

1 **MINUTES OF THE REGULAR SCHEDULED MEETING**
2 **OF THE EMERALD ISLE BOARD OF COMMISSIONERS**
3 **TUESDAY, OCTOBER 13, 2015 – 6:00 P.M.**
4 **TOWN BOARD MEETING ROOM**
5
6
7

8 **1. Call To Order**
9

10 The regular monthly meeting of the Emerald Isle Board of Commissioners was called to
11 order by Mayor Eddie Barber at 6:00 PM in the Town Board Meeting Room.
12

13 **2. Roll Call**
14

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

18 Also present during the regular meeting: Town Manager Frank Rush, Town Attorney
19 Richard Stanley, Finance Director Laura Rotchford, Town Clerk Rhonda Ferebee,
20 Police Chief Jeff Waters, and Town Planner Josh Edmondson.
21

22 **3. Opening Prayer**
23

24 Mayor Barber offered the Opening Prayer.
25

26 **4. Pledge of Allegiance**
27

28 Mayor Barber led the Pledge of Allegiance.
29

30 **5. Adoption of Agenda**
31

32 ***Motion was made by Commissioner Hoover to adopt the Agenda. The Board of***
33 ***Commissioners voted unanimously 5-0 in favor. Motion carried.***
34

35 **6. Proclamation / Public Announcements**
36

- 37 a. Intermediate Law Enforcement Certificates
38

39 Police Chief Jeff Waters and Mayor Eddie Barber presented APO/Investigator Sandra
40 Delorme, and Police Officer Tyler Biskup with their Intermediate law Enforcement
41 Certificates that each had recently received from the State of North Carolina. Chief
42 Waters outlined the impressive and expansive requirements necessary for Officer
43 Delorme and Officer Biskup to qualify and receive their Intermediate Law Enforcement
44 Certificates. Everyone in attendance applauded Officer Delorme and Officer Biskup's
45 accomplishments.
46

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- 1 • **From Sound to Sea Paint Out – Friday, October 16 and Saturday, October**
- 2 **15 – Various Locations, Times**
- 3 • **Walking Club – Fridays – 9 am – Community Center**
- 4 • **Gordie McAdams Speckled Trout Surf Fishing Tournament – Saturday,**
- 5 **October 16 – Saturday, November 28**
- 6 • **Youth Tennis Clinic – Mondays, October 19 – November 9 – 4pm – Blue**
- 7 **Heron Park Tennis Courts**
- 8 • **Police Educating the Public (PEP) – Tuesday, October 20 – 10 am – Town**
- 9 **Board Meeting Room**
- 10 • **Town Commissioner Candidate Forum – Tuesday, October 20 – 6 pm –**
- 11 **Community Center**
- 12 • **Bike and Pedestrian Committee Meeting – Wednesday, October 21 – 9 am**
- 13 **Community Center**
- 14 • **Coffee With A Cop – Thursday, October 22 – 9 am – Rucker Johns**
- 15 • **First Aid & CPR Class – Thursday, October 22 – 9 am – 1 pm – Community**
- 16 **Center**
- 17 • **American Red Cross Blood Drive – Friday, October 23 – 2 pm – 7 pm –**
- 18 **Community Center**
- 19 • **Planning Board Regular Meeting – Monday, October 26 – 6 pm – Town**
- 20 **Board Meeting Room**
- 21 • **Halloween Carnival – Friday, October 30 – 6 pm – 8 pm – Community**
- 22 **Center**
- 23 • **Trick or Treat – Saturday, October 31 – 6 pm – 8:30 pm – Town-wide**
- 24 • **Election Day – Tuesday, November 3 – 6:30 am – 7:30 pm – Community**
- 25 **Center**
- 26 • **Western Carteret Library Benefit Reception – Saturday, November 7 –**
- 27 **5:30 pm – 8:30 pm – 202 Emerald Drive**
- 28 • **Board of Commissioners Regular Meeting – Tuesday, November 10 – 6 pm**
- 29 **– Town Board Meeting Room**
- 30 • **Blue Star Memorial Highway Dedication Ceremony – Wed, November 11 –**
- 31 **11 am – New Welcome Center**
- 32 • **Emerald Isle Christmas Parade – Saturday, November 28 – 3 pm – NC 58**

33
34 Mayor Barber introduced the candidates in attendance running for Commissioner –
35 Floyd Messer, Ryan Ayre, Mike Campbell, Candace Dooley, Steve Finch, Mark Taylor,
36 and Don Wells, and encouraged everyone to attend the Candidates Forum on October
37 20 at 6pm.

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1 **7. Public Comment**

2
3 **Brief Summary:** The public will have the opportunity to address the Board about any
4 items of concern not on the agenda.

5
6 There were no comments from the public.

7
8 **8. Consent Agenda**

- 9
10 a. Tax Releases
11 b. Minutes – July 27, 2015 Special Meeting
12 c. Minutes – August 11, 2015 Regular Meeting
13 d. Minutes – September 8, 2015 Regular Meeting
14 e. Resolution Amending Personnel Policy (15-10-13/R1)

15
16 ***Motion was made by Commissioner Messer to approve the items on the Consent***
17 ***Agenda. The Board of Commissioners voted unanimously 5-0 in favor. Motion***
18 ***carried.***

19
20 **Clerks Note:** A copy of Resolution 15-10-13/R1 and all other Consent Agenda items as referenced above are
21 incorporated herein by reference and hereby made a part of these minutes.

22
23 **9. Formal Closing of Woodpecker Lane**

- 24
25 a. Public Hearing
26 b. Order Closing Woodpecker Lane

27
28 Town Manager Frank Rush addressed the Board regarding this Agenda item. The
29 following excerpt from his memo to the Board is provided for additional background:

30
31 The Board of Commissioners is scheduled to consider the formal closing of Woodpecker Lane at its October 13 meeting.

32
33 As you recall, the Board approved a Resolution of Intent at its September 8 meeting, and scheduled a public hearing for the
34 October 13 meeting. The street has also been posted accordingly, and a copy of the Resolution of Intent has been published for
35 4 consecutive weeks in the Carteret County News-Times. Additionally, both adjacent property owners have received the
36 required notice. Following the required public hearing, the Board may take formal action to close Woodpecker Lane. If the
37 Board determines that the closing of Woodpecker Lane is not detrimental to the public interest and that no property owners will
38 be denied reasonable ingress and egress to their property, the Board may formally close the street. The land occupied by the
39 street would then revert to the adjacent property owners.

40
41 Woodpecker Lane is an approximately 1100 ft. street segment that runs parallel to NC 58 (north side) between Emerald Isle
42 Baptist Church and K&V Plaza. Woodpecker Lane also includes an approximately 200 ft. long street segment that is
43 perpendicular to NC 58 that connects to the 1100 ft. segment that runs parallel to NC 58. A copy of the Town's 2011 Powell Bill
44 Map is attached and depicts the street segments proposed for closure. The Board should note that these street segments are
45 indicated as public, while the remainder of the Woodpecker Lane "loop" to the east, west, and north are indicated as private. The
46 Board should also note that the segments indicated as public do not connect with any public street other than NC 58. The
47 portion of Woodpecker Lane that connects with Old Ferry Road (along the boundary with K&V Plaza) is indicated as private.
48

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1 Woodpecker Lane serves an established mobile home park owned by Manatee Investments Limited Partnership and Seaside
2 Siblings (two separate tracts). Approximately 30 mobile homes are included in the mobile home park, on the northern portion of
3 the two tracts that is zoned Mobile Home. Two large undeveloped areas are located between the parallel segment of
4 Woodpecker Lane and NC 58, and these areas are zoned Business. There are no other property owners served by Woodpecker
5 Lane.
6

7 The Town was recently approached by Paxon Holz, Manatee Investments Limited Partnership, requesting that the Town take
8 formal action to abandon the public segments of Woodpecker Lane. The Board may recall that all segments of Woodpecker
9 Lane have been considered by the Town to be private since April 2012 when a proposed boat storage area was approved (but
10 has not been constructed) for a portion of the tract owned by Seaside Siblings. This "private" determination by Town Attorney
11 Richard Stanley was based on information included on the recorded subdivision plat for this area. It was later learned that an
12 easement was granted in 1985 for the public segments of Woodpecker Lane, thus the need for the Board to consider the formal
13 closure of the public segments of Woodpecker Lane at this time.
14

15 I recommend that the Board proceed with the formal closure of the public segments of Woodpecker Lane for several reasons.
16 First, the Town has operated under the belief that all segments of Woodpecker Lane have been private since April 2012, and the
17 owners have installed a gate across this segment that prevents through traffic. (The mobile home park is now served by the
18 entrance on Old Ferry Road.) Second, I see no significant value to the Town by retaining the public segments of Woodpecker
19 Lane, as these streets do not connect to other public streets or property owned by other private individuals. Third, the historical
20 ability of Emerald Isle residents to use Woodpecker Lane as a "cut-through" from the marina area to NC 58 was also occurring
21 on the private segments of Woodpecker Lane, and even if the Town retained control of the public segments of Woodpecker Lane
22 there would still be no ability for others to "cut-through" this area, as the segments connecting to Old Ferry Road remain private.
23 Finally, the closure of the public segments of Woodpecker Lane will enable the two property owners (Seaside Siblings and
24 Manatee Investments) to remove this encumbrance from the overall land area, and may make it easier for future redevelopment
25 of the two tracts.
26

27 Town Manager noted that this item had been discussed by the Board at their
28 September meeting and they adopted a Resolution of Intent to close Woodpecker Lane,
29 the section indicated as public on the map, roughly 1,100 linear foot segment that ran
30 parallel to Highway 58 and also a 200 ft. segment that ran perpendicular to Highway 58.
31 Mr. Rush stated that the balance of Woodpecker Lane was private. Mr. Rush said as
32 discussed at their September meeting they had been under the belief that all of
33 Woodpecker Lane was private until recently. Since that time they had moved forward
34 with the process to formally close the street as outlined in NCGS 160A-299. Mr. Rush
35 said following the Board's adoption of the Resolution of Intent to close Woodpecker
36 Lane at the September meeting, staff subsequently posted the properties to advise of
37 the public hearing scheduled for tonight, as well as advertising in the Carteret County
38 News-Times for 4 weeks, and contacted the two affected property owners. The affected
39 property owners were Manatee Limited Investments and Seaside Siblings. Mr. Rush
40 said that following tonight's scheduled public hearing, the Board could take formal
41 action to close the road. It was noted by Mr. Rush that a revised item was at their
42 places with very minor changes suggested by Town Attorney Richard Stanley that
43 included the statutory reference in the language of the Order.
44

45 ***Motion was made by Commissioner Messer to open the Public Hearing. The***
46 ***Board voted unanimously 5-0 in favor. Motion carried.***
47

48 There were no comments from the public.

1
2 **Motion was made by Commissioner Messer to close the Public Hearing. The**
3 **Board voted unanimously 5-0 in favor. Motion carried.**

4
5 **Motion was made by Commissioner Wootten to adopt the Order Closing**
6 **Woodpecker Lane. The Board voted unanimously 5-0 in favor. Motion carried.**

7
8 **Clerks Note: A copy of the Order Closing Woodpecker Lane as referenced above is incorporated herein by**
9 **reference and hereby made a part of these minutes.**

10
11 **10. Ordinance Amending Chapter 6 – Development Standards – of the Unified**
12 **Development Ordinance Regarding Expterior Colors for Commercial Buildings**
13 **(15-10-13/O1)**

- 14
15 **a. Public Hearing**
16 **b. Consideration of Ordinance**

17
18
19 Town Planner Josh Edmondson addressed the Board regarding this Agenda item. The
20 following excerpt from his memo to the Town Manager is provided for additional
21 background:

22
23 The Planning Board and staff have discussed at previous meetings of the Planning Board, an amendment to the exterior paint
24 color requirements for commercial structures. The Board of Commissioners and staff have felt strongly that while an amendment
25 might be necessary, it shall not been done to negatively impact the Town's family beach atmosphere. Keeping this in mind,
26 Richard Stanley and I worked to draft language that would allow deviations from the color schematic of earth-tone, neutral and
27 low reflectance color in very limited instances. These instances would be heard upon request by an applicant if the proposed
28 color does not hurt the Town's family beach atmosphere and meets certain criteria. The criteria include being a national chain or
29 franchise where a color other than neutral, earth-tone or low-reflectance may be necessary or if the name, service or product
30 denotes a color other than what the ordinance requires. The Planning Board was in favor of these criteria, but requested staff to
31 look into strengthening the burden of proof element placed on the applicant. That was accomplished and the Planning Board
32 approved the text amendment with a couple of minor additions at the September meeting. I have attached the ordinance and the
33 new language is underlined. I look forward to discussing this issue with the Board of Commissioners at the October 13 meeting.

34
35 Town Planner Josh Edmondson stated that what the Board would consider was to allow
36 limited variation in the current language for the permitted exterior color regulations in the
37 ordinance. Mr. Edmondson said the primary goal was to still control the allowed colors
38 but to also provide some flexibility. Mr. Edmondson read the language of the proposed
39 ordinance with the changes underlined as shown in the excerpt below:

40
41 **Amend Chapter 6, Section 6.1.3 (2) Permitted Exterior Colors to read as follows:**

- 42
43 (2) The proposed exterior structure colors for facades and walls shall be of low reflectance, subtle, neutral, or
44 earth tone colors. Building trim and accent areas may feature brighter colors as approved by the Planning
45 Director. Colors for new construction will be approved by the Board of Commissioners as part of the
46 commercial review process. For existing buildings, exterior commercial colors must be approved by the Town
47 prior to the painting or repainting of any commercial structure. The colors to be used for the repainting of
48 existing structures may be approved by the Planning Director based on the criteria and intent stated in this

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1 section 6.1.3. The Planning Director may request review of the colors by the Planning Board and approval by
2 the Board of Commissioners if doing so is in the interest of maintaining a family beach image.

3
4 (a) A request can be made for an exterior color that is not of low reflectance, subtle, neutral or earth tone.
5 A request should meet one of the following two criteria: the business in that structure is a national chain
6 or franchise that requires a certain color, or the name, product or service of the business denotes
7 something other than low reflectance, subtle, neutral or earth tone color. Applicant shall have the burden
8 of proving to the reasonable satisfaction of the Town that the exterior color falls under or meets one of
9 the two criteria, and that granting approval is necessary or furthers a legitimate business interest of the
10 applicant. A request for a color other than a one of low reflectance, subtle, neutral or earth tone, without
11 meeting one of the two criteria shall result in denial.

12
13 (b) The applicant may be requested to create a panel of desired color or colors for the Planning Director,
14 Planning Board, and Board of Commissioners to better visualize the ordinance compatibility.

15
16 ***Motion was made by Commissioner Messer to open the Public Hearing. The***
17 ***Board voted unanimously 5-0 in favor. Motion carried.***

18
19 There were no comments from the public.

20
21 ***Motion was made by Commissioner Messer to close the Public Hearing. The***
22 ***Board voted unanimously 5-0 in favor. Motion carried.***

23
24 ***Motion was made by Commissioner Hoover to adopt the Ordinance Amending***
25 ***Chapter 6 – Development Standards – of the Unified Development Ordinance***
26 ***Regarding Exterior Colors for Commercial Buildings. The Board voted***
27 ***unanimously 5-0 in favor. Motion carried.***

28
29 **Clerks Note: A copy of Ordinance 15-10-13/O1 as referenced above is incorporated herein by reference and**
30 **hereby made a part of these minutes.**

31
32 **11. Resolution Opposing Offshore Oil and Gas Drilling (15-10-13/R2)**

33
34 Mayor Barber noted there were four planned speakers tonight and asked that they each
35 come forward to the podium. The following excerpt from his memo to the Board is
36 provided for additional background:

37
38 The Board of Commissioners is scheduled to consider the attached Resolution Opposing Offshore Oil and Gas Drilling at its
39 October 13 meeting. The attached resolution is requested by a group of Emerald Isle concerned citizens working with the Don't
40 Drill NC campaign, and formally expresses the Town's opposition to future offshore oil and gas drilling.

41
42 The Emerald Isle concerned citizens will address the Board at the October 13 meeting, and have delegated 4 individuals to
43 speak on behalf of their group. Planned speakers include Kelly Maroules, April Hardee, Hunter Wood, and Mary Meyer, and the
44 group also expects to have many supporters in the audience.
45

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1 The Emerald Isle group has been working with Oceana, a national environmental group, on the Don't Drill NC campaign, and I
2 have attached several handouts from that group outlining various concerns about offshore oil and gas drilling. Don't Drill NC and
3 Oceana contend that the risks associated with offshore oil and gas drilling far outweigh any benefits, that the amount of oil and
4 gas available does not justify activity off North Carolina, and that other clean energy sources should be pursued.
5

6 I have also attached several handouts from the National Ocean Industries Association (NOIA), which represents all facets of the
7 domestic offshore energy industry. NOIA contends that it is still very early in the process, and that any formal position should not
8 be determined until after seismic testing is complete and the amount and location of oil and gas resources are determined. NOIA
9 contends that the resource can ultimately be extracted safely, and that significant economic benefits will accrue to North Carolina
10 and the Nation.
11

12 As you recall, Carteret County Shore Protection Officer Greg "rudi" Rudolph attended the Board's April meeting, and briefed the
13 Board on the "nuts and bolts" of the offshore oil and gas leasing, exploration, and production process. I have attached a brief
14 handout prepared by "rudi" in August 2015 that summarizes his remarks in April, and I have also summarized key points below:
15

- 16 • the Federal government has scheduled offshore lease sales off the coast of North Carolina for 2021,
- 17
- 18 • the potential lease areas are located 50 miles offshore or more (under current plans; note that there is speculation that
19 this distance could be decreased in the future, and any reduction in the 50 mile buffer likely could not be included in the
20 2017-2022 lease program and would need to wait for the 2022 – 2027 lease plan),
- 21
- 22 • planning and testing activities are expected in 2016, and the results of these activities will shape the demand for and
23 pricing of future lease sales; at this point the oil and gas industry believes the resources are there, however, additional
24 information is needed to determine how much, where and whether or not it is worthwhile to extract,
- 25
- 26 • there are currently no mechanisms in Federal or State law to share significant revenues with the State and local
27 governments in North Carolina,
- 28
- 29 • State political leaders support offshore oil and gas development, and are actively seeking 1) a reduction of the 50 mile
30 buffer to 30 miles, and 2) revenue sharing with North Carolina (potentially including additional revenues for beach
31 nourishment, dredging, and environmental protection initiatives),
- 32
- 33 • there is debate about the quantity of oil and gas available, and the economic viability of any significant oil and gas
34 production activities,
- 35
- 36 • there is debate about the likelihood and potential impacts of a spill on the North Carolina coast,
- 37
- 38 • actual production, if it occurs, is likely at least 15 years away, or longer,
- 39
- 40 • it is unclear how much resource may be located offshore of Emerald Isle specifically, and how far away from the
41 Emerald Isle shoreline it may be located (past efforts have been focused more in the northern part of the NC coast),
42 and

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- 1
2 • depending on the location of economically viable resources, onshore production facilities could be located in North
3 Carolina (Morehead City port?, Wilmington port?) or perhaps in Virginia (Norfolk port?) or other states.

4
5 As you know, Emerald Isle is fortunate to enjoy the pristine coastal environment within and all around our town, and our quality of
6 life and local economy are nearly completely dependent upon that pristine environment. The same can likely be said for many
7 other communities in coastal North Carolina, and many other coastal local governments have expressed their opposition to
8 offshore oil and gas drilling. A list of those communities is attached.
9

10 The Emerald Isle concerned citizens have been canvassing local businesses in Emerald Isle, many local businesses have also
11 expressed their opposition to offshore oil and gas drilling. I have also attached a list of those businesses for the Board's review.
12

13 Kelly Maroules, spoke of her earliest memories fishing with her grandfather on Bogue
14 Inlet Pier at night, and working her first job at her families bookstore at 15, and how she
15 now owned her own business in Emerald Isle, a coffee shop in Emerald Plantation. Ms.
16 Maroules said as long as she could remember her life had revolved around the tourism
17 business in Emerald Isle. Ms. Maroules said she was speaking on behalf of businesses
18 here in Emerald Isle, that she also considered friends, and families. Ms. Maroules told
19 the story of three other business owners in Louisiana, and how they were adversely
20 affected by the oil spill off the coast of Louisiana 5 years ago. Ms. Maroules said those
21 were the nightmares that businesses in coastal towns thought of when they heard
22 offshore drilling. Ms. Maroules said it wasn't just the oil spills, but the daily life when
23 there were oil rigs offshore, the traffic, oil tankers, smell of petro chemicals in the air,
24 and the constant chronic minor spills that polluted the waters and destroyed the
25 wetlands. Ms. Maroules on behalf of the businesses, people, families, and tourists who
26 provided their livelihood asked the Board to pass the Resolution to stop offshore drilling.
27

28 April Hardee, said she was born and raised in eastern North Carolina and was delighted
29 to be a resident of Emerald Isle. Ms. Hardee said as she was a member of two
30 organizations in Emerald Isle she wished to explain how that related to the issue of
31 offshore drilling. Ms. Hardee volunteered for the Emerald Isle Sea Turtle Protection
32 program committed to the protection of endangered sea turtles that lived off our coast
33 and depended on our beaches for nesting. Ms. Hardee speaking on behalf of the
34 Emerald Isle endangered sea turtles thanked the Board for their previous vote against
35 seismic testing. Ms. Hardee said they had learned from the presentation in April that
36 seismic testing was the first major step to drilling; it would be a deadly threat not only to
37 the sea turtles but to all marine animals including the endangered Atlantic right whale,
38 and the bottle-nosed dolphins. Ms. Hardee said that the Board 6 months ago wisely
39 voted against seismic testing, and without seismic testing there was no drilling and
40 therefore it could be concluded that the Board having voted against that first necessary
41 step were also against offshore drilling. Ms. Hardee also noted she was a member of
42 the Emerald Isle Garden Club and noted two new projects – one the Blue Star Memorial
43 in honor of our Armed Forces and hoped everyone would join in the dedication
44 ceremony on November 11, Veterans Day at the new Welcome Center, and secondly,
45 Ms. Hardee spoke of Emerald Isle's first youth garden club, called appropriately the

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1 Green Thumbs. Ms. Hardee said a major part of the Green Thumbs program was
2 conservation, and the children ages 5-10 had met their friend Woodsy Owl. Ms. Hardee
3 said that Woodsy Owl was America's official environmental icon and like Smokey Bear
4 he was part of the USDA and Forest Service youth education program. Ms. Hardee
5 noted that Woodsy Owl said "Lend a hand, care for the land, give a hoot, don't pollute"
6 and added that our Town motto echoed that same message of conservation – Emerald
7 Isle, clean and green for the future. Ms. Hardee said that our children were the future
8 and a healthy ocean and estuaries were our future. She cited a quotation that a wise
9 man once said "treat the earth well, it wasn't given to you by your parents, it was loaned
10 to you by your children". Ms. Hardee also reminded everyone of our North Carolina
11 motto – "to be rather than to seem", with her point being were they to be clean and
12 green for the future or were those just empty words that looked nice on a welcome sign.
13 Ms. Hardee asked the Board to finish the task at hand and support a Town resolution
14 against offshore drilling.
15

16 Hunter Wood addressed the Board as a representative of the future of Emerald Isle.
17 Mr. Wood stated that the choice the Board made not only affected the next few years
18 but had a long term impact that would last for generations. Mr. Wood asked the Board
19 on behalf of the teenagers and children of Emerald Isle to please say no to offshore
20 drilling. Mr. Wood provided some basic facts that even the youngest residents of
21 Emerald Isle could understand – giving background on two of the largest oil spills, but
22 also the other major oil spills that had occurred from offshore drilling in the past 30
23 years. Mr. Wood also noted spills caused by hurricanes Katrina and Rita in 2005, and
24 the concern of having oil drills in the hurricane path right off our beaches. Mr. Wood
25 also noted the destruction to wetlands from offshore drilling and that according the
26 NCDENR coastal wetlands were critical for protecting water quality, preventing floods
27 and erosion and maintaining fish populations. Mr. Wood stated that this was the water
28 they played in, where they learned to fish with their families, and what protected their
29 homes and our island. Mr. Wood spoke of the disappearance of coastal wetlands in
30 Louisiana at a rate 25 square miles a year, noting that more than 65 percent of North
31 Carolina's coastal shoreline was made up of those precious marshlands and he didn't
32 want that to disappear. Mr. Wood said as this was his home, where he and his friends
33 would grow up and one day raise their families, it scared them to think that anyone
34 would endanger that and asked the Board to please say no to offshore drilling and
35 protect our home.
36

37 Mary Meyer, a resident of Emerald Isle, stated that the volunteers for the Don't Drill NC
38 campaign signed up 38 businesses on Emerald Isle and asked that all Don't Drill NC
39 supporters in attendance to stand. Ms. Meyer said that tourism and fishing was a vital
40 part of our economy, our beaches and oceans were an essential part of that success
41 story. Ms. Meyer stated that tourism and recreation generated \$3 billion and supported
42 39,000 jobs in our coastal area communities; commercial and recreational fishing
43 generated \$2.7 billion and supported 26,000 jobs. Ms. Meyer noted that every time a
44 tourist visited Emerald Isle they stimulated our economy and supported jobs. Ms.

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1 Meyer further stated that according to the Energy Information Administration it had been
2 estimated that there were about 6 months worth of oil and 13 months worth of natural
3 gas along the entire Atlantic Coast, in North Carolina with the majority of that being
4 behind the 50 mile buffer. Ms. Meyer said that our coastal communities were sitting on
5 the front line of any potential risk and felt the short term economic gains and the current
6 lack of revenue sharing didn't justify the potential risk to our economy, environment and
7 our entire way of life along the Crystal Coast. Ms. Meyer shared information from an
8 environmental activist about the damage from offshore drilling when Hurricane Katrina
9 hit Louisiana. Ms. Meyer said it was not just the potential for a catastrophic spill that
10 made the proposal to open up the Atlantic Ocean to oil exploration such a bad idea but
11 what was worse was the cumulative impact on coastal ecosystems that an active oil
12 industry would bring. Ms. Meyer felt that if allowed in, offshore drilling and the industrial
13 infrastructure that came with it was a forever business enterprise. Ms. Meyer concluded
14 with comments about energy independence, noting with untapped oil reserves in Texas
15 and Louisiana and the development of alternative energies, the limited reserves in the
16 Atlantic was not worth jeopardizing a healthy ocean that supported jobs and a local
17 economy.

18
19 Mayor Barber asked for those in attendance who were in favor of the proposed
20 Resolution to raise their hands. Mayor Barber then asked if there was anyone who
21 wished to speak in opposition to the Resolution.

22
23 There were no further public comments.

24
25 ***Motion was made by Commissioner Messer to adopt the Resolution Opposing***
26 ***Offshore Oil and Gas Drilling. The Board voted unanimously 5-0 in favor. Motion***
27 ***carried.***

28
29 **Clerks Note: A copy of Resolution 15-10-13/R2 as referenced above is incorporated herein by reference and**
30 **hereby made a part of these minutes.**

31
32 **Presentation – Coyotes**

33
34 Mayor Barber introduced Evin Stanford, NC Wildlife Resources Commission Biologist.
35 Mr. Stanford presented information about coyotes in urban areas to the Board and
36 public.

37
38 I have scheduled time on the Board's October 13 meeting agenda to receive a presentation from Evin Stanford, North Carolina
39 Wildlife Resources Commission Biologist, about coyotes in urban areas. As you know, coyotes are now present in Emerald Isle,
40 and have raised concerns from some property owners. I am hopeful that Evin Stanford's presentation will be helpful to the Board
41 and the public in understanding coyote behavior, how to coexist with coyotes, and determine the proper management strategy
42 for coyotes in Emerald Isle.

43
44 Town staff first began receiving reports of coyotes in Emerald Isle approximately one year ago. To date, coyote sightings have
45 been reported at:
46

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- 1 • The Pointe (including on the “island” across the channel from the Coast Guard Station),
- 2
- 3 • Pointe Bogue,
- 4
- 5 • Lands End,
- 6
- 7 • Spinnakers Reach,
- 8
- 9 • Cape Emerald,
- 10
- 11 • Osprey Ridge,
- 12
- 13 • Janell Lane,
- 14
- 15 • Emerald Landing,
- 16
- 17 • Sea Oats,
- 18
- 19 • behind the Town Government complex,
- 20
- 21 • the EI Public Boating Access Area,
- 22
- 23 • near the water tank at mile marker 16 on NC 58, and
- 24
- 25 • on the east end, including near the Eastern Ocean Regional Access.
- 26

27 Coyotes are known to range over relatively long distances, and it is likely that some of these sightings in different subdivisions
28 are the same coyote family moving around Emerald Isle. Coyotes often live in small family units that may include a mother,
29 father, and 5-7 pups. We are not certain how many coyotes there may be in Emerald Isle at this time. We are also not certain
30 how the coyotes travelled to Emerald Isle, as there is speculation that they may have swam across Bogue Sound or perhaps
31 travelled over the NC 58 bridge.

32
33 To date, the Town has simply advised concerned property owners to simply leave the coyotes alone, do not feed them, and to be
34 watchful of pets and small children, particularly at night. Coyotes are omnivores (each both animals and plants), and typically
35 feed on rabbits, carrion, rodents, deer, and other small animals, as well as berries and watermelons. Coyotes can be a threat to
36 domestic pets, and may attempt to prey on small cats and dogs. They may also be threatened by large dogs, and may exhibit
37 hostile behavior toward them. I have attached several handouts with helpful information about coyotes for the Board’s review.

38
39 Thus far, Town staff have received only one report of a possible negative interaction with a coyote. In September, a pet beagle
40 was found dead outside a home on Coast Guard Road, and there is suspicion that the death may have been caused by a
41 coyote. The beagle had a laceration on the neck area, but the dog’s body was completely intact. EIPD shared photos with Evin
42 Stanford, and he was unable to determine whether the beagle was attacked by a coyote or not.

43
44 Under NC wildlife regulations, an individual may shoot and kill a coyote on his / her property at any time, however, Town
45 ordinances prohibit hunting of any kind and the discharge of firearms everywhere in Emerald Isle. One option available to our
46 property owners is to enlist the services of a licensed coyote trapper, and I have attached a list of licensed trappers in Carteret
47 County. Some individuals have suggested that the Town should take steps to eliminate the coyotes in Emerald Isle (i.e., a
48 controlled hunt), and I am hopeful that Evin Stanford will address the pros and cons of this option during his presentation.

49

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1 I look forward to receiving Evin Stanford's presentation, and welcome any direction from the Board on how to proceed on the
2 coyote issue.

3
4 I am pleased to present the draft version of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ended June
5 30, 2015. The draft version is attached for your review. I do not anticipate any changes to the report, however, our auditors
6 have requested the version remain in draft form, until approval from the Local Government Commission (LGC) has been
7 received. Once the LGC has provided their final approval, we will release the final version for publication and submit the report
8 to the Government Finance Officers Association for application to the Certificate of Achievement for Excellence in Financial
9 Reporting award program.

10
11 As you are aware, Williams Scarborough Smith Gray, LLP (WSSG) conducted the audit along with the compilation of the
12 financial statements for FY 2015. This is the fifth year the Town has engaged with WSSG for these services, and this year has,
13 again, been an efficient and smooth working relationship with the Town staff and the staff of WSSG. The auditors began their
14 field work in June, and have concluded their work, effectively on September 30th, with a presentation to the Town's Audit
15 Committee.

16
17 The Audit was conducted in accordance with generally accepted auditing standards, which are standards contained in
18 Government Auditing Standards, issued by the Comptroller General of the United States. As in prior years, we have received an
19 unmodified opinion (or a "clean opinion") from the auditors. As stated in the Auditor's Report, the Town's financial statements for
20 the fiscal year ended, June 30, 2015, "present fairly, in all material respects..."

21
22 There are several financial highlights which can be found in the detail of the CAFR, and are briefly mentioned below:

23
24 • The Town had \$2,697,635 of cash and cash equivalents on hand as of June 30, 2015. The Town also had net
25 receivables of \$40,522 and \$290,737 of restricted cash and cash equivalents as of June 30, 2015. Additionally, a total of
26 \$668,753 was due from other governments, which is primarily comprised of sales and utility taxes earned during the 4th quarter.

27
28 • The Town had total capital assets, net of depreciation of \$21,730,220 as of June 30, 2015. The bulk of these assets
29 are land, buildings, and other improvements in the community. During FY 2015 the Town acquired two vacant lots and
30 completed several capital construction projects, adding to our total net assets.

31
32 • The Town's total liabilities as of June 30, 2015 were \$4,186,988. Accounts payable and accrued liabilities represent
33 \$288,801 of this amount, which included \$111,180 payable for the new construction of the Welcome Center project. A total of
34 \$3,534,306 of this amount is the Town's outstanding debt as of June 30, 2015.

35
36 • The Town had an officially reported net position of \$21,003,943 as of June 30, 2015. Total net position increased by
37 \$2,213,878. This is attributed to a significant increase in the net investment in capital assets, as well as the annual increase to
38 the Future Beach Nourishment Fund, through the collection of special district property taxes held for the purpose of future beach
39 nourishment.

40
41 • The Town had total revenues of \$9,984,762 across all funds during FY 2015, and issued \$86,077 of installment
42 financing debt for the purchase of vacant land. The Town had total expenditures of \$10,072,152 across all funds during FY
43 2015, resulting in a minimal overall decrease in fund balance of \$1,313. The Future Beach Nourishment's fund balance
44 increased by \$686,953 which is associated with reserve funds for future beach nourishment activities. Decreases in fund
45 balance were anticipated in the General Fund, primarily due to the purchase of a vacant lot adjacent to the Town Administration
46 building. Additional fund balances decreased in the non-major capital project funds due to the completion of several capital
47 construction projects.

48
49 • As of the close of the current fiscal year, the Town's governmental funds reported combined ending fund balances of
50 \$3,420,934, an decrease of \$1,313 in comparison with the prior year. Although, the Future Beach Nourishment's fund balance
51 increased by \$686,953, the sum of decreases in the Capital Project Funds and General Fund offset that increase, resulting in a
52 slight decrease overall.
53

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1 • The General Fund, the Town's primary annual operating fund, had total revenues of \$8,797,572 and total expenditures
2 of \$8,377,091 during FY 2015. After transfers to other funds for capital projects (\$40,117) and for the Future Beach Nourishment
3 Fund (\$450,000) the Town's General Fund balance decreased by \$69,637.

4
5 • As of June 30, 2015, the Town's General Fund had a total fund balance of \$2,080,608, of which a total of \$1,385,327 is
6 classified as unassigned fund balance.

7
8 • The total General Fund balance of \$2,080,608 is equal to 23.5% of total General Fund expenditures during FY 2015
9 (\$8,867,508, including transfers out). This percentage is down from the previous year (25.9%), due to key factors; 1) the
10 approval to appropriate and spend a portion of fund balance for the purchase of a vacant lot adjacent to the Town Administration
11 building, and 2) the FY 2015 budgeted transfer to the Future Beach Nourishment Fund, which results in increase in the transfer
12 expense category. Total General Fund balance represents 23.4% percent of the FY 15-16 adopted budget of \$8,902,435
13 (including transfers out).

14
15 • The total unassigned General Fund balance amount of \$1,385,327 is equal to 15.6% of total General Fund
16 expenditures during FY 2015 (\$8,867,508, including transfers out). Unassigned General Fund balance also represents 15.6% of
17 the FY 15-16 adopted budget of \$8,902,434 (including transfers out).

18
19 • The Town's Future Beach Nourishment Fund had a year-end fund balance of \$1,391,580, as the Town collected
20 another year of special district property taxes that are reserved for future beach nourishment activities.

21
22 • The Town's Total outstanding debt at June 30, 2015 is \$3,534,306. This includes three (3) existing installment
23 purchase agreements, and the issuance of new debt of \$86,077 for the purchase of vacant land, as part of a capital project for
24 the Public Boat Launching Facility. The Town's total outstanding debt is equal to approximately 0.12% of the Town's total
25 assessed valuation at June 30, 2015, which remains a very low percentage.

26
27 • The Town established an interfund loan from the Future Beach Nourishment Fund to the Welcome Center Capital
28 Project in the amount of \$276,000 for the construction of the new Welcome Center. The Welcome Center is being leased by the
29 Carteret County Tourism Development Authority, and the monthly lease payments will be used to repay the interfund loan.

30
31 Finally, during Fiscal Year 2015, as required by the Governmental Accounting Standards Board (GASB) Statement #68 –
32 Accounting and Financial Reporting for Pensions, the Town implemented new reporting and financial statement presentation
33 requirements to disclose the Town's proportionate share of the Local Government Employees' Retirements System's (LGERS)
34 Pension Plan. The Town is a participating employer in the statewide LGERS plan, a cost-sharing multiple-employer defined
35 benefit pension plan administered by the State of North Carolina. A detailed explanation of the plan and the Town's
36 proportionate share of the plan can be found in the Notes to the Financial Statements within the CAFR, as well, as the Required
37 Supplemental Financial Data section of the CAFR. Overall, the effect on the Town's Statement of Net Position includes a
38 decrease of our beginning net position of \$411,806. Although, the new GASB Statement provides full disclosure and
39 transparency of the plans the Town participates in, decisions regarding the plan are made by the administrators of the pension
40 plan, and not by the Town's management or commissioners.

41
42 NCWRC Biologist Evin Stanford provided a PowerPoint presentation about coyotes in
43 urban areas. Mr. Stanford provided some background about the history of coyotes in
44 North Carolina, current status, biology, as well as recommendations for dealing with
45 coyotes in urban / suburban type of environments. Mr. Stanford answered several
46 questions from the Board and public.

47
48 Mayor Barber thanked Mr. Stanford for the very informative presentation.

49
50
51

1 **13. Presentation – June 30, 2015 Comprehensive Annual Financial Report**

2
3 Finance Director Laura Rotchford addressed the Board regarding this Agenda item.
4 The following excerpt from her memo to the Town Manager is provided for additional
5 background:

6
7 Williams, Scarborough, Smith, & Gray (WSSG) CPAs has completed the Town's June 30, 2015 financial audit, and a
8 copy of the June 30, 2015 Comprehensive Annual Financial Report (CAFR) is attached for your review.

9
10 Laura Rotchford, Finance Director, will brief the Board on the highlights of the financial statements and audit report at
11 the October meeting. WSSG met with the Board-appointed Audit Committee (Mayor Barber, Mayor Pro-Tem
12 Messer, and Commissioner Wright) on September 30 to review the report, and the Audit Committee indicated that
13 Laura Rotchford could make the presentation to the full Board at the October 13 meeting.

14
15 The Town received an unmodified (a "clean") opinion from WSSG, and I am again pleased to report that the Town
16 maintains a solid financial position. Town staff and I are committed to maintain and improve that financial position in
17 the future. WSSG also did not identify any major concerns with our financial operations, and again expressed their
18 opinion that the Town's assets are well-managed by our staff.

19
20 I am also pleased to report that the Town was awarded the "Certificate of Achievement for Excellence in Financial
21 Reporting" by the national Government Finance Officers Association for the second time for its June 30, 2014 CAFR.
22 In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently
23 organized comprehensive annual financial report. The report must satisfy both generally accepted accounting
24 principles and applicable legal requirements.

25
26 The attached memo from Laura Rotchford includes various highlights of the June 30, 2015 CAFR. I do, however,
27 want to point out a few of the most significant items that relate to the practical management of the Town's finances:

- 28
29
- 30 • the Town's total General Fund balance at June 30, 2015 is \$2,080,608, and is a slight decrease from the
31 June 30, 2014 fund balance due to the purchase of the vacant lot adjacent to the Town Administration
32 Building; the Board should note that the Town expected to use \$150,000 of fund balance for this purchase,
33 but only needed to use \$69,637 due to higher than anticipated revenues and lower than anticipated
34 expenditures elsewhere in the General Fund budget,
 - 35 • the Town's General Fund balance (unassigned plus Stabilization by State Statute) has increased from
36 approximately \$1.5 million in 2001 to nearly \$2.1 million in 2015, and has remained relatively stable in
37 recent years, roughly between \$2 million and \$2.1 million; a historical graph of General Fund balance is
38 attached,
 - 39 • the Future Beach Nourishment Fund has a total fund balance of \$1,391,580 at June 30, 2015; these funds
40 are reserved for a future, as-yet-undetermined beach nourishment project, and are expected to cover 33%
41

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1 of future total project costs (with the other 67% provided by Carteret County via earmarked room
2 occupancy tax funds),
3

- 4 • there is a total of \$84,405 remaining in the Bicycle and Pedestrian Fund (derived from fundraising
5 proceeds), and \$45,000 of this amount is earmarked for decorative street lighting in the “downtown” area
6 along the bike path and sidewalk; the balance is available for future projects at the discretion of the Board
7 and the Bicycle and Pedestrian Advisory Committee,
8
- 9 • there is a total of \$44,168 remaining in the Coast Guard Road Bicycle Path Extension project fund, and
10 \$36,000 of this amount is earmarked for the Town’s cost-share for new steel traffic signal poles; if
11 associated State funds do not materialize, these funds would be available for other uses at the Board’s
12 discretion,
13
- 14 • there is a total of \$63,755 remaining in the Special Separation Allowance Fund used to pay additional
15 retirement benefits to sworn law enforcement officers; the Town currently has one employee drawing this
16 benefit, and his benefits will cease in March 2016, and
17
- 18 • the Town’s tax collection percentage continues to be very high at 99.72%.
19

20 As you know, Laura Rotchford has served as the Town’s Finance Director since December 2014, and the June 30,
21 2015 CAFR is her first with Emerald Isle. I greatly appreciate her hard work and attention to detail on the report,
22 which is a significant undertaking.
23

24 Finance Director Laura Rotchford presented the June 30, 2015 Comprehensive Annual
25 Financial Report to the Board and public. Ms. Rotchford stated that she was pleased to
26 announce that the 2015 Comprehensive Annual Financial Report was complete, audited
27 and the Town had received an unmodified opinion from our auditors. Ms. Rotchford
28 noted that the report had been compiled and audited by Williams, Scarborough, Smith &
29 Gray (WSSG) CPAs again this year, the fifth year they had worked for the Town. Ms.
30 Rotchford noted the report was in draft form, as there was another level of process and
31 review with the next step being the statutory requirement to send the report to the LGC,
32 the State Treasurers office. The LGC would review and once approved they would put
33 the report out for publication on our website and in hard copy. Ms. Rotchford said it was
34 important to note that we had our local internal controls, our local auditors, the State
35 level review, and then we would also be turning the report in to the National
36 Government Finance Officers Association for review in order to receive the Certificate of
37 Excellence in Financial Reporting Award which the Town had been awarded in 2013,
38 2014 and applying for in 2015. Ms. Rotchford provided a PowerPoint presentation that
39 outlined the highlights of the report.
40

41 Commissioner Wootten said that it was a big deal for the Town to receive the Certificate
42 of Excellence in Financial Reporting for 3 years in a row, and noted job well done for
43 Finance Director Rotchford and former Finance Officer Mitsy Overman.

1
2 Commissioner Messer stated that he and Commissioner Wright were on the Audit
3 Committee and met with the auditors to go over the report and they were very
4 complimentary of Laura and the staff for the job they were doing. Commissioner
5 Messer said that was why the Town received the audit rating it did.
6

7 ***Motion was made by Commissioner Messer to accept the June 30, 2015***
8 ***Comprehensive Annual Financial Report. The Board voted unanimously 5-0 in***
9 ***favor. Motion carried.***

10
11 **14. Demonstration – New Town Website**

12
13 Town Clerk Rhonda Ferebee addressed the Board regarding this Agenda item. The
14 following excerpt from the Town Manager’s memo to the Board is provided for additional
15 background:
16

17 I have scheduled time on the October 13 meeting agenda for the Board and the public to receive a brief
18 demonstration of the new Town website from Rhonda Ferebee, Town Clerk. The Town unveiled the new website on
19 September 15 in an attempt to improve the aesthetic appearance, make it easier for our customers to navigate and
20 learn more about the Town, and make it easier for our customers to conduct business with the Town.
21

22 The Town has always prided itself on the availability of a large catalogue of information on the Town’s website, and
23 the previous version has long included meeting agenda items, minutes, “latest news”, service information,
24 newsletters, and much more. The new version includes all of the same information, but it has been reformatted with
25 a fresh, new look, and is more consistent across all pages on the site. The old website had been in use for many
26 years, and served the Town well, however, the appearance and function had become out of date.
27

28 The new website includes a more prominent display of the new Town logo in the top left corner (along with the “Nice
29 Matters” tag line), and also retains the Town seal in the bottom right corner. Although not visible now, the “blank
30 space to the right of the new Town logo will be used for bright “hurricane” alerts as needed in the future, with a link to
31 timely information about storms threatening or impacting Emerald Isle.
32

33 The new website includes general information about Town government, services, and programs (that does not
34 change frequently) organized under several “drop-down” menu bars across the top, including: “About”, “Live”, “Visit”,
35 “Beach & Sound”, “Departments”, and “Government”. Various selections are available under each heading, with
36 additional links as needed. The monthly Board meeting agendas (and supporting information) are featured
37 prominently in the middle left of the main page, along with weather and direction apps. New and current entries are
38 included along the bottom under “Latest News” (updated frequently with timely new information), “Events” (with a
39 continually updating calendar of meetings, special events, etc.), and “Twitter” (a real-time posting of the Town’s
40 separate Twitter account that is used for quick, simple messages to our customers). Other commonly accessed
41 information is available across the top right hand corner, including “Email Town Manager”, “Contact Us” (with a
42 complete elected official and staff listing), “FAQ” (frequently asked questions about various Town services),
43 “Employment”, a link to “Join Email List” (the Town now has more than 6,800 subscribers), and “Links” to other sites
44 of potential interest.
45

46 For the first time, our customers may now submit permit applications online with a fillable form that is emailed to the
47 appropriate staff person. For example, golf cart permit applications can be filled out online, attachments (insurance

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1 cards, etc.) can be added, and then emailed to the Town's Administrative Assistant. Similarly, building permit
2 applications can be completed in the same manner and emailed to the Town Planner. We hope to gradually have
3 more customers using this convenient option in the future. Although not active yet, we are also currently working to
4 implement an easier, smoother credit card payment feature on www.emeraldisle-nc.org, and hope to make that
5 feature available later this year.

6
7 The new website was designed by the Town's IT service provider, VC3, Inc., and the site map was designed by
8 Rhonda Ferebee and me earlier this summer. Rhonda Ferebee worked closely with VC3, Inc. to transfer and
9 reformat the information from the old site to the new site, and did an exceptional job on this project. The total cost for
10 VC3, Inc.'s work was approximately \$6,000, and was funded in the FY 14-15 budget. The Board should also note
11 that the new website includes a much easier to use "content management system" to update the website, and that
12 feature should allow for greater efficiency by Town staff and more neatly organized pages on the site. Additionally,
13 the Town's old software used to update the website was grossly out of date and is no longer supported by the
14 developer.

15
16 Town Clerk Rhonda Ferebee provided a brief demonstration of the Town's new website.
17 Ms. Ferebee noted that the new website had recently been unveiled and gone live on
18 September 15, and the new website offered a fresher, new updated look that was easier
19 to navigate, and implemented new features such as online fillable forms.

20
21 Commissioner Normile noted that the feedback he had received was about all of the
22 communication tools that were on the site and tied in, whether it was Facebook, Twitter,
23 contact forms, and the fillable forms. Commissioner Normile felt the site did look fresh
24 and great, but the communication part of the website was excellent with the Board and
25 Town Manager having the opportunity to communicate back to everyone.

26
27 Commissioner Normile also asked Town Manager Rush about the Newsletter as far as
28 the number of subscribers. Mr. Rush noted that there were about 6,800 subscribers to
29 the Newsletter, 2,300 for Twitter, and 12-13,000 Facebook likes for the Town page.

30
31 Town Manager Rush also pointed out that the new website was now also optimized for
32 mobile devices and it would display in a much more logical and easier to use format on
33 smart phones, and tablets.

34
35 **15. Ordinance Amending Chapter 15 – Solid Waste Management – of the Code of**
36 **Ordinances (Comprehensive Review) (15-10-13/02)**

37
38 Town Manager Frank Rush addressed the Board regarding this Agenda item. The
39 following excerpt from his memo to the Board is provided for additional background:

40
41 As part of the Town's ongoing comprehensive review of all Town ordinances, the Board of Commissioners is scheduled to
42 consider proposed amendments to Chapter 15 – Solid Waste Management - of the Code of Ordinances at the October 13
43 meeting. Solid Waste Management is currently codified as Chapter 15, but would be renumbered as Chapter 13 if adopted as
44 presented.
45

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1 As you know, the Town has been undertaking a comprehensive process that is intended to review, clarify, and ideally condense
2 and simplify the entire Code of Ordinances of the Town of Emerald Isle. The Town is now more than 58 years old, and
3 numerous ordinance amendments have been made over the years with input by many different groups and individuals, all likely
4 with good intentions, and sometimes there are unintended impacts on or conflicts with other ordinance provisions. State law and
5 common practice also change over time, and this sometimes leads to out of date provisions or confusion. In other cases, it may
6 be helpful for the Town to critically ask itself if it really needs certain ordinance provisions, and also if new policies are warranted.

7
8 As discussed previously, my goal has been for Town staff and me to complete a comprehensive review of all Town ordinances
9 with a critical eye. During this review, conflicting or confusing provisions are being targeted for clarification, unnecessary
10 provisions are being targeted for elimination, and in some cases out of date or un-enforced provisions are being targeted for
11 elimination. The Board previously reviewed and approved comprehensive amendments to the Town Charter and all other
12 chapters in the Code of Ordinances, and Chapter 15 is the final chapter to be reviewed as part of this process.

13
14 The attached ordinance amendment was drafted by me, and has been reviewed by Town Attorney Richard Stanley and Public
15 Works Director Artie Dunn. The attached ordinance amendment includes a clean version of the proposed new Chapter 13, and I
16 have also attached a separate version using the underline and ~~strikethrough~~ features to show the specific differences in the
17 proposed ordinance amendment. Overall, the proposed new Chapter 13 is shorter and simpler than the current solid waste
18 management provisions, and does not include any significant substantive changes. The most notable changes are highlighted
19 below:

- 20
21 • Chapter 15 – Solid Waste Management – is renumbered as Chapter 13 to maintain consistent numbering of the
22 chapters in the Code of Ordinances.
- 23
24 • Various definitions have been tweaked to reflect current terminology used by town staff. Most notably, the term
25 “refuse” has been replaced with references to “garbage”.
- 26
27 • The ordinance clarifies that the town’s solid waste services are provided for developed residential properties only, and
28 that business locations are required to coordinate their own solid waste collection and disposal services.
- 29
30 • The penalties for violations have been specified in each section of Chapter 13.
- 31
32 • The ordinance deletes certain provisions from the new Chapter 13 that address business locations that do not provide
33 for the collection and disposal of solid waste, however, similar procedures are already included in Chapter 9 –
34 Nuisance Abatement. Additionally, there are provisions in sections 13-3 and 13-4 (container requirements) that could
35 also be enforced to address these situations. (I don’t recall any problems of this nature during my tenure as Town
36 Manager.)
- 37
38 • The required container volumes have not changed in the new Chapter 13. The penalty for insufficient containment
39 capacity remains a \$100 civil penalty, but the ordinance retains the ability of the Town Manager to dismiss the penalty
40 if sufficient containers are provided. In practice, nearly everyone complies voluntarily when notified by the Town, and it
41 is extremely rare that someone would receive a civil citation.
- 42
43 • Responsibility for garbage and recycling containers remains with the residential property owner. The ordinance also
44 clarifies that condominium complexes, townhouse complexes, and multi-family locations are required to provide

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1 dumpsters and central recycling collection stations if the complex can not be served with typical roll-out garbage and
2 recycling containers.

3
4 • The ordinance retains the requirement that garbage and recycling containers be permanently stored at least 30 feet
5 from the adjacent street right of way, and does not change the timeframe that containers may be placed at the curbside
6 (no earlier than 12 noon the day before collection and no later than 9 am the day after collection). The penalty for a
7 violation of these provisions has been increased from \$25 to \$50, solely due to the fact that there are no other Town
8 civil penalties less than \$50. In practice, it is extremely rare that a property owner would receive a civil citation for
9 these violations, as the Town always attempts to resolve these issues with communication and cooperation.

10
11 • Provisions regarding the accumulation of solid waste on the property have been simplified, and make it clear that
12 failure to properly contain garbage and recyclables is considered to be littering. The ordinance requires the immediate
13 removal of said solid waste, and may also result in a civil penalty for littering. Additionally, there are provisions in
14 Chapter 9 – Nuisance Abatement that can be used to address these situations, and there are also provisions in
15 Chapter 11 – Transportation that apply to the intentional or unintentional placement of solid waste on public streets,
16 sidewalks, bicycle paths, and other public facilities.

17
18 • The ordinance clarifies that the Town's annual solid waste fee is intended to cover the Town's costs for all solid waste
19 services (including collection, removal, and disposal) outlined in Chapter 13, and that only developed residential
20 properties are liable for the annual solid waste fee.

21
22 I look forward to discussing the attached ordinance amendment with the Board at the October 13 meeting. If the Board is
23 comfortable with the proposed amendments, the Board may consider adoption at the October 13 meeting. If the Board would
24 like more time to review the proposed amendments, formal Board action can certainly be delayed until the November meeting or
25 later.

26
27 Once the Board approves a new Chapter 13, the entire Code of Ordinances (not including the Unified Development Ordinance)
28 will have been thoroughly reviewed and updated over the past few years. I hope that our customers, staff, and elected officials
29 will find the new Code of Ordinances to be simpler, leaner, more user-friendly, and easier-to-understand. I am pleased to have
30 finally concluded this effort.

31
32 Town Manager Rush noted from a substantive standpoint there were no major policy
33 changes in the new version of the Solid Waste ordinance. Mr. Rush said it was
34 primarily a clean up version, eliminating a lot of unnecessary text, reorganized to make
35 it easier for not only the public but our staff to understand and enforce. Mr. Rush stated
36 that had increased the penalty for not rolling your container back in the right timeframe,
37 as for many years they had required that the containers not go out earlier than 12 noon
38 the day before and be rolled back to the house by 9am the day after. Mr. Rush said that
39 the penalty had been \$25 when they went to the rollout containers in 2003 and the new
40 provision would increase that penalty to a \$50 civil penalty really for consistency
41 purposes. Mr. Rush noted that they had no violations in our ordinances that were less
42 than \$50. Mr. Rush added that over the past 12-13 years only one or two citations had

1 been issued and it was really more of a deterrent as the approach on most every
2 ordinance issue was to take a friendly approach and work with people.

3 ***Motion was made by Commissioner Wright to adopt the Ordinance Amending***
4 ***Chapter 15 – Solid Waste Management – of the Code of Ordinances***
5 ***(Comprehensive Review. The Board vote unanimously 5-0 in favor. Motion***
6 ***carried.***

7 **Clerks Note: A copy of Ordinance 15-10-13/O2 as referenced above is incorporated herein by reference and**
8 **hereby made a part of these minutes.**
9

10 **16. Ordinance Amending Chapter 9 – Nuisance Abatement – of the Code of**
11 **Ordinances to Clarify Procedures for Unsafe Buildings (15-10-13/O3)**

12 Town Manager Frank Rush addressed the Board regarding this Agenda item. The
13 following excerpt from his memo to the Board is provided for additional background:
14

15 The Board of Commissioners is scheduled to consider the attached ordinance amendment that would result in the Town's
16 reliance on applicable NC General Statutes to formally address unsafe buildings in Emerald Isle. The attached ordinance
17 amendment eliminates previously adopted provisions in Chapter 9 – Nuisance Abatement that grouped unsafe buildings with the
18 process for other, less serious nuisances. The Town's reliance on the applicable NC General Statutes would result in a simpler
19 ordinance and a more defensible process for these situations.
20

21 As noted in the attached ordinance amendment, the Town would simply rely on NCGS 160A-426 through NCGS 160A-434 for
22 unsafe buildings. A copy of those statutes is attached for the Board's information, and essentially spells out the following
23 process:
24

- 25 • building inspector posts notice on structure declaring it unsafe (due to structural issues, electrical issues, severe
26 deterioration, etc.);
- 27
- 28 • if property owner does not take prompt corrective action, notice is sent outlining the concerns, requiring repair, closing,
29 or demolition of the structure, and scheduling a hearing within 10 days;
- 30
- 31 • hearing is conducted, and building inspector then issues formal order providing up to 60 days to repair, close, or
32 demolish the structure;
- 33
- 34 • property owner may appeal the formal order to the Board of Commissioners if filed with Town Clerk within 10 days of
35 formal order; if no appeal then the order is final, and if appeal is filed it is conducted as soon as possible thereafter by
36 the Board of Commissioners who may affirm, modify, or revoke the order;
- 37
- 38 • if the property owner fails to comply with the order by the deadline, he / she is guilty of a Class 1 misdemeanor and the
39 Town also has the right to take corrective action, including demolition at Town expense;
- 40
- 41 • Town may place a lien on the property to recover any expenses associated with the unsafe building.
42

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1 This process is used very rarely by the Town, and has not been used for several years until recently. The Town recently issued
2 a formal order to the owner of 7405 Archers Creek Court, and used the process outlined above (in the NC General Statutes). In
3 that particular case, due to the upcoming holidays and due to the property owner's particular circumstances, a total of 90 days
4 was provided for the owner to comply with the order. (The owner now has until December 31, 2015 to repair or demolish the
5 structure.)
6

7 The Board should note that the attached ordinance amendment also includes one additional step at the end of the process that is
8 not included in nor is required by the NC General Statutes. After the deadline to comply with the formal order has passed, and
9 before Town staff take action to demolish a structure, we have included a final review by the Board of Commissioners to confirm
10 the demolition of the structure. This additional step is included for two reasons: 1) because it involves the expenditure of
11 significant Town funds which may not be recovered for several months or years through the lien process, and 2) because of the
12 serious and final nature of demolishing someone's home, and our desire to provide maximum opportunity for the property owner
13 to plead his / her case. The final review / confirmation by the Board of Commissioners would occur at the first regularly
14 scheduled meeting after the deadline has passed.
15

16 As intimated earlier, the Town's use of this process is expected to be very infrequent. In nearly all cases, Town staff first attempt
17 an informal, cooperative process with the property owner. This approach usually results in the desired effect, and there is often
18 no reason to move forward with the formal process. In some cases, mostly due to financial hardship, differences of opinion
19 among multiple owners, or indifference, the owner(s) do not respond to the informal process and it is necessary to move forward
20 with a more formal process. The attached ordinance amendment and the applicable NC General Statutes outline that process.
21

22 The Board should also note that Chapter 9 – Nuisance Abatement already includes ordinance provisions requiring proper
23 exterior maintenance of buildings in Emerald Isle, and includes requirements for property owners to adequately maintain roofing,
24 siding, windows, and other features that if not maintained properly may lead to more serious deterioration. The intent of Article
25 IV – Property Maintenance in Chapter 9 is to address these issues early, and hopefully prevent the need to ever declare an
26 unsafe building.
27

28 Town Manager Rush stated that in February the Board had adopted a new version of
29 Chapter 9 – Nuisance Abatement, and in that version adopted by the Board in February
30 they essentially combined the procedures for dealing with nuisance structures, unsafe
31 buildings as well as overgrown grass, and extreme amounts of litter on property. Mr.
32 Rush said that in hindsight that maybe was not the best approach to take and so in the
33 version before the Board tonight it simply removed unsafe buildings from the list of
34 nuisances, and the process used for all of the nuisances, and states that they would rely
35 on the applicable North Carolina General Statutes for conditions where the building was
36 unsafe. Mr. Rush said they had been dealing with a structure on Archers Creek that
37 was unsafe and they chose to use the General Statutes for that process. Mr. Rush
38 outlined the additional step for unsafe buildings that was over and above the NC
39 General Statutes, and the reasons for that as outlined in his memo above.

40 ***Motion was made by Commissioner Hoover to adopt the Ordinance Amending***
41 ***Chapter 9 – Nuisance Abatement – of the Code of Ordinances to Clarify***
42 ***Procedures for Unsafe Buildings. The Board voted unanimously 5-0 in favor.***
43 ***Motion carried.***

1 **Clerks Note:** A copy of Proclamation 15-10-13/O3 as referenced above is incorporated herein by reference
2 and hereby made a part of these minutes.
3

4 **17. Comments from Town Clerk, Town Attorney, and Town Manager**

5 Town Manager Frank Rush advised the Board and public that they were recently
6 informed by NCDOT that they were planning to install new guardrails on the Emerald
7 Isle bridge, they would add another 26 inches of steel guardrails to the existing concrete
8 guardrails very similar to the guardrails in place now on the Atlantic Beach bridge. Mr.
9 Rush said this would result in a total railing height of 54 inches. Mr. Rush said the work
10 would most likely not be done until after the 2016 summer season. Mr. Rush also
11 publicly thanked the vacation rental companies in Emerald Isle again for taking on the
12 issue of deck safety with the deck inspection program. Mr. Rush briefly updated the
13 Board on beach access walkway replacements, the status of the electronic message
14 sign issues, and the Coast Guard pavement repairs which had been completed.
15

16 Mr. Rush mentioned that as noted in their written materials staff was starting to think
17 about the process for a Land Use Plan update and would probably be putting out a
18 Request for Proposals from consulting firms in the next several weeks. Mr. Rush said
19 the goal was to come back to the Board with a recommendation for a consultant early
20 2016. Mr. Rush said this would be an important process and wanted the Board to be
21 thinking about who they wanted to manage the process, whether it would be the
22 Planning Board, or to create a Steering Committee, or a combination of the Planning
23 Board and other representatives of the community.
24

25 Commissioner Wootten felt the process shouldn't need to be as elaborate as it was in
26 2004.
27

28 The following is an excerpt from the Town Manager Comments memo to the Board
29 providing additional background information for all items of importance:
30

31 **New Guard Rails Planned for NC 58 Bridge**

32 NCDOT is planning to install new, tubular steel guardrails on the NC 58 bridge in 2016, likely in the fall after the
33 prime tourism season. These railings will be similar to those in place on the Atlantic Beach – Morehead City bridge.
34 The current concrete railings are approximately 28 inches high, and the new steel railings will extend an additional 26
35 inches, resulting in a total guard rail height of 54 inches. The attached photo shows a simulated view with the new
36 guard rails in place.
37

38 **New Mandatory Deck Inspection Program Implemented by EI Vacation Rental Agencies**

39 I have attached information regarding the new mandatory deck inspection program implemented by the 7 Emerald
40 Isle vacation rental agencies earlier this month. The new program will require all vacation rentals managed by these
41 companies to have decks inspected annually by a licensed general contractor or a licensed engineer, and will
42 hopefully reduce the potential for future deck failures in Emerald Isle. I applaud the vacation rental agencies' efforts
43 to promote deck safety, and Town staff stand ready to assist in any way that we can be helpful on this initiative.
44

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1 **Senator Jean Preston Memorial Playground – Significant In-Kind Contributions**

2 Yardworks Owner Jimmy Farrington recently informed the volunteer fundraising committee that he has secured a
3 \$5,000 grant from Rotary (combined from Swansboro Rotary and Rotary International) for the new playground, and
4 has also secured an additional \$10,000 of in-kind contributions (combined) from Yardworks, SunLand Builders, Task
5 Contracting, and Sewell Turf Grass. These funds and in-kind contributions should be extremely helpful in completing
6 planned landscaping and site improvements.
7

8 To date, the committee has raised nearly \$45,000 in cash contributions. The committee hopes to add to this amount
9 in the coming months, and we then expect to order the playground equipment in February. The project is on track for
10 a May 2016 opening date.
11

12 **Candidate Forum Scheduled for Tuesday, October 20**

13 The Emerald Isle Business Association has scheduled a Town Commissioner Candidate's Forum for Tuesday,
14 October 20 in the Community Center. The event will begin at 6 pm, with candidate comments and responses
15 beginning at 6:30 pm. There are a total of 7 candidates vying for 3 seats on the Board of Commissioners.
16

17 **Town Beach Access Walkway Inspections**

18 Jim Osika recently completed an inspection of all Town walkways, and Parks Maintenance staff will be working this
19 winter to correct deficiencies and implement suggestions to improve the safety of Town walkways. We will also be
20 incorporating more stainless steel fasteners in future new walkway construction specifications.
21

22 **Planned Beach Access Walkway Replacements**

23 The FY 15-16 budget includes \$50,000 for beach access walkway replacements, and Town staff will soon be
24 soliciting bids for 18th Street, Bryan Street, and Nina Street. Our goal is to have all new walkways completed by the
25 St. Patrick's Festival in March.
26

27 **Old Soundside Walkways at Lee, Piney, and Ridge to Be Removed**

28 As discussed previously with the Board, and also as a result of the recent inspections, Town staff will soon be
29 removing the old soundside walkways at Lee Street, Piney Street, and Ridge Road. These walkways are very old, in
30 poor condition, and were not built to acceptable standards originally. Natural paths will remain in place for people to
31 access the Bogue Sound shoreline.
32

33 **Beach Profile Flattened, Minor Dune Escarpments in Limited Areas**

34 As a result of the significant storm from October 2 – 5, the dry sand beach profile is flattened, however, it appears
35 that sand is directly offshore and we expect it to weld back onto the beach (barring any additional storms). There are
36 5 locations, each approximately 0.1 – 0.2 miles long, where minor dune escarpments have formed, with some large
37 escarpments near Wyndtree Drive where the dune field is very large and wide.
38

39 **Coast Guard Road Repairs Completed**

40 Onslow Grading & Paving completed the necessary repairs on October 8 and 9. The previous failures (pavement
41 "slid" off to the side) were caused by too much water content in the adhesive material used to bind the new pavement
42 to the old.
43

44 **Eastern Ocean Regional Access Repairs Completed**

45 SunLand Builders completed necessary repairs to the new parking lot in September. Flowable concrete was used to
46 fill an old septic field line, and the paver blocks were reset near the southwest corner of the parking lot.
47
48

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1 **Electronic Message Sign**

2 NCDOT has informed the Town that it will not be possible to install new electronic community information signs in the
3 NC 58 right of way. As such, we are contemplating other options, and I will be seeking the Board's input in the
4 coming weeks. Potential options include:

- 5
- 6 • Abandon the idea of electronic message sign(s), and adjust the Town's sign ordinance to allow only
7 professionally fabricated "real estate-type" signs for community events (i.e, prohibit banners and homemade
8 signs altogether). We would then re-allocate the \$10,000 budgeted for the electronic sign for another
9 beneficial project.
 - 10
 - 11 • Install new electronic signs at the Town Government complex (two-sided), along Coast Guard Road near
12 the NC 58 intersection (one-sided), and at the Eastern Ocean Regional Access (two-sided). Estimated cost
13 of this approach is likely in the \$17,500 range.
 - 14
 - 15 • Install fixed poles (with fasteners) at the NC 58 / Coast Guard Road intersection, across from Emerald
16 Plantation, at the Town Government complex, and at the Eastern Ocean Regional Access, and require all
17 banners to be a certain size and professionally fabricated. Community groups would be required to request
18 placement of their banners by the Town.
 - 19

20 **Land Use Plan Update – Proposed Steering Committee**

21 We are planning to initiate a new Land Use Plan update in early 2016, and have begun efforts to identify a quality
22 planning consultant to lead this effort. If the Board concurs, I am recommending that the Board of Commissioners
23 appoint a Steering Committee for this effort that includes all 7 members of the Planning Board, along with an
24 additional 8 - 10 individuals representing various perspectives in our community (vacation rental company owners,
25 retail business owners, part-time residents, and other full-time residents, etc.).

26

27 I plan to present recommendations to the Board in January or February to begin this process. It has been 12 years
28 since the Town's last Land Use Plan was completed, and although I suspect most of the policies are still valid, it will
29 be helpful to secure new community input, reconsider current policies, and identify new goals for the future.

30

31 **Blue Star Memorial Ceremony Planned**

32 The new Blue Star Memorial Highway designation for NC 58 is planned for November 11 (Veterans Day) at 11 am.
33 The new memorial will be installed near the new Welcome Center just prior to Veterans Day, and will be unveiled at
34 the ceremony. The Emerald Isle Garden Club has invited many State and local officials to attend.

35

36 **New Sea Turtle Monument**

37 The Bicycle and Pedestrian Advisory Committee is planning to install a new sea turtle monument under the large oak
38 tree at the new Welcome Center. New benches will also be added near the cornhole courts.

39

40 **New Gates Ordered for Beach Vehicle Ramps**

41 Town staff have ordered 3 new steel gates for the Ocean Drive dog-leg ramp, Black Skimmer ramp, and The Point
42 ramp, and we expect to install them in December. The new gates are similar to the new gates installed at the
43 Eastern Ocean Regional Access earlier this year (photo attached), and should greatly improve the aesthetic
44 appearance of the ramps. We will also be working on other ways to improve the appearance at the ramps.

45

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1 I also hope to eventually install similar gates at the Western Ocean Regional Access, El Woods Park, Doe Drive
2 ramp, and 16th St. ramp in the future.
3

4 **NC 58 Corridor Study**

5 NCDOT staff and Down East Regional Planning Organization staff are currently reviewing traffic counts and accident
6 data for the 4 signalized intersections in Emerald Isle, and will soon identify options to improve traffic flow at these
7 locations. Potential improvements may include the installation of traffic circles, additional turn lanes, longer turn
8 lanes, signal timing adjustments, and other improvements. I expect to share these options with the Board of
9 Commissioners in the next 3 – 4 months.
10

11 **Downtown Street Trees**

12 I believe the Town may be able to secure funding from NCDOT for the installation of street trees along NC 58
13 between the new Welcome Center and the Town Government complex. I have considered the idea of installing
14 additional crape myrtles all through this area to continue the attractive look between the NC 58 bridge and the new
15 Welcome Center. I envision planting 1 or 2 trees (at most) in front of each business through the “downtown” area,
16 and we would be extremely careful not to block any businesses or signs.
17

18 I have been walking door to door talking to business owners, and have talked with nearly 50% of the business
19 owners in this area thus far. The response has been very positive, and I hope to talk with others in the next few
20 weeks. Ideally, this project would create a consistent, attractive look all through the “downtown” without harming
21 visibility of any existing businesses.
22

23 **Decorative Lighting Installation Planned**

24 Carteret Craven Electric Cooperative is currently working to secure necessary NCDOT permits for this project, which
25 will result in additional decorative lights (modern style) installed along the NC 58 bike path and sidewalk (both sides
26 of road) between the new Welcome Center and the Town Government complex. Installation is expected to occur
27 later this fall or winter.
28

29 **Potential Project Ideas Being Considered by Bicycle and Pedestrian Advisory Committee**

30 After the installation of decorative lighting this fall / winter, the balance in the Committee’s account will be
31 approximately \$40,000, with an additional \$25,000 +/- expected from the 2016 marathon races. Potential project
32 ideas being considered include a new beach access walkway adjacent to the vehicle ramp at The Point and the
33 construction of a bicycle path extension along Bogue Inlet Drive leading to Bogue Inlet Pier. Any project
34 recommendations will be formally presented to the Board of Commissioners before proceeding.
35

36 **New Yard Debris Collection Truck in Service**

37 The new truck was placed in service on October 9, and a new employee is currently being trained to operate the
38 truck. We expect to be at full capability sometime in the next week. The rental truck was returned on October 8.
39

40 **Deer Population**

41 NC Wildlife Resources Commission staff and EIPD staff have completed field work for the new deer population
42 survey, and we are awaiting a report and recommendations from NC WRC. Depending on the updated deer
43 population estimate, we may proceed with another controlled hunt this winter.
44

45 **Full Staffing**

46 With the recent hiring of two new Parks Maintenance Workers and a new Public Works Equipment Operator, all 55
47 full-time positions with the Town of Emerald Isle are filled.
48

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1 **Rescue Tubes**

2 As a result of the outstanding community support, we now have funding and plans for 107 total rescue tube locations.
3 Town staff removed the existing rescue tubes in advance of Hurricane Joaquin, and we will be working to have all
4 107 locations installed in spring 2016. I have attached a list of the locations and sponsors.

5
6 **Beach Driving Permits**

7 A total of 754 paid beach driving permits have been issued through September 30 (compared to 685 through
8 September 30, 2014). A total of 496 fee permits have been issued (compared to 441 last year).

9
10 **Nies v. Emerald Isle**

11 The North Carolina Court of Appeals heard oral arguments in this case on August 24. A decision by the 3-judge
12 panel is expected sometime in October.

13
14 **Expanded Use of New Town Logo**

15 As you may have noticed, we are beginning to expand the use of the new Town logo. In addition to clothing,
16 letterhead, website, and other publications, we will soon be adding the logo to Town vehicles and signs over time.

17
18 **Retiree Health Insurance**

19 With the sales tax issue now behind us (thankfully without harming the Town's budget), I plan to further investigate a
20 fiscally responsible health insurance program for Town employees who retire after 20 or more years of service to the
21 Town. A recommendation may be presented to the Board in early 2016.

22
23 **Rusty Pelican Status**

24 The owner of the Rusty Pelican has until November 29 to make necessary structural and electrical repairs to the
25 building. The owner has represented to the Town that she intends to complete such repairs. The building may not
26 be occupied until noted deficiencies have been corrected. It does not appear that any work has yet begun.

27
28 **7405 Archers Creek Court – Nuisance Concerns**

29 Town staff and the County building inspector conducted a formal hearing with the owner of this structure on October
30 2. The owner has been ordered to repair or demolish the structure within the next 90 days (December 31 deadline),
31 and he indicated he will be seeking to sell the property in the meantime. The owner appears to be planning sell it
32 with the idea that it would be demolished, and requested that the EIFD consider using the structure for a Fire training
33 exercise. Town staff are currently investigating the logistics and legalities of a Fire training exercise, and I am
34 hopeful that we can work through these issues and assist the owner. The most likely impediment is the mortgage
35 company.

36
37 **2016 – Vendors at WORA, EORA?**

38 Town staff plan to reach out to local business owners this fall, and then draft a recommended set of regulations and
39 develop a selection process that would enable mobile vendors to operate at the Eastern Ocean Regional Access and
40 Western Ocean Regional Access during the 2016 tourism season. At this point, I expect that the process will limit
41 this opportunity to businesses with a "brick and mortar" presence in Emerald Isle only. I hope to present
42 recommendations to the Board in the next few months.

43
44 **Rezoning Request**

45 The owner of the vacant lot directly adjacent to Flip-Flops Mini-Mart (west side) is requesting that the property be
46 rezoned from Business to Residential. The rezoning request will be presented to the Planning Board on October 26,
47 and will likely appear on the Board of Commissioners' November 10 meeting agenda.

48

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1 **Village West Rezoning**

2 I have tasked Town Planner Josh Edmondson with proceeding with the rezoning of most, if not all, of the properties
3 included in the Village West land use plan area to the Village West zoning classification. These properties are all
4 currently zoned Business, but are projected for Village West. Village West is a much more flexible and lucrative
5 zoning district, and is intended to promote quality new and re-development in this area.
6

7 To date, two properties (The Islander and Transportation Impact) have already been rezoned to Village West, and we
8 hope to also rezone the go-kart track, batting cage, Water Boggan, Lighthouse Mini-Golf, Artisan Marble, Bert's Surf
9 Shop, Island Self-Storage, Emerald Oasis Car Wash, Wilco gas station, and nearby vacant properties to Village West
10 in the coming months. Town staff are in the process of reaching out to affected property owners, and will soon
11 discuss the rezonings with the Planning Board.
12

13 **Police Department Implements "R U Ok?" Program**

14 This new program, which enables property owners to schedule automated phone calls to check on their well-being,
15 has been implemented by the EIPD. If the call is made, and an unacceptable response is received, EIPD will be
16 dispatched to the scene. Interested residents should contact the EIPD to learn more and sign up.
17

18 **Online Survey – JLUS**

19 Work is continuing on the Cherry Point Regional Joint Land Use Study, a cooperative planning effort between the
20 Marine Corps and surrounding local governments, and the steering committee is seeking community input via an
21 online survey. The survey is posted on the Town's website at www.emeraldisle-nc.org under "Latest News".
22

23 **Online Survey – Carteret County Economic Development Survey**

24 The Carteret County Economic Development Strategic Planning Committee is seeking community input on our
25 county's strengths, challenges, and opportunities as they relate to the local economy and our ability to stimulate job
26 creation and economic prosperity. The survey is posted on the Town's website at www.emeraldisle-nc.org under
27 "Latest News".
28

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

30 Commissioner Normile wanted to make a public thank you to County Commissioner
31 Jimmy Farrington for putting together a \$15,000 package for the Senator Jean Preston
32 Memorial Playground. Commissioner Normile said that \$15,000 was a big deal and
33 would go a long way toward bringing the project to reality.

34 Mayor Barber thought it was a great meeting with a lot of good input from the citizens.
35
36
37
38
39

1 **19. Adjourn**

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

4 **The meeting was adjourned at 7:30 pm.**

5 Respectfully submitted:

6

7

8 Rhonda C. Ferebee, CMC, NCCMC

9 Town Clerk

10

11

12

13

14

15

DRAFT