea turtle "on the land" that is proposed by the United States Fish and Wildlife
15 Service. As is the case for the "on the land" designation, there are potential negative impacts on the Town's interests if
16 the proposed "in the water" designation is ultimately approved. As you know, the Board adopted a resolution opposing
17 that proposed "on the land" designation in May 2013.
18

19 Greg Rudolph, Carteret County Shore Protection Officer, has been leading local efforts opposing both the "on the land"
20 and "in the water" critical habitat designations, and I have attached a copy of his recent summary of the proposed "in
21 the water" designation for your review. There are essentially three different geographical areas proposed for the
22 critical habitat designation off Carteret County, however, only one of these areas is likely to have the potential for
23 significant negative impacts on Emerald Isle's interests – the designation of all waters up to 1.6 kilometers off of Bogue
24 Banks, including Bogue Inlet.
25

26 As is the case for the "on the land" designation, the "in the water" critical habitat designation in and of itself does not
27 create any additional restrictions and regulations, however, it does delineate those activities that may require "special
28 management considerations" (i.e., potential additional restrictions and regulations) in the future. The proposed
29 designation and potential "special management considerations" are somewhat more confusing for the "in the water"
30 designation than the "on the land" designation, but the main concerns for the Town of Emerald Isle likely are as follows:
31

- 32 • the designation of the Bogue Inlet area is likely to make it more difficult, and ultimately more expensive, to
33 conduct dredging activities in or near Bogue Inlet for beach nourishment purposes, inlet stabilization
34 purposes, and/or navigation purposes,
- 35 • although not presently desired by the Town, the designation will likely make it more difficult and ultimately
36 more expensive to permit and construct a terminal groin at Bogue Inlet if the Town ever determines that is an
37 appropriate strategy in the future,
- 38
- 39 • the designation of the 1.6 km area offshore impacts a portion of the Offshore Dredged Material Disposal Site
40 (ODMDS) that is the primary borrow source for future beach nourishment activities, and may also impact the
41 potential development of alternative borrow sites in the future, thus making it more difficult and ultimately
42 more expensive to complete these critical projects,
- 43
- 44 • the designation of these areas has the potential to further condense the timeframe during which dredging
45 operations may be conducted offshore and in Bogue Inlet (currently limited to 3 – 4 ½ months per year,
46 depending on the type of dredge utilized), thus leading to increased competition for available dredge plant
47 and ultimately higher costs, and
- 48
- 49 • although it is less clear, there exists the potential that the proposed critical habitat designation could make it
50 more difficult to permit and construct a new ocean fishing pier in Emerald Isle in the future.
51
52

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2 In addition to the main concerns for the Town outlined above, there are other broader impacts regarding commercial
3 fishing, offshore energy development, and other activities that may or may not be important to the Town of Emerald
4 Isle now or in the future.
5

6 Any new regulatory actions from the Federal and/or State government are always a concern, however, in this instance
7 the United States Fish and Wildlife Service and the National Marine Fisheries Service are reacting to litigation initiated
8 by three stakeholder groups: the Center of Biological Diversity, Turtle Island Restoration Network, and Oceana. Thus,
9 these issues are not likely to be resolved easily or quickly, and it will be important for the Town and others to diligently
10 monitor this issue in the future. Both agencies are expected to make a final decision on their respective critical habitat
11 designations by July 1, 2014. The timetable for and substance of any additional restrictions and regulations that may
12 result from the critical habitat designation is even more uncertain, but it is logical that these efforts would begin soon
13 after the formal designation is implemented.
14

15 As you know, the Town of Emerald Isle has always been highly supportive of sea turtles, and places high value on the
16 preservation of sea turtles and their habitat. The Town is 1) an official sea turtle sanctuary, 2) has a very active
17 volunteer Sea Turtle Protection Program that the Town's Police, Fire, and Public Works Departments routinely assist,
18 3) enforces local ordinances that assist in the protection of sea turtle nesting (holes on the beach, unattended beach
19 equipment, avoidance of marked sea turtle nests) and, 4) along with Carteret County, has provided funding for
20 significant sea turtle initiatives at the State level. In addition, the Town is required to and routinely complies with all
21 applicable Federal and State regulations for beach nourishment projects that are associated with sea turtle
22 preservation. The Town has likely expended several hundred thousand dollars, if not millions, in recent years on
23 efforts regarding sea turtles. I fully expect that the Town will continue all of these activities in the future, however, any
24 additional restrictions and regulations would likely have significant negative ramifications for the Town's interests.
25

26 If approved by the Board, the attached resolution would formally convey the Town's official position on this issue, and
27 the resolution would be forwarded to appropriate National Marine Fisheries Service personnel, other interested parties,
28 US Representative Walter B. Jones, Jr., US Senator Richard Burr, and US Senator Kay Hagan.
29

30 Mayor Schools asked for any public comments.

31
32 Paul Schwartz, Wyndtree Drive, asked from the audience whether the
33 overwhelming opposition to this had made any impact at all.
34

35 Mayor Schools said that hopefully there would be enough people stating their
36 opposition. Mayor Schools also noted that he had learned that there were a
37 large number of turtles hatched between the Virginia line and the coast of
38 Florida, and less than 1 percent were in North Carolina, and that overall there
39 had been a tremendous increase in turtle nests up and down the east coast.
40 Town Manager Rush added that he felt these efforts did make a difference. He
41 said that when this proposal first came out for the on the land designation there
42 were no plans for a public hearing and because of the outcry that came about
43 public hearings were scheduled and well attended. Mr. Rush said there was still
44 a long process to go through between now and July and that the more people
45 express their opinions he felt it would make a difference and hopefully this would
46 be our small piece to assist in this.
47

48 Commissioner Wootten said he also hoped that the action of the Carteret County
49 Commissioners threatening to sue would be effective.
50

1
2 ***Motion was made by Commissioner Wootten to approve the Resolution***
3 ***Opposing the NMFS Proposed Designation of Critical Habitat for the***
4 ***Northwest Atlantic Ocean Distinct Population Segment of the Loggerhead***
5 ***Sea Turtle. The Board voted unanimously 5-0 in favor. Motion carried.***
6

7 **Clerks Note: A copy of Resolution 13-09-10/R4 as noted above is incorporated herein by reference**
8 **and hereby made a part of these minutes.**
9

10 **13. Coast Guard Road Bicycle Path Extension**

- 11
12 **a. Resolution Authorizing Contract for Removal of Coast Guard Road**
13 **Asphalt Shoulder (13-09-10/R5)**
14 **b. Capital Project Ordinance**
15 **c. Budget Amendment**
16

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

20
21 The Board of Commissioners is asked to approve three items associated with preliminary work for the planned Coast
22 Guard Road bicycle path extension at the September 10 meeting.
23

24 First, the Board is asked to approve the attached resolution authorizing a contract for the removal of the existing ~ 3 ft.
25 wide asphalt shoulder on the southern edge of Coast Guard Road in the amount of \$28,105. Second, the Board is
26 asked to approve the attached capital project ordinance formally establishing a project budget for the Coast Guard
27 Road bicycle path extension. Third, the Board is asked to approve a General Fund budget amendment that formally
28 appropriates funding for this preliminary work.
29

30 Resolution Authorizing Contract for Removal of Coast Guard Road Asphalt Shoulder

31 The existing ~ 0.9 mile bicycle path along Coast Guard Road is constructed along the southern right-of-way, and is
32 typically separated from the Coast Guard Road asphalt shoulder by a 2-3 ft. wide grassy strip. This grassy strip is
33 included for aesthetic purposes and also to maximize separation between motor vehicles, bicyclists, and pedestrians
34 (for safety reasons). The bicycle path is typically 10 ft. wide and is generally located near the southern edge of the
35 boundary between the Coast Guard Road right-of-way and adjacent private properties.
36

37 The Town typically has approximately 12-15 feet +/- of available right of way on the south side of Coast Guard Road to
38 construct the bicycle path, and in order to achieve the aesthetic and safety goals described above the Town has
39 removed the existing asphalt shoulder of Coast Guard Road (~ 3 ft. wide) between Pebble Beach and Dolphin Ridge
40 Road. The pavement markings on Coast Guard Road have been shifted slightly to the north, resulting in an ~ 1.5 ft.
41 wide asphalt shoulder on each side of the Coast Guard Road vehicle travel lanes instead of ~ 3 ft. that previously
42 existed. This ~ 3 ft. of additional width on the southern Coast Guard Road right-of-way is critical to achieve the
43 aesthetic and safety goals described above.
44

45 The Town intends to take an identical approach for the remaining 1.1 miles of Coast Guard Road bicycle path between
46 Dolphin Ridge Road and Ring Street that will be constructed in spring 2014. The attached resolution authorizes a
47 contract with SunLand Builders, Inc., Newport, NC, for the removal of the existing ~ 3 ft. wide asphalt shoulder in this
48 area at a total cost of \$28,105. The Town also received informal quotes from Thomas Simpson Construction,
49 Morehead City, NC, in the amount of \$28,500 and Johnson Contracting, Inc., Maysville, NC in the amount of \$58,500.
50 The Board should note that subsequent discussions with SunLand after the receipt of informal quotes indicate that the
51

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2 cost of this contract may be reduced by nearly \$10,000 by eliminating the need for a clean asphalt saw cut, and I will
3 be considering this approach once work begins in an effort to realize these savings if the product is acceptable.

4
5 I am recommending the removal of the ~ 3 ft. asphalt shoulder now, prior to construction of the actual bicycle path in
6 spring 2014, for three reasons. First, the Town's ambitious goal is to complete the new bicycle path by Memorial Day
7 2014 and, as you know, a new storm water pipe must be installed prior to bicycle path construction. This timetable is
8 admittedly tight, and the early removal of the asphalt shoulder in fall 2013 will help to speed up construction later.
9 Second, the removal of the ~ 3 ft. wide asphalt shoulder in fall 2013 will make it easier to assess the best construction
10 method for and complete the actual installation of the new storm water pipe. Third, the division of the work associated
11 with the bicycle path project will help to insure that the overall project remains in the informal bid range, which is
12 generally easier and more cost-effective for the Town.
13

14 If the Board approves the attached resolution, I would expect SunLand Builders to complete this work in mid or late
15 October. I remain hopeful that storm water pipe installation will occur in January - February 2014, with full bike path
16 construction commencing soon thereafter. The Board should note that there may be some period of time between
17 October and Memorial Day when the Coast Guard Road vehicle travel lanes will not yet have been shifted to the north,
18 thus resulting in no shoulder on the southern edge of Coast Guard Road. This is not desirable, but is also not terribly
19 concerning (there are other Town streets with no asphalt shoulders) and is only expected to be temporary. Assuming
20 the Board agrees, my intent is to seek Board approval to utilize FY 14-15 Powell Bill funds to resurface the 1.1 mile
21 segment of Coast Guard Road from Dolphin Ridge Road to Ring Street in fall 2014 and install new pavement markings
22 at that time. In the meantime, I also plan to consider temporary pavement markings along Coast Guard Road before
23 full resurfacing in order to shift the vehicle travel lanes to the north. The cost of temporary pavement markings is not
24 expected to be significant.
25

26 Capital Project Ordinance

27 The attached capital project ordinance formally establishes a project budget of \$500,000 for the Coast Guard Road
28 Bicycle Path project from Dolphin Ridge Road to Ring Street. This amount is identical to the amount approved by the
29 Board as part of the 2013 "community improvements package" and the FY 13-14 budget.
30

31 The attached capital project ordinance allocates \$30,000 for the preliminary asphalt shoulder removal work and
32 \$470,000 for full path construction. The asphalt shoulder work would be funded by a General Fund transfer and
33 construction would ultimately be funded by the proceeds of a new installment financing agreement to be executed later
34 in 2013 or early in 2014 (when most or all construction bids are in hand). The General Fund transfer is described in
35 more detail in the explanation of the proposed General Fund budget amendment below.
36

37 Budget Amendment – General Fund

38 The attached FY 13-14 General Fund budget amendment reduces the amount appropriated for debt service by
39 \$30,000, and re-allocates these funds to be transferred from the General Fund to the capital project ordinance
40 described above.
41

42 As you know, the Board endorsed the issuance of up to \$2.65 million of installment financing debt to finance the
43 projects included in the 2013 "community improvements package". The Board committed to a 10-year term for the new
44 debt with a 1-cent tax increase specifically earmarked to service the debt. The Board established a sunset provision
45 whereby the 1-cent tax increase would be eliminated at such time the debt was fully retired or in 10 years, whichever
46 comes first. The FY 13-14 budget includes approximately \$300,000 (generated by the 1-cent tax increase) for the first
47 year of debt service payments.
48

49 As discussed at the August 2013 Board meeting, because the new debt will not be issued until later in 2013 or in early
50 2014 when most or all construction bids are in hand, there will be no scheduled debt service payments due in FY 13-
51 14. I recommended, and the Board approved, that the Town utilize the \$300,000 included in the FY 13-14 budget for
52 the recently approved storm water pipe design contracts (\$65,000), the planned Community Center expansion
53 (\$100,000), and the planned Blue Heron Park playground improvements (\$100,000), and then issue only \$2.35 million
54 of new debt for construction of the planned storm water and bicycle path projects with a 9-year term. This approach

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1
2
3 enables the Town to utilize current funds for the smaller components of the 2013 "community improvements package",
4 slightly reduce interest expense, and adhere to the Board's commitments to the public. In summary, the \$300,000 in
5 FY 13-14 is used as "down-payment" rather than for the first year of debt service payments. Under this approach, a
6 total of \$35,000 of the FY 13-14 debt service appropriation remains available for direct use, and the attached General
7 Fund budget amendment allocates \$30,000 of these funds for the planned Coast Guard Road asphalt shoulder work.
8

9 Mayor Schools asked for comments from the public.

10
11 Ken Stone, Bicycle and Pedestrian Advisory Committee Chair, and Emerald Isle
12 resident, thought this was a great idea, do it now and it would be cheaper and
13 would get done faster.
14

15 Commissioner Wootten shared with the Board a conversation that he had with
16 the Town Manager that he would like to see if they could figure out a way to get
17 the cost of repaving the road under the umbrella of the capital improvements
18 project, in other words save enough money out of the 1 cent increase as
19 opposed to using Powell Bill money. Town Manager Rush felt that was a great
20 solution and if they could realize those savings he felt it was a great plan going
21 forward.
22

23 ***Motion was made by Commissioner Hoover to adopt the Resolution***
24 ***Authorizing Contract for Removal of Coast Guard Road Asphalt Shoulder.***
25 ***The Board voted unanimously 5-0 in favor. Motion carried.***
26

27 ***Motion was made by Commissioner Wright to adopt the Capital Project***
28 ***Ordinance – Coast Guard Road Bicycle Path Extension. The Board voted***
29 ***unanimously 5-0 in favor. Motion carried.***
30

31 ***Motion was made by Commissioner Hedreen to adopt the Budget***
32 ***Amendment – General Fund. The Board voted unanimously 5-0 in favor.***
33 ***Motion carried.***
34

35 Clerks Note: A copy of Resolution 13-09-10/R5 as well as Capital Project Ordinance and Budget
36 Amendment as noted above are incorporated herein by reference and hereby made a part of these
37 minutes.
38

39 **14. Emergency Medical Services Contracts**
40

- 41 a. **Contract to Provide Emergency Medical Services**
42 b. **Contract to Provide Financial Administration Services for Emerald**
43 **Isle Emergency Medical Services, Inc.**
44

45 Town Manager Rush addressed the Board concerning this agenda item. The
46 following excerpt from his memo to the Board is provided for additional
47 background:

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1
2 The Board of Commissioners is scheduled to consider new, nearly 2-year extensions to two contracts associated with
3 Emerald Isle Emergency Medical Services, Inc. (EI EMS, Inc.) at the September 10 meeting. The first contract extends
4 the Town's existing contract with EI EMS, Inc. for the provision of emergency medical services until June 30, 2015.
5 The second contract extends the Town's existing contract with EI EMS, Inc. for the Town's provision of financial
6 administration services for EI EMS, Inc. until June 30, 2015.
7

8 The Town has contracted with the non-profit Emerald Isle Emergency Medical Services, Inc. to provide emergency
9 medical services for Emerald Isle residents and visitors since 2001. The Town provides the majority of EI EMS, Inc.'s
10 annual funding (\$315,000 appropriated for FY 13-14), and EI EMS, Inc. also realizes approximately \$135,000 annually
11 from service call fees. Over the years, the Town and EI EMS, Inc. have maintained a strong partnership that has
12 served our community well, including the construction of the new EMS station in 2008, a joint venture between the
13 Town and EI EMS, Inc.
14

15 The existing 1-year contract between the Town and EI EMS, Inc. for the provision of emergency medical services
16 expired on June 30, 2013, and has not yet been officially extended. The Joint EMS Committee (comprised of 3
17 representatives each from the Town and EI EMS, Inc.) met in April 2013 to review and recommend the FY 13-14 EMS
18 budget, and indicated its support for the current contractual relationship between the Town and EI EMS, Inc. at that
19 time. As you know, the Joint EMS Committee has had several discussions over the past few years to assess the best
20 long-term structure for the provision of emergency medical services in Emerald Isle. At this time, the Joint EMS
21 Committee is pleased with the quality of EMS service and the relationship between the Town and EI EMS, Inc., and
22 does not envision any changes in the foreseeable future. Thus, the attached contract extends the current relationship
23 until June 30, 2015.
24

25 The Board should note that previous contracts have incorporated a 1-year term, along with a formal requirement that
26 the Joint EMS Committee evaluate the best long-term structure for the provision of emergency medical services each
27 year prior to February 1. Because the current relationship continues to serve the Town's residents and visitors well,
28 and because of the slightly late nature of the attached new contract, the new contract would incorporate a nearly 2-
29 year term. The new contract would also remove the specific formal requirement for the Joint EMS Committee to
30 evaluate the best long-term structure, and instead includes a more general, ongoing obligation of the Joint EMS
31 Committee to evaluate the best long-term structure and communicate any recommendations to the Board of
32 Commissioners and the leadership of EI EMS, Inc. by January 1 annually. (See paragraph #7 in the attached
33 contract.) I continue to believe the most likely long-term structure involves the conversion of EI EMS, Inc. into a Town
34 department at some point in the future, however, EI EMS, Inc. continues to serve the Town very well under the existing
35 contract, and I believe that this arrangement should continue for at least the next nearly 2 years.
36

37 As you know, the Town began providing financial administration services for EI EMS, Inc. through a separate contract
38 on July 1, 2011. The existing contract is also a 1-year contract that expired on June 30, 2013, and the attached
39 contract would simply extend the existing contract to June 30, 2015 also. The substance of the new contract is nearly
40 identical to the existing contract. Under this separate contract, the Town processes all payroll transactions, accounts
41 payable transactions, performs cash management duties, invests idle EI EMS, Inc. funds, and assists with budget
42 monitoring for EI EMS, Inc. The Board should note that the Town's responsibilities under the attached contract are
43 limited to processing functions, and EI EMS, Inc. retains sole decision-making authority for its operations. EI EMS, Inc.
44 continues to operate as a separate non-profit entity, and remains responsible for all personnel selection decisions,
45 employee supervision, adherence to medical protocols and regulations, departmental policies, purchasing decisions,
46 and other typical daily management activities.
47

48 There are two minor changes recommended in the new financial administration services contract. First, paragraph
49 #1m. would be amended to authorize the Town Manager and EI EMS, Inc.'s chief officer to approve budget
50 amendments instead of requiring formal action by the Joint EMS Committee. In practice, the Joint EMS Committee
51 has been informed and has informally consented to the budget amendments, and this practice would continue,
52 however, the Town Manager and EI EMS, Inc.'s chief officer have finalized the necessary budget amendments.
53 Second, paragraph #1k. would be amended to remove the requirement for the EI EMS, Inc. annual financial audit to be
54

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1
2 incorporated into the Town's annual financial audit. In practice, the EI EMS, Inc. annual financial audit has been a
3 separate stand-alone report.

4
5 I recommend approval of the two new emergency medical services contracts, and look forward to a continued strong
6 partnership between the Town and EI EMS, Inc.

7
8 Mayor Schools asked for comments from the public.

9
10 There were no comments from the public.

11
12 Mayor Schools said they constantly heard praise about what a great EMS we
13 had here in Emerald Isle.

14
15 ***Motion was made by Commissioner Messer to approve the Contract to***
16 ***Provide Emergency Medical Services. The Board voted unanimously 5-0 in***
17 ***favor. Motion carried.***

18
19 ***Motion was made by Commissioner Wright to approve the Contract to***
20 ***Provide Financial Administration Services for Emerald Isle Emergency***
21 ***Medical Services, Inc. The Board voted unanimously 5-0 in favor. Motion***
22 ***carried.***

23
24 Clerks Note: A copy of both Contracts as noted above are incorporated herein by reference and
25 hereby made a part of these minutes.

26
27 **15. Appointments – Fireman's Relief Fund Board – 2 Vacancies**

28
29 **Brief Summary:** The terms of the 2 members of the Fireman's Relief Fund
30 Board that are appointed by the Board of Commissioners expire in September
31 2013, and the Board should appoint 2 Town residents.

32
33 ***Motion was made by Commissioner Hoover to appoint J. L. Goodman, Jr.***
34 ***and Jim Woolard to a term on the Fireman's Relief Fund Board that expires***
35 ***in September 2015. The Board voted unanimously 5-0 in favor. Motion***
36 ***carried.***

37
38 **16. Comments from Town Clerk, Town Attorney, and Town Manager**

39
40 There were no comments from the Town Clerk or Town Attorney.

41
42 Town Manager Rush updated the Board on the status of the release of WAMI
43 grant funds. Mr. Rush also noted that he would be meeting the following day
44 with John Rouse, NCDOT Division 2 Director about the bicycle path project on
45 Highway 58, and the potential relocation of the Western Carteret Visitors Center
46 to the NCDOT right-of-way at Merchant's Park.
47

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1
2 The following is an excerpt from the Town Manager Comments memo to the
3 Board providing additional background information for all items of importance:

4
5 **Special Joint Meeting of Bogue Banks Municipalities**

6 The Carteret County Beach Commission / Shore Protection Office is planning a special joint meeting of elected officials
7 from Atlantic Beach, Pine Knoll Shores, Indian Beach, and Emerald Isle on Thursday, September 26 (time and location
8 still to be determined) to review the status and direction of the 50-year planning / permitting effort for future beach
9 nourishment and Bogue Inlet management activities.

10
11 Moffatt & Nichol Engineers, the County's consultant, has completed a draft plan that outlines anticipated future
12 nourishment needs and costs, and also includes a management strategy whereby the main ebb channel in Bogue Inlet
13 could be relocated every 10 – 15 years if / when it migrates within approximately 1,500 feet of the homes on Bogue
14 Court at The Point (with the sand used for corresponding beach nourishment in western Emerald Isle). The County is
15 seeking input / concurrence from the 4 municipalities on the work to date so that additional planning and permitting
16 activities may continue expeditiously. We remain hopeful that a 50-year permit mechanism will be approved within the
17 next 1 – 2 years.

18
19 **Mayor Candidate Forum – October 22**

20 The Emerald Isle Business Association and Swansboro Chamber of Commerce are sponsoring a candidate forum for
21 the 4 Emerald Isle Mayor candidates on Tuesday, October 22 from 6:30 pm – 8:30 pm. The forum will be held in the
22 Community Center.

23
24 **Beach Driving Season Begins Sept 15**

25 Town staff are preparing for the beginning of beach driving season on Sunday, September 15. Beach driving permits
26 for 2013-14 are on sale now at the Town Administration Building.

27
28 At this point, we expect the entire beach strand to be open for beach driving, with the exception of a small roped off
29 area at The Point where new dunes are forming (the closed area does not prevent beach drivers from accessing all
30 fishing areas at The Point). One issue that we may need to address in the coming weeks is the continued growth and
31 encroachment of new dunes onto the flat beach in areas where previous nourishment has occurred. In many areas,
32 the dunes are growing (a good problem to have) out onto the flat beach, leaving only a narrow width of flat beach for
33 vehicles to pass through. We will be monitoring this issue during the beach driving season, and may need to close
34 certain small areas of the beach as a result.

35
36 **Potential Relocation of Western Carteret Visitors Center**

37 I am scheduled to meet with John Rouse, new NCDOT Division 2 director, on September 11 to discuss the possibility
38 of relocating the Western Carteret Visitors Center from NCDOT right of way on NC 58 near NC 24 to the NCDOT right
39 of way at Merchants Park in Emerald Isle. Because the relocation would eliminate one of two current encroachments
40 from NCDOT right of way, I am hopeful that he will be supportive of this idea. I, and many others, believe the
41 relocation of the Visitors Center will increase the number of visitors who utilize the Visitors Center and ultimately
42 enhance commerce in Emerald Isle and Carteret County.

43
44 The existing modular units that house the Visitors Center are not compliant with NC Building Code requirements for
45 high winds (must be certified for 130 mph winds, but are only certified for 100 mph winds), and can not be relocated.
46 However, if NCDOT is supportive, I will begin to work with the Tourism Development Authority and EI vacation rental
47 companies to seek the replacement of the existing modular units either with new modular units or perhaps a stick-built
48 structure at the Merchants Park location.

49
50 **New Phone System**

51 I have executed a contract with VC3 for the new phone system, and hope to have the new system installed within the
52 next 1 – 2 months. The Town's existing phone system is approximately 10 years old, and we are experiencing more
53 frequent problems with the existing phone system.

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1
2 **IT Services**

3 I have not yet executed the contract with VC3, but expect to do so in the next week or two. We are currently in the
4 process of upgrading our existing internet connection (no significant additional cost), and will also be making necessary
5 fiber optic connections between Town buildings within the next month. I expect the full conversion to occur later this
6 fall.

7
8 **Comprehensive Review of Code of Ordinances**

9 I had initially hoped to have Chapter 5 – Beach and Shore Regulations on the September 10 meeting agenda, but
10 could not complete proposed revisions in time. I hope to have this item on the October 8 meeting agenda.

11
12 **Release of WAMI Grant Funds for Emerald Isle Ocean Pier Project**

13 The NC Department of Environment and Natural Resources is currently drafting a grant agreement for the release of -
14 \$700,000 of remaining WAMI grant funds from the State for this project, and I expect to receive the agreement in the
15 next few weeks. I was recently informed that due to WAMI grant requirements, the State will continue to hold title to
16 the Eastern Ocean Regional Access property until all grant funds are expended, however, the Town will continue to
17 operate the facility in any manner it deems prudent. In accordance with the original Pier and Ocean Access
18 Agreement between the Town and the State, the property will revert back to the Town after December 31, 2015 (and
19 perhaps earlier after the planned improvements are complete).

20
21 I hope to present the formal grant agreement to the Board at the October or November Board meeting, and will then
22 work with Moffatt & Nichol Engineers (the NC Aquariums' engineer for this project) to move forward with minor design
23 revisions, a formal bid process, and eventual construction of planned parking lot and storm water improvements.
24 Depending on the timing of NCDENR's efforts and Moffatt & Nichol's efforts, and the other significant projects
25 underway by the Town this fall, winter, and spring, the construction of these improvements may be delayed until fall
26 2014 after the summer season.

27
28 **New Deer Population Estimate**

29 NC Wildlife Resources Commission staff will complete a new deer population estimate in late September. Results and
30 options for addressing the deer population will be presented to the Board at the November meeting, and any actions
31 would occur in January and/or February.

32
33 **NC 58 Bicycle Path Extension – Hurst to Fairfax**

34 This project is essentially complete, with only minor issues remaining. We are pleased to officially add this 0.4 mile
35 extension to the Town's bicycle path network.

36
37 **NC 58 Bicycle Path Extension – Fairfax to Ocean Drive Dog-Leg**

38 As noted earlier, we are attempting to use a more simplistic design approach for this 1.35 mile segment of bicycle path,
39 and plans have been submitted to NCDOT for review and (hopefully) issuance of the required encroachment permit.
40 The Town already has required storm water, sedimentation control, and CAMA permits in hand for this segment. If
41 NCDOT issues the encroachment permit within the next couple of weeks, we will solicit informal bids for this project
42 and present a contract award to the Board at either the October or November meeting.

43
44 **NC 58 Bicycle Path Extension – Eastern Ocean Regional Access to Eastern Town Limits**

45 If NCDOT approves the simplified design approach for the 1.35 mile segment from Fairfax to the dog-leg, we will then
46 submit similar plans for the 2.7 mile segment from the Eastern Ocean Regional Access to the eastern town limits, and
47 also seek required storm water, sedimentation control, and CAMA permits. My goals would then be to conduct an
48 informal bid process soon after we initiate construction of the 1.35 mile segment.

49
50 I remain hopeful that NCDOT will allow the simplified design approach for both segments, and will be working hard to
51 secure the necessary approvals.

52
53
54

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1
2 **Island Circle Storm Water Pipe Connection**

3 Moffatt & Nichol Engineers has begun design work, and has subcontracted with Bell & Phillips Surveying for necessary
4 surveys. I continue to push Moffatt & Nichol to have the Town in a position to award a construction contract no later
5 than the January Board meeting, with construction beginning soon thereafter.
6

7 **Lands End Storm Water Pipe Connection**

8 Moffatt & Nichol Engineers has begun design work, and has subcontracted with Bell & Phillips Surveying for necessary
9 surveys. The timeframe for construction of this connection is not as critical as the Island Circle pipe connection,
10 however, my goal is to have construction completed prior to Memorial Day 2014.
11

12 **Blue Heron Park Playground Improvements**

13 Alesia Sanderson, Parks and Recreation Director, is currently soliciting playground equipment proposals, and we hope
14 to present a contract recommendation to the Board later this fall. As noted previously, I intend for the Town to use a
15 portion of the \$300,000 budgeted for debt service for the 'community improvements package" in FY 13-14 for the new
16 playground equipment, and then issue a smaller amount of debt over a 9-year term.
17

18 **Community Center Expansion**

19 Artie Dunn, Public Works Director, and Alesia Sanderson are currently soliciting informal bids for an ~ 1,200 sq. ft.
20 expansion of the Community Center on the northwest corner of the building. I hope to have a contract
21 recommendation for the Board at either the October or November Board meeting. As noted previously, I intend for the
22 Town to use a portion of the \$300,000 budgeted for debt service for the 'community improvements package" in FY 13-
23 14 for the Community Center expansion, and then issue a smaller amount of debt over a 9-year term.
24

25 **Installment Financing Agreement for Community Improvements Package**

26 I expect to solicit financing quotes and present appropriate Board action items for consideration later this fall or winter
27 after most or all construction bids are in hand. The Town will need approval of the NC Local Government Commission
28 to issue the debt, and I expect approval sometime in early 2014.
29

30 **June 30, 2013 Financial Statements and Annual Audit Report**

31 The Town's auditors have been working on this report for the past several weeks and are making good progress. I
32 expect to receive a draft report later this month, with the final report expected to be presented to the Board at the
33 October 8 meeting.
34

35 **Tax Foreclosures In Process**

36 As you know, the Town is fortunate to enjoy a very high tax collection rate, and there are very few delinquent
37 taxpayers. Those who are delinquent typically make a reasonable effort to resolve these issues in a relatively timely
38 manner, however, Town Attorney Richard Stanley is now proceeding with tax foreclosure on two properties (same
39 owner) that are delinquent for tax years 2010, 2011, and 2012. The total amount due to the Town is approximately
40 \$5,554, plus any additional interest and attorney fees. The owner also owes taxes to Carteret County for tax years
41 2008, 2009, 2010, 2011, and 2012 in the amount of approximately \$16,100, plus any additional interest and attorney
42 fees.
43

44 Despite repeated and numerous attempts to contact the property owner, he has not once responded to the Town's
45 inquiries, and tax foreclosure is the final action to be taken by the Town. The two properties are located on Beachview
46 Lane and Old Ferry Road and are owned by Mr. Samuel D. Shipp. The combined tax value of the two properties is
47 approximately \$824,000, and there are outstanding liens against the properties for approximately \$272,000 (original
48 sum). If Mr. Shipp does not resolve this issue and the process continues, the properties will ultimately be auctioned to
49 the highest bidder and the property taxes will be satisfied prior to any other outstanding liens. We expect the full
50 process to be complete within the next 2-3 months.
51

52 **FEMA Close-Out for Hurricane Irene Beach Nourishment Project**

53 We expect to meet with FEMA officials later in September to formally close-out the Hurricane Irene beach nourishment
54 project. To date, FEMA has reimbursed the Town for approximately \$3.85 million of project expenses, and we expect

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1
2 to receive an additional reimbursement of approximately \$270,000 after close-out. After receiving the final
3 reimbursement, the Town expects to reimburse Carteret County approximately \$150,000 of its contribution to the Town
4 that was not ultimately needed (because contingency funds were not necessary for turtle "down-time").
5

6 **Eastern Emerald Isle Storm Water Outfall Removal Project**

7 Unfortunately, we have expended nearly all Clean Water Management Trust Fund grant funds (\$97,000), and still have
8 5 of the 17 locations left to complete. Artie Dunn, Public Works Director, has requested additional funding to complete
9 the final 5 locations, however, we are uncertain as to the likelihood of receiving these funds. We are still awaiting a
10 final decision from the Clean Water Management Trust Fund on this request, and State changes to this program are
11 likely to delay a decision for at least the next few months.
12

13 The cost overruns are associated with NCDOT outfall locations and resulted from more significant requirements from
14 NCDOT than originally anticipated. Although it is likely that CWMTF will not require us to complete the remaining
15 locations, we are committed to completing the remaining 5 locations because I feel strongly that we need to keep our
16 word to residents in these areas who expect the projects to be completed. I will be working with Artie Dunn to come up
17 with a feasible, affordable strategy to complete the remaining locations if we are not awarded additional CWMTF grant
18 funds.
19

20 **AIWW Crossing Dredging Planned for Winter 2014**

21 The Corps of Engineers recently informed the Town that they will be dredging the AIWW crossing this coming winter,
22 and will place the spoils on the beach at The Point. We will be working on appropriate permits to have this sand
23 placed in the areas likely to provide the most benefit at the time. Fortunately, the entire area at The Point is in very
24 good shape, and the additional spoils will likely be used to increase elevations in this area
25

26 **BP Soil Contamination**

27 I recently received the attached letter regarding an old (15 – 20 years?) fuel spill at the BP gas station in Emerald Isle
28 and continuing monitoring efforts. According to the consulting engineer for the State of NC, this spill likely involved 10
29 – 15 gallons of fuel that spilled during the tank refilling process, and contamination is likely contained in the soil near
30 the surface and in relatively close proximity to the underground storage tanks. After discussing this issue with the
31 consulting engineer and Bogue Banks Water Corporation (the Holly Street well site is located approximately 430 feet
32 west of the BP, and is also approximately 200 feet deep), I don't believe this is a significant concern at this time.
33 Bogue Banks Water Corporation and the Town will continue to be advised of future monitoring activities.
34

35 **Federal Shore Protection Project**

36 After approximately 12 years, the US Army Corps of Engineers has finally completed the feasibility report and draft EIS
37 for the Federal 50-year beach nourishment project for all of Bogue Banks. The feasibility report indicates that all of
38 Emerald Isle would be nourished in the future by the Corps (in varying widths and volumes, depending on location) -
39 assuming the Town meets the Corps' parking requirements, assuming the US Congress authorizes the project, and
40 assuming the US Congress appropriates funding for the project. The Corps is currently soliciting public comments on
41 the draft EIS until September 16, as indicated in the attached public notice.
42

43 We are still likely several years away from final approval of the Federal Shore Protection Project by the US Congress,
44 and even longer away from any Federal appropriation for the initial nourishment project. Because all local funds have
45 already been contributed, and because the project has made it thus far, we continue to pursue formal Federal
46 authorization in the hopes that Federal funding may someday be made available to assist the Town and County with
47 future beach nourishment efforts.
48

49 **Annual NC Beach, Inlet, and Waterway Association Meeting**

50 The annual NCBIWA meeting will be held on November 18 and 19 in Wrightsville Beach. Please let me know if you'd
51 like to attend and we will coordinate registration and lodging.
52
53
54

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1
2 Retirement of Ron Mizesko, Public Works Supervisor

3 Ron Mizesko has announced his retirement in November. Ron has served the Town well for more than 23 years, and
4 we wish him well in his retirement. A reception is being planned for Ron in November.

5
6 Reception for Mayor Schools

7 We are planning a public reception for Mayor Schools for November or December to honor his 12 years of service as
8 the Town's Mayor. We will provide additional details as they become available.

9
10 El Summer Day Camp Program Recognized

11 Coaster Magazine has designated the Emerald Isle Summer Day Camp Program as the area's "Favorite Summer
12 Children's Program". The program continues to be very popular, with long waiting lists.

13
14 Regional Access Parking Fees

15 We expect to end the parking fee program for the season after Sunday, September 15. We have collected
16 approximately \$97,000 in 2013 as of September 2, with two weekends remaining.

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

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

21
22 **18. Closed Session – Pursuant to NCGS 143-318.11(3), for the Purpose of**
23 **Maintaining Attorney-Client Privilege**

24
25 ***Motion was made by Commissioner Messer to enter Closed Session. The***
26 ***Board voted unanimously 5-0 in favor. Motion carried.***

27
28 ***Motion was made by Commissioner Hedreen to return to Open Session.***
29 ***The Board voted unanimously 5-0 in favor. Motion carried.***

30
31 ***Motion was made by Commissioner Messer to authorize Town Manager***
32 ***Frank Rush to accept and sign the Settlement Agreement and Mutual***
33 ***Release. The Board voted unanimously 5-0 in favor. Motion carried.***

34
35 ***Motion was made by Commissioner Messer to approve the General Fund***
36 ***budget amendment as presented for \$11,741. The Board voted***
37 ***unanimously 5-0 in favor. Motion carried.***

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17

19. Adjourn

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

The meeting adjourned at 8:05 pm.

Respectfully submitted:

Rhonda C. Ferebee, CMC, NCCMC
Town Clerk

DRAFT