

**MINUTES OF THE REGULAR SCHEDULED MEETING  
OF THE EMERALD ISLE BOARD OF COMMISSIONERS  
TUESDAY, DECEMBER 13, 2016 – 6:00 P.M.  
TOWN BOARD MEETING ROOM**

**1. Call to Order**

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

**2. Roll Call**

Present for the meeting: Mayor Eddie Barber, Mayor Pro-Tem Floyd Messer, Commissioners Candace Dooley, Steve Finch, Jim Normile, and Maripat Wright.

Also present during the regular meeting: Town Manager Frank Rush, Town Attorney Richard Stanley, Town Clerk Rhonda Ferebee, Finance Director Laura Rotchford, Interim Police Chief Tony Reese, Fire Chief Bill Walker, and Parks and Recreation Director Alesia Sanderson.

**3. Opening Prayer**

Bernie Whalley, Emerald Isle resident, offered the opening prayer.

**4. Pledge of Allegiance**

Mayor Barber led the Pledge of Allegiance.

**5. Adoption of Agenda**

***Motion was made by Commissioner Messer to adopt the Agenda. The Board voted unanimously 5-0 in favor. Motion carried.***

**6. Proclamations / Public Announcements**

Mayor Barber noted the following announcements for the public:

- Coffee with A Cop – Thursday, December 15 – 9 am – Village Market
- American Red Cross Blood Drive – Friday, December 16 – 2 – 7 pm – Community Center
- Planning Board Regular Meeting – Monday, December 19 – 6 pm – Town Board Meeting Room
- Police Educating the Public (PEP) – Tuesday, December 20 – 10 am – Town Board Meeting Room

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- Christmas Holiday – Friday, December 23, Monday, Dec 26, and Tuesday, Dec 27 – Town Offices Closed
- Community Center Closed on Saturday, December 24 and Sunday, December 25
- No trash collection on Monday, December 26 or Tuesday, December 27
- No New Year’s Eve Fireworks Due to Bogue Inlet Pier Construction
- New Year’s Day Holiday – Monday, January 2 – Town Offices Closed, Community Center Closed
- Trash will be collected on Monday, January 2
- Board of Commissioners Regular Meeting – Tuesday, January 10 – 6 pm – Town Board Meeting Room

## **7. Public Comment**

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

Paul Schwartz, 10550 Wyndtree Drive, asked about the continuing depredation of the deer even though the count was now 90 wondering how far they were going to reduce the deer.

Town Manager Frank Rush referred to a letter from the Wildlife Resources Commission that recommended they take 25-30 deer and that was their plan assuming the Board. Mr. Rush said they would always continue to conduct a new population estimate each year in the fall and it may be that next year they didn’t need to do the depredation, but they had decided to follow the recommendation of the Wildlife Resources Commission this year, adding that he felt if they could stay in the 60-90 range that was where they wanted to be.

## **8. Consent Agenda**

- a. Tax Releases
- b. Minutes – October 11, 2016 Regular Meeting
- c. Resolution Declaring Surplus Items for Public Donation (16-12-13/R1)
- d. Resolution Designating FEMA Agent (Hurricane Matthew) (16-12-13/R2)
- e. Resolution Authorizing Contract Extension – Waste Industries, Inc. (Dumpster Service) (16-12-13/R3)
- f. 2017 Official Meeting Schedules – Board of Commissioners, Planning Board, Bicycle and Pedestrian Advisory Committee

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

Clerks Note: A copy of Resolution 16-12-13/R1, 16-12-13/R2, 16-12-13/R3, and all other Consent Agenda Items as noted above are all incorporated herein by reference and hereby made a part of these minutes.

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**9. Ordinance Amending Chapter 8 – Animals – of the Code of Ordinances to Allow Chickens on Large Properties (16-12-13/01)**

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

The Board of Commissioners is scheduled to consider the attached ordinance amendment that would allow property owners with more than 2 acres to own, harbor, or possess chickens within the Town limits. The attached ordinance amendment is requested by resident Danielle Merrell, and is structured in a similar manner as the Town's ordinance allowing horses on large properties.

As you know, the Town's ordinances currently prohibit the ownership, harboring, or possession of chickens everywhere in the Town limits. The intent of this ordinance is to prevent negative noise, smell, and appearance impacts on nearby property owners, particularly considering that the typical residential lot size in Emerald Isle is in the 12,500 – 15,000 sq. ft. range, with homes in generally close proximity to one another. Danielle Merrell, a soundfront resident in the 7000 block who lives on a larger parcel, approached the Board at the November meeting to specifically request that an exception be created for large properties, and cited the food, educational, and personal enjoyment benefits that her family realizes from the chickens currently located on her property. The Board expressed a willingness to consider this issue in more detail at the December meeting.

The Town's ordinance also prohibits horses, but does include a specific exception for large properties (greater than 5 acres) with certain conditions aimed at mitigating impacts on nearby property owners. This ordinance has been in effect for approximately 15 years, there are currently 2 property owners in Emerald Isle with horses, and there have been no significant complaints about these properties. The attached ordinance amendment creates a similar exception for chickens on large properties (greater than 2 acres; chickens are much smaller than horses and can be contained in a much smaller area), with similar conditions aimed at mitigating impacts on nearby property owners. These conditions include:

- a requirement that all chickens are of the female gender,
- a cap of 25 chickens per property,
- the chickens must be owned by the property owner,
- the property owner must secure written permission from all directly adjacent property owners with a common property line,
- the property owner must contain the chickens and not allow chickens to run at large,
- the property owner must maintain chicken facilities in a clean and healthy condition, and
- the property owner must collect chicken waste from the containment area daily and store said waste in a designated compost pile at least twenty-five (25) feet from any adjacent property line.

The Board should note that there are approximately 20 residential properties in Emerald Isle that are greater than 2 acres, and thus this exception would be limited to these properties only. Nearly all of these properties are located on the soundfront in Emerald Isle. The Board should note that the exception would not apply to condominium complexes, mobile home parks, RV parks, or commercial properties, unless each unit is allocated 2

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or more acres. In other words, a tenant in a mobile home park on a typically sized mobile home lot could not keep chickens simply because the overall mobile home park property is larger than 2 acres.

If the Board believes 2 acres is not the appropriate size property, the attached ordinance amendment can be modified to stipulate any size property the Board believes is prudent. The Board should note that there are approximately 121 residential properties in Emerald Isle that are 1 acre or larger, approximately 56 properties that are 1.5 acres or larger, and only 3 properties that are 5 acres or larger.

Danielle Merrell will attend the December 13 meeting to answer any questions the Board may have, and I will be happy to answer any questions or provide additional insight for the Board's consideration.

Town Manager Rush discussed the proposed ordinance amendment with the Board as outlined in detail in his memo above highlighting the exceptions that would allow chickens on larger properties greater than 2 acres. Mr. Rush noted that Danielle Merrill had at the November Board meeting approached the Board about considering some type of ordinance amendment to allow chickens, and had provided an explanation about what she had been doing on her property for the last year or two. Town Manager Rush took the Board's direction and they had drafted the proposed ordinance for the Board's consideration, noting it was modeled closely after their existing ordinance that allowed horses on certain large parcels in Emerald Isle.

Danielle Merrill, 7012 Emerald Drive, stated that Commissioner Finch had checked out the property and noted that they currently had 24 chickens on the property, all self-contained in a fenced area. Ms. Merrill confirmed they had permission from all adjacent property owners.

Commissioner Finch commented that he found during his site visit that the chickens were very well kept and that you wouldn't even know they were there as he had to look around to find them.

***Motion was made by Commissioner Finch to approve the Ordinance Amending Chapter 8 – Animals – of the Code of Ordinances to Allow Chickens on Large Properties. The Board voted unanimously 5-0 in favor. Motion carried.***

**Clerks Note: A copy of Ordinance Amendment 16-12-13/O1 as noted above is incorporated herein by reference and hereby made a part of these minutes.**

**10. Ordinance Amending Chapter 5 – Beach and Shore Regulations – of the Code of Ordinances Regarding Beach Driving Permit Decals (16-12-13/02)**

Interim Police Chief Tony Reese addressed the Board concerning this Agenda item. The following excerpt from the Town Manager's memo to the Board is provided for additional background:

The Board of Commissioners is scheduled to consider the attached ordinance amendment that clarifies the Town's requirements for the placement of beach driving permit decals. The ordinance amendment is requested by the Police Department in order to make it easier to enforce the Town's beach driving ordinance and insure that only permitted drivers are on the beach strand.

The Town's current ordinance simply requires the placement of the beach driving permit decal on the windshield, and different drivers place the decals in different locations. Additionally, many drivers retain previous years' decals on the windshield, and both actions make it more difficult for the Police Department (and concerned citizens) to efficiently determine if the driver has a current and valid beach driving permit. The attached ordinance amendment simply stipulates that the decal be placed in the lower corner on the driver's side, and requires all previous years' decals to be removed.

The Town's ordinance currently requires the beach driving permit decal to be permanently affixed to the windshield, however, there have been instances where the decal has been temporarily affixed such that it is removable, and then shared with others illegally. The attached ordinance amendment specifically grants the Police Department the authority to immediately revoke permit decals that are being used illegally.

The Board should note that, although not codified in the Code of Ordinances, the Town also requires regional beach access parking decals to be permanently affixed in the lower corner on the driver's side, and that practice will continue. There should be ample room for both beach driving permit decals and regional beach access parking decals in that area, and the two decals intentionally utilize different shapes and colors.

Interim Police Chief Tony Reese will present this item to the Board, and will be available to answer any questions at the December 13 meeting.

Interim Police Chief Tony Reese discussed this proposed ordinance amendment with the Board that would require all beach driving permit decals to be permanently affixed to the lower corner of the windshield on the driver's side, and would also require all previous years' decals to be removed. Interim Chief Reese felt the location of the decal being required to be in a uniform location, along with the permit being permanently affixed and all previous years' permits being removed would make it easier for the officers to evaluate whether people were properly permitted when passing them on the beach.

Commissioner Finch asked about those individuals who had multiple permits and asked whether the current permits could be placed in the driver side lower area and all previous permits be left somewhere else on their vehicle. Interim Chief Reese said that they mainly didn't want a grouping of permits in the lower left driver side but they weren't going to push if someone wanted to collect their permits and place them on their back windshield as long as

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they knew the one they were looking for was in that designated location and the officer knew that was where they needed to look and was the permit which they needed to be concerned.

***Motion was made by Commissioner Wright to approve the Ordinance Amending Chapter 5 – Beach and Shore Regulations – of the Code of Ordinances Regarding Beach Driving Permit Decals. The Board voted unanimously 5-0 in favor. Motion carried.***

Clerks Note: A copy of Ordinance Amendment 16-12-13/O2 as noted above is incorporated herein by reference and hereby made a part of these minutes.

**11. Ordinance Amending Chapter 11 – Transportation – of the Code of Ordinances Regarding Golf Cart Permit Requirements (16-12-13/O3)**

Interim Police Chief Tony Reese addressed the Board concerning this Agenda item. The following excerpt from the Town Manager’s memo to the Board is provided for additional background:

The Board of Commissioners is scheduled to consider the attached ordinance amendment that clarifies the Town’s requirements for the placement of golf cart license plates and adds a new requirement for “safety regulations decals”. The ordinance amendment is requested by the Police Department, and is intended to make it easier to identify golf carts registered in the program and to remind golf cart operators of important safety regulations.

The Town’s current ordinance simply requires the display of the golf cart license plate and annual registration decal, and the attached ordinance amendment specifies that it must be mounted on the rear of the golf cart in a visible location. This clarification will make it easier for the Police Department (and concerned citizens) to identify golf carts operating in the Town.

In an effort to enhance awareness of the most important golf cart safety regulations, the Police Department has developed a new “safety regulations decal” to be affixed on the windshield of each golf cart registered in the program, facing the golf cart operator. A copy of the new decal is attached, and the decal will be affixed to the windshield by the Police Officer conducting the annual golf cart inspection. We are hopeful that this reminder will increase awareness of the most important golf cart safety regulations and also reduce the number of golf cart violations in the future.

Interim Police Chief Tony Reese will present this item to the Board, and will be available to answer any questions at the December 13 meeting.

Interim Police Chief Tony Reese addressed the Board with details of this proposed ordinance amendment that would clarify that all golf cart license plates and registration decals must be displayed on the rear of the golf cart in a visible location. Interim Chief Reese stated that the amendment would also require the placement of a Town-issued “safety regulations decal” on the windshield of each golf cart registered in the Town’s program, facing the golf cart operator that listed the 10 most violated parts of the rules and regulations to hopefully improve people’s awareness of the rules and regulations and increase the safety of those using the golf carts to travel.

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Commissioner Wright asked whether the rental carts would have the same sticker. Interim Chief Reese confirmed that every cart would be required to have the same sticker, adding that when the officer did the inspection of the golf cart the officer would actually install the safety regulations sticker, and as they renewed if the sticker was not in place when they did the renewal the owner would be required to get another sticker before they could get the cart inspected.

***Motion was made by Commissioner Messer to approve the Ordinance Amending Chapter 11 – Transportation – of the Code of Ordinances Regarding Golf Cart Permit Requirements. The Board voted unanimously 5-0 in favor. Motion carried.***

**Clerks Note:** A copy of Ordinance Amendment 16-12-13/O3 as noted above is incorporated herein by reference and hereby made a part of these minutes.

**12. Ordinance Amending Chapter 4 – Fire Department – of the Code of Ordinances Regarding Personal Camp Fires (16-12-13/O4)**

Fire Chief Bill Walker addressed the Board concerning this Agenda item. The following excerpt from the Town Manager’s memo to the Board is provided for additional background:

The Board of Commissioners is scheduled to consider the attached ordinance amendment that clarifies the Town’s requirements regarding personal camp fires.

A strict interpretation of current Town ordinances suggests that small, personal camp fires (involving specially constructed stone fire pits, fireplaces, or commercially manufactured devices) are prohibited in Emerald Isle. I don’t believe this is the Town’s intent, and many of our residents and visitors enjoy such activities, which, if conscientiously controlled and monitored, represent minimal risk. Thus, we are proposing the attached ordinance amendment to clarify that these activities are permitted in Emerald Isle with appropriate safety measures.

The attached ordinance amendment creates an exception in the current Town ordinance that outlines basic, common-sense safety measures for such fires, and is consistent with the North Carolina Fire Code. The attached ordinance amendment permits such fires in specially constructed stone pits, fireplaces, or commercially manufactured devices that are outfitted with a flame arresting screen. An ad hoc fire pit or open campfire on-site would not be permitted, however, an outdoor fireplace or fire pit constructed as part of an overall landscaping feature, or a typical commercially manufactured fire pit or chimenea that might be purchased at a home improvement store would be permitted. The Board should note that the attached ordinance amendment requires all such fires to be at least 25 feet from a structure, however, a fireplace or commercially manufactured device with an elevated chimney feature may be located within 15 feet of a structure. The attached ordinance amendment also requires a fire extinguisher or water source (i.e, a garden hose) to be readily available, and requires the fire to be constantly attended until extinguished.

The Board should also note that the Town frequently receives inquiries about bonfires on the beach strand, and about the release of “sky lanterns” into the air. Both of these activities are very difficult to control, with unpredictable consequences, and the Fire Department has routinely informed our residents and visitors that both are prohibited. The attached ordinance amendment clarifies that these activities are strictly prohibited.

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Fire Chief Bill Walker will present this item to the Board, and will be available to answer any questions at the December 13 meeting.

Fire Chief Bill Walker outlined the details of the proposed ordinance amendment regarding personal campfires that clarified that specially constructed outdoor fire pits, fireplaces, or commercially manufactured fire pit or chimenea devices were allowed, and to have the ordinance read basically as stated in the State Fire Code.

Commissioner Wright asked whether visitors could bring fire pits with them to use. Fire Chief Walker said that the ones you could buy at Lowes for example that had a screen on the top could be used as long as they were 25 feet from the structure with the screen on. Chief Walker said that currently they had not been allowed as the ordinance had stated any outside burning was not allowed. Chief Walker said that one requirement was that natural wood must be used, no synthetic or salt treated wood, and bonfires on the beach were still prohibited.

***Motion was made by Commissioner Dooley to approve the Ordinance Amending Chapter 4 – Fire Department – of the Code of Ordinances Regarding Personal Camp Fires. The Board voted unanimously 5-0 in favor. Motion carried.***

Clerks Note: A copy of Ordinance Amendment 16-12-13/O4 as noted above is incorporated herein by reference and hereby made a part of these minutes.

**13. Proposed Bogue Inlet Drive Improvements (Street Realignment, New Bicycle Path, Lighting and Aesthetic Improvements)**

- a. Proposed Design
- b. Budget Amendment – General Fund
- c. Capital Project Ordinance Amendment – Bicycle and Pedestrian Fund
- d. Capital Project Ordinance – Bogue Inlet Drive Improvements

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

The Board of Commissioners is scheduled to review proposed improvements to Bogue Inlet Drive (approximately 1,100 linear ft. between NC 58 and Bogue Inlet Pier) at the December 13 meeting. If the Board is comfortable with the proposed improvements, the Board is asked to approve a related General Fund budget amendment and two capital project ordinances to formally appropriate funds for the project. Town staff would then seek construction bids for the proposed improvements, with a goal to complete all improvements prior to the 2017 tourism season.

Proposed Design

As you know, Bogue Inlet Drive is in one of the oldest areas of Emerald Isle, and is heavily travelled by visitors to Bogue Inlet Pier, which is a popular destination for residents and visitors in our community. The Town has been considering strategies to improve the appearance of this area for the past several years.

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Additionally, the FY 16-17 budget includes a total of \$70,000 for the construction of a new bicycle path segment along Bogue Inlet Drive to connect the NC 58 bike path with Bogue Inlet Pier to provide a safe route for bicyclists and pedestrians in this area. As Town staff began planning for the bike path project in recent months, we sought to construct the bicycle path in a location with the least impact on nearby property owners and also considered strategies to improve the overall appearance and function of Bogue Inlet Drive. As a result of these planning efforts, we are now recommending additional street improvements in addition to the new bicycle path, and believe that the proposed design will result in a more functional streetscape, will minimize impacts on nearby property owners, and will greatly improve the aesthetics of Bogue Inlet Drive.

I have attached a copy of the proposed streetscape design for the Board's review. As you will note, the following elements are included in the proposed design:

- the public street right of way for Bogue Inlet Drive is 50 feet,
- a new 10 ft. wide bicycle path would be constructed on the west side of the public right of way, approximately 3 – 5 feet inside the right of way line,
- the existing concrete sidewalk on the east side of the public right of way would be removed altogether,
- the existing asphalt road (approximately 20 ft. wide) would be shifted approximately 6 – 8 ft. to the east, and the eastern edge of pavement would be located approximately on the back edge of the existing sidewalk, thus “freeing up” additional space on the west side of the street pavement to enable a more comfortable bicycle path layout,
- the eastern edge of pavement for the realigned street would be approximately 3 – 5 feet inside the right of way line, and generally in line with the back edge of the existing sidewalk,
- approximately 6 – 8 ft. of existing asphalt would be removed from the western edge of pavement, and would be replaced with grass; this area would become part of the grassy separation between the street and the bicycle path (approximately 10 ft. total separation),
- the street would be completely resurfaced from NC 58 to the entrance to Bogue Inlet Pier, resulting in a “brand new” appearance,
- a total of 5 decorative street lights (every 200 linear ft.), matching the existing lights on NC 58, would be installed in the grassy area between the new bicycle path and the new street,
- additional trees would be added to the grassy area between the new bicycle path and the new street, and this grassy area would also include a swale to infiltrate storm water runoff,
- painted crosswalk blocks would be used to delineate the bicycle path in front of existing parking spaces associated with the commercial building on the southwest corner of Bogue Inlet Drive and NC 58; no commercial parking spaces would be eliminated, and
- the existing entry shack at Bogue Inlet Pier would be relocated (pier owner Mike Stanley is supportive of this project and indicated this would not be a concern).

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Not including the cost to resurface Bogue Inlet Drive with new asphalt, the total estimated cost to realign the street (\$40,000) and add decorative lighting (\$8,000) and trees (\$2,000) is approximately \$50,000. The attached General Fund budget amendment and capital project ordinance amendments appropriate these additional funds if the Board concurs with the proposed design.

The total estimated cost to resurface the street is approximately \$35,000, and this street resurfacing will be incorporated into the Town's annual street resurfacing contract this spring, and ultimately funded separately by the Town's Powell Bill distribution.

Because this work involves only minor disturbance and very little additional impervious coverage, I don't believe any permits are necessary for this work. Bogue Inlet Drive is currently served by an existing NCDOT drainage system near NC 58, and this will not change. In reality, the creation of a new storm water swale between the improved street and the bicycle path should slightly enhance storm water management in this area.

Town staff have discussed the proposed improvements with pier owner Mike Stanley and Larry Watson, owner of the commercial building near NC 58, and both were supportive of the project. Although all work will occur within the public street right-of-way, Town staff will also reach out to other property owners in this area in the coming weeks. If the Board concurs with the proposed design, Town staff will solicit construction bids in the coming weeks, and seek to present a construction contract recommendation to the Board at either the January or February meeting. Our goal would be to complete the proposed improvements by the end of April, if not sooner.

Budget Amendment – General Fund

The attached General Fund budget amendment appropriates an additional \$42,000 from various revenue sources to fund the majority of the additional cost of the proposed improvements. As noted above, the additional cost associated with the street realignment is approximately \$40,000 and the additional cost of trees is approximately \$2,000, and this budget amendment would essentially fund these items.

Fortunately, several General Fund revenue sources are tracking better than anticipated so far this fiscal year, and Laura Rotchford, Finance Director, and I are comfortable recommending the formal appropriation of these additional revenues. The bulk of the additional revenue included in the attached General Fund budget amendment is associated with higher than anticipated hurricane re-entry permit revenues, ABC store revenues, and beach driving permit revenues.

Capital Project Ordinance Amendment – Bicycle and Pedestrian Fund

The attached capital project ordinance amendment formally transfers a total of \$78,000 from the Bicycle and Pedestrian Fund to the new capital project ordinance established for the proposed Bogue Inlet Drive improvements. Of this amount, \$70,000 was included in the FY 16-17 budget, and is merely a procedural adjustment. (The Board will recall that \$36,000 is derived from reserve funds previously appropriated for new traffic signal poles, and \$34,000 is derived from bicycle and pedestrian fundraising proceeds overseen by the Bicycle and Pedestrian Advisory Committee.)

The additional \$8,000 is associated with the proposed decorative street lights, and is derived from bicycle and pedestrian fundraising proceeds overseen by the Bicycle and Pedestrian Advisory Committee. Ken Stone, Committee Chairman, has indicated the Committee's support for the use of these funds for the decorative street lights. After the appropriation of this \$8,000, the Bicycle and Pedestrian Fund will have a remaining balance of approximately \$9,000.

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Capital Project Ordinance – Bogue Inlet Drive Improvements

The attached capital project ordinance is new, and will be used to account for all project revenues and expenditures. As noted, a total of \$42,000 is transferred from the General Fund and \$78,000 is transferred from the Bicycle and Pedestrian Fund, resulting in a total project budget of \$120,000.

I look forward to discussing the proposed Bogue Inlet Drive improvements at the December 13 meeting, and I believe they will make a significant improvement in the function and appearance of Bogue Inlet Drive in this area. Alesia Sanderson, Parks and Recreation Director, and Ken Stone will also attend the meeting to offer their insights and expertise.

Town Manager Frank Rush explained the proposed Bogue Inlet Drive Improvements with the Board including the proposed design, related General Fund budget amendment and two capital project ordinances that would formally appropriate funds for the project as outlined above in detail in his memo to the Board. Town Manager Rush stated that if the Board concurred with the proposed design he would expect to solicit construction bids later this month and January with a goal to start construction in February so they could be done before the busy tourism season, and if they were not comfortable with this approach, staff would go back to the drawing board and work out just a more simplified bicycle path plan.

***Following discussion the Board concurred with the proposed streetscape design as presented.***

***Motion was made by Commissioner Messer to approve the Budget Amendment – General Fund. The Board voted unanimously 5-0 in favor. Motion carried.***

***Motion was made by Commissioner Normile to approve the Capital Project Ordinance Amendment – Bicycle and Pedestrian Fund. The Board voted unanimously 5-0 in favor. Motion carried.***

***Motion was made by Commissioner Finch to approve the Capital Project Ordinance – Bogue Inlet Drive Improvements. The Board voted unanimously 5-0 in favor. Motion carried.***

Clerks Note: A copy of Budget Amendments and Capital Project Ordinance Amendments as noted above are all incorporated herein by reference and hereby made a part of these minutes.

**14. Sale of Welcome Center Building to Carteret County Tourism Development Authority**

- a. Resolution Authorizing Sale of Welcome Center Building to TDA (16-12-13/R4)**
- b. Welcome Center Land Sub-Lease Agreement (NC 58 Right of Way)**
- c. Budget Amendment – Future Beach Nourishment Fund**

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

The Board of Commissioners is scheduled to consider three items at the December 13 meeting that would result in the Town transferring ownership of the Welcome Center building to the Carteret County Tourism Development Authority (TDA). The attached resolution authorizes the sale for a total sale price of \$237,000, which will enable the Town to recover its full investment in the new Welcome Center building. The Board will also consider a new sub-lease agreement between the Town and the TDA for the NC 58 right of way on which the Welcome Center building is located, and an associated budget amendment to formally appropriate the sale proceeds to the Future Beach Nourishment Fund.

Resolution Authorizing Sale of Welcome Center Building to Carteret County Tourism Development Authority

The attached resolution formally authorizes the Town Manager to proceed with the sale of the building to the TDA for a total sale price of \$237,000. This amount, when combined with \$42,000 previously remitted by the TDA, will enable the Town to recover its full investment in the Welcome Center building.

The Town constructed the Welcome Center building in 2015 for a total cost of \$276,000. The Town entered into a 10-year construction and lease agreement (attached) with the TDA prior to construction that was intentionally structured to enable the Town to recover its full capital investment, plus interest, over the 10-year period. The agreement includes a provision whereby the TDA may purchase the Welcome Center building from the Town for \$1 at the conclusion of the 10-year lease agreement. Since September 2015, the TDA has remitted monthly lease payments of \$2,800 per month, resulting in total payments of \$42,000 over the past 15 months, thus the proposed sale price of \$237,000 will enable the Town to recover its full investment. Adding these amounts together results in total TDA payments of \$279,000, and this calculation includes the Town's interest expense since the building opened.

The TDA initially intended to honor the 10-year lease agreement, however, due to TDA accounting issues and an unexpected budget surplus for the TDA, they would like to complete the purchase of the building now rather than at the end of the 10-year lease agreement. This scenario is more favorable for the Town, and will enable the Town to fully retire the internal financing agreement used to fund the construction of the building in 2015. The Town's Future Beach Nourishment Fund provided financing to the General Fund for the construction of the building in 2015, and this outstanding note will be fully retired upon payment by the TDA. I am pleased that the Town will retire this note early, and will improve the Town's cash position in the Future Beach Nourishment Fund.

Assuming Board approval, we intend to schedule the closing for this sale sometime prior to December 31, and Town Attorney Richard Stanley will conduct this transaction.

Welcome Center Land Sub-Lease Agreement (NC 58 Right of Way)

As you know, the new Welcome Center is located on an approximately 0.83 acre tract in the NC 58 public right of way. The Town entered into a special lease agreement with NCDOT in 2014 (attached) that enabled the Town to construct the Welcome Center building at this site, and the agreement contemplated the Town owning the

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building and leasing it to the TDA. Because the Town is now selling the building to the TDA, it is necessary to execute a sub-lease agreement between the Town and the TDA for the land on which the Welcome Center building is located. The special lease agreement with NCDOT would remain in effect, as the Town will continue to retain the right to use the grounds at the Welcome Center for park improvements and public gatherings. This approach is also much easier to accomplish administratively.

The attached sub-lease agreement between the Town and the TDA is consistent with the spirit and intent of the current NCDOT agreement and the original construction and lease agreement with the TDA, but has been amended to simply reflect the fact that the TDA will now be the owner of the building. From a practical standpoint, the site will continue to be used by the public and the Welcome Center will continue to operate in the same manner that it has since it opened in 2015.

The key provisions of the attached sub-lease agreement are as follows:

- the TDA owns the building and bears all expense associated with operating, furnishing, and maintaining the building and parking area,
- the TDA agrees to keep public restrooms available to the general public, but the Town will clean and maintain the restrooms,
- the Town retains the right to use the grounds for park improvements and public gatherings, and will maintain the landscaping at the site,
- the sub-lease agreement expires in 2025, but renews automatically in the same manner as Town's special lease agreement with NCDOT,
- if NCDOT ever reclaims the NC 58 right of way for a road project (not likely anytime soon; probably not in our lifetimes), the TDA, as owner of the building, is responsible for removing it, and
- all typical legal provisions included are the same as the current agreement between the Town and TDA.

Budget Amendment – Future Beach Nourishment Fund

The attached budget amendment formally recognizes the sale proceeds as revenue in the Future Beach Nourishment Fund, and will fully retire the internal financing agreement used to construct the Welcome Center in 2015. The attached budget amendment includes only \$220,800 because the FY 16-17 budget already anticipated a portion of these funds in the form of TDA lease payments. These additional funds will be appropriated to fund balance, reserved for future beach nourishment activities, and will be invested in appropriate interest-bearing instruments.

I am pleased to complete the sale of the Welcome Center building to the TDA in 2016, rather than waiting until 2025 as originally anticipated. I recommend approval of the attached items.

Town Manager Frank Rush discussed with the Board the sale of the Welcome Center Building to the Carteret County Tourism Development, including the items for their consideration being a resolution authorizing the sale for a total sales price of \$237,000, a new sub-lease agreement between the Town and the TDA for the NC 58 right of way on which the Welcome Center building was located, and the associated budget amendment to formally appropriate the sale

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proceeds to the Future Beach Nourishment Fund, as also outlined in detail in the memo provided above.

***Motion was made by Commissioner Messer to approve the Resolution Authorizing Sale of Welcome Center Building to TDA. The Board voted unanimously 5-0 in favor. Motion carried.***

***Motion was made by Commissioner Wright to approve the Welcome Center Land Sub-Lease Agreement. The Board voted unanimously 5-0 in favor. Motion carried.***

***Motion was made by Commissioner Normile to approve the Budget Amendment – Future Beach Nourishment Fund. The Board voted unanimously 5-0 in favor. Motion carried.***

Clerks Note: A copy of Resolution 16-12-13/R4 and all other associated items as noted above are all incorporated herein by reference and hereby made a part of these minutes.

## **15. Appointments**

- a. Emerald Isle Parks and Recreation Association, Inc. (1 Vacancy)**
- b. Planning Board (1 Vacancy)**
- c. Bicycle and Pedestrian Advisory Committee (4 Vacancies)**

**Brief Summary:** The Board of Commissioners will consider filling vacant seats on three important appointed boards at the December 13 meeting.

### **Emerald Isle Parks and Recreation Association, Inc. – 1 Vacancy**

The non-profit Emerald Isle Parks and Recreation Association, Inc. (EIPRA) was created by the Town in 2004 primarily to hold title to an 8-acre tract of land (since reduced to 7 acres) that was donated to the Town for future recreation purposes. Because the land is the site of an old residential landfill that was abandoned in the early 1970s, the Town did not want to accept the liability for the abandoned landfill, and the EIPRA, Inc. was created to hold title. The original 8-acre tract is now a part of the Emerald Isle Public Boating Access Facility, and is the portion where the actual ramps, single family parking area, and picnic shelter are now located. EIPRA, Inc. holds title to the land, leases it to the Town, who then leases it to the NC Wildlife Resources Commission.

The EIPRA, Inc. is governed by a 3-member Board of Directors. Linda Hughs, one of the original members of this Board, has moved away from Emerald Isle, and the Board should appoint an individual to serve the remainder of her 3-year term that expires in August 2018. The EIPRA, Inc. meets very infrequently on an as-needed basis.

### **Planning Board – 1 Vacancy**

Planning Board member Tom Minnick has moved away from Emerald Isle, thus creating a vacancy on the Planning Board. The Board should appoint an individual to serve the remainder of his term that expires in March 2018.

The Board may wish to appoint a member of the Board of Adjustment or the Comprehensive Plan / Land Use Plan Steering Committee to this vacancy, could direct Town staff to solicit applications from interested residents, or identify a new member informally.

### **Bicycle and Pedestrian Advisory Committee – 4 Vacancies**

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The terms of members Ken Ambrose, Branden Burt, Wayne Ryan, and Mike Taylor all expire in December 2016, and the Board should appoint 4 individuals to serve new 2-year terms that will expire in December 2018. All individuals have expressed interest in being reappointed to the Bicycle and Pedestrian Advisory Committee, with the exception of Wayne Ryan who is unable to continue due to other business commitments.

The Board may wish to reappoint 3 members, and work to identify an additional member for appointment at the December 13 meeting or a later meeting.

***Motion was made by Commissioner Finch to appoint Jay Thomas to an unexpired term on the Emerald Isle Parks and Recreation Association, Inc. that expires in August 2018.***

***Motion was made by Commissioner Wright to appoint Malcolm Boartfield to an unexpired term on the Planning Board that expires in March 2018. The Board voted unanimously 5-0 in favor. Motion carried.***

***Motion was made by Commissioner Normile to reappoint Ken Ambrose, Branden Burt, and Mike Taylor to new terms on the Bicycle and Pedestrian Advisory Committee that expire in December 2018. The Board voted unanimously 5-0 in favor. Motion carried.***

Ken Stone, Bicycle and Pedestrian Advisory Committee Chairman said he would also be looking for someone to serve and could come back to the Board at a future meeting with a recommendation.

Town Manager Rush noted that with the appointment of Malcolm Boartfield to the Planning Board that now created two vacancies on the Board of Adjustment. Town Manager Rush didn't think there was any urgency but just noted so the Board could be thinking about folks they may want to appoint to the Board of Adjustment.

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

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

Town Manager Rush updated the Board on the latest results of the Coyote Trapping Program, noting they had trapped 7 coyotes to date. Town Manager Rush also noted two dates he had suggested for the Board for special meetings, Wednesday, January 18 at 3pm for a Joint Meeting with the Planning Board to review the CAMA Land Use Plan. Mr. Rush said if that review went well they would expect to have it on the Planning Board agenda and then to the Board of Commissioners in February. Town Manager Rush also suggested the Budget Planning Workshop for Monday, January 30 at 8:30am but that date could be flexible depending on the Board's schedule.

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

**Nies v. Emerald Isle – Oral Arguments before NC Supreme Court – January 10**

Oral arguments in this case were delayed due to the election of a new Supreme Court justice, and will now be heard on Tuesday, January 10 in Raleigh. We expect a decision by the Supreme Court later this winter or spring.

**Osprey Ridge Storm Water Pump Station**

The Town's contractor, SunLand Builders, was making good progress on this project until early November, when an unexpected Bogue Banks Water Corporation water well discharge nearby flooded the area where the pump will be installed. As a result, SunLand suspended operations while the area was dewatered again. Dewatering is now essentially complete, and we expect work to commence in earnest again very soon.

We have made a slight modification to the design of the system, and will replace an approximately 160 linear ft. segment of open ditch with a new 36 inch closed pipe. This change was requested by the adjacent property owner, and we are able to accommodate this request at minimal additional cost without impacting the function of the new system.

**Bogue Inlet Pier House Demolished, Construction Underway to Replace**

The pier house at Bogue Inlet Pier has been removed, and construction is underway to construct a new pier house. The Planning Board will consider an exterior color change proposal ("banana peel green") for the new pier house and existing restaurant building at its December meeting, and this item will likely appear on the Board's January 10 meeting agenda.

Work to replace an approximately 200 ft. segment of the actual pier, over the dry sand beach, is expected to begin in the coming weeks, and it may be necessary to close that area of the beach to driving temporarily to accommodate the construction.

**No New Year's Eve Fireworks This Year**

With Bogue Inlet Pier under construction, Emerald Isle will not host fireworks this New Year's Eve as a part of the Crystal Coast Countdown. We are hopeful that fireworks will return for New Year's Eve 2017.

**Beach Wheelchair Donations**

The "Emerald Isle Beach Patrol", a local social and service group, recently donated a new handicapped beach wheelchair to the Fire Department, and has plans to donate two more in the coming months. Emerald Isle resident Jackie Getsinger also donated a new chair, in honor of her late husband, Sam. We greatly appreciate their generosity, and know that the new beach wheelchairs will be heavily used this summer.

**Beach Access Walkway Replacements**

Town staff will soon solicit informal bids for the reconstruction of existing beach access walkways at Georgia Street, Hubert Street, and Sea Crest. We plan to have a construction contract recommendation on the Board's January 10 meeting agenda. Our goal is to have all walkways completed and open to the public before April 1, if not sooner.

**TDA Funding Request – 2017 Beach Music Festival**

We expect to submit a funding request for the 2017 festival to the Carteret County Tourism Development Authority in January, and plan to have the details and authorization on the Board's January 10 meeting agenda. I expect that the Town will request at least \$35,000 again this year, and perhaps an additional amount that Town staff are still considering. The 2017 festival is scheduled for Saturday, September 30, 2017.

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**Crystal Coast Music Festival Not Coming to Emerald Isle**

I had been hopeful that the 2<sup>nd</sup> year of this event, which was held at the Atlantic Beach “circle” in 2016, would be held in Emerald Isle, but we were recently informed by the Carteret County Tourism Development Authority that it would return to Atlantic Beach this June. I remain hopeful that Emerald Isle can host the 2018 event. The 2017 event has a total budget of nearly \$400,000, and is primarily funded by room occupancy tax revenues, with ticket sales expected to generate approximately \$150,000 - \$200,000.

**Coyote Management Program**

Thus far, a total of 3 coyotes have been trapped and removed as a result of this program, which began on December 1. All 3 coyotes were male, and were taken from private property that arranged the trapping. The trapper reported that the 3 coyotes were all in the 45 – 50 lb. range, which is very large for coyotes. The program will continue through February 28.

**Controlled Deer Hunt**

The NC Wildlife Resources Commission biologists have completed the 2016 deer population estimate, and estimate a total of 90 deer. The biologists have recommended that the Town remove 27 – 30 deer this winter, and the Police Department will conduct a controlled bow hunt on public right of ways and other public properties this January and, if necessary, February. All hunting activities would occur in the middle of the night, and precautions will be taken to avoid contact with residents and visitors. I am hopeful that all deer hunting activities will conclude by the end of January, as was the case last year. A copy of the recommendation letter from the NC Wildlife Resources Commission is attached.

**Comprehensive Plan / Land Use Plan Update Nearing Completion**

The Steering Committee has likely concluded its work, and Town staff are working with the consultant to finalize the draft plan in the next few weeks. I would like to schedule a special joint meeting of the Planning Board and Board of Commissioners for Wednesday, January 18 at 3 pm to receive a presentation about the plan. If the plan is well-received, it would then be presented to the Planning Board for approval at its January 23 regular meeting, and then to the Board of Commissioners for formal adoption at the February 14 regular meeting. Please let me know if this date is acceptable.

**Annual Budget Planning Workshop – Monday, January 30?**

I would like to schedule this meeting for Monday, January 30, beginning at 8:30 am and continuing until early or mid-afternoon. Please let me know if this date is acceptable to you. Please also let me know if there are any specific issues or projects that you would like the Board to discuss at this meeting. I will be preparing a draft agenda later this month for review by the Board.

**26<sup>th</sup> Annual St. Patrick’s Festival – Saturday, March 11**

Parks and Recreation staff are working hard on the 2017 festival, which will be held on Saturday, March 11 at Emerald Plantation Shopping Center. Weather cooperating, we expect another big crowd in Emerald Isle that weekend. Children’s amusement rides will again be offered on Friday night before the festival, and this early opportunity was popular with locals in 2016.

**Emerald Isle Marathon, Half-Marathon, and 5K Races – Saturday, March 25**

The Race Committee is hard at work on the 2017 races, which will be held on Saturday, March 25 at the Western Ocean Regional Access. The Committee hopes to match or exceed the \$62,000 profit generated by the 2016 races. The Crystal Coast Autism Center is this year’s charity, with 50% of race profit going to this agency and 50% toward the Town’s bicycle path network.

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**CVS Aesthetic Improvements, Better Traffic Flow**

I continue to consider potential improvements at this location. Thus far, I have received generally favorable feedback from CVS, but have still not received any response from the building owner. The proposed new sidewalk and island would be constructed entirely within the Old Ferry Road right-of-way, and would not harm ingress, egress, or parking availability at the CVS in any negative manner. I would very much like to proceed with these improvements prior to the 2017 tourism season, and may present a formal recommendation to the Board later this winter or spring.

**Golf Cart Program Transferred Entirely to the Police Department**

Beginning December 1, the entire golf cart registration process has been transferred to the Emerald Isle Police Department. Individuals interested in registering a new golf cart or renewing an existing registration must now visit the Police Station and coordinate with EIPD personnel rather than visiting the Town Administration Building.

The Town's website, at <http://www.emeraldisle-nc.org/golf-card-registration-program>, now has an updated registration form and an easy way to pay by credit card online. It is my hope that this transfer will result in a more efficient process for the customer, and also relieve workload burdens on Town Administration staff.

**Bulkhead Cap Damaged at Emerald Isle Public Boating Access Area**

The wooden bulkhead cap along the main parking lot at the Emerald Isle Public Boating Access Area is rotting prematurely in certain areas. The NC Wildlife Resources Commission is planning repair this damage in January.

**Lee Street Sound Access Steps**

The Town's contractor, B&P Services, recently constructed a new set of steps leading from a high bluff down to the water's edge at the Lee Street soundside access. These steps partially replace an older wooden walkway in this area that was removed last year due to deterioration.

**Clarification – Beach Driving Closure Near The Point**

Town staff have roped off an area of the beach between the Channel Drive beach access and the Wyndtree Drive beach access near The Point in order to protect the dunes in that area from beach driving. The roped off area includes the large dune escarpments and extends approximately 50 feet seaward and runs parallel to the dunes. The intent behind this roped off area is to protect the dunes by preventing beach driving at high tide, but beach driving is still permitted at low tide, when there is typically sufficient beach available to traverse that area.

**Disc Golf Course Planned for El Woods Park**

A local resident, Andy Johnson, has designed a new 9-hole disc golf course to be installed in Emerald Isle Woods Park (away from existing trails), and is working to install the necessary equipment this winter. The new course should be another nice amenity in Emerald Isle, and I am hopeful that the new course will be open to the public sometime early in 2017.

**New Small Storm Water Relay Pump - Bogue Court**

Public Works is still waiting for the water table to subside on Bogue Court in order to proceed with the installation of the new small storm water relay pump in this location, but hopes to proceed with installation in the near future. The new system will discharge water into the dune field at The Point, and should effectively resolve standing water issues on Bogue Court.

**Itinerant Merchants / Satellite Merchants**

I still hope to make some adjustments to the Town's ordinance, and may present recommendations to the Board at the annual budget planning workshop.

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**Fire Department Exploring Grant Opportunity for Additional Personnel**

In an effort to transition from 2-man to 3-man crews on each Fire Engine, the Fire Department is currently exploring a Federal grant opportunity that would provide significant funding for additional firefighter personnel. The SAFER grant program generally covers salaries and benefits for personnel for the first two years, after which the Town would need to fund the new positions. I expect to present information about this grant program to the Board of Commissioners at the annual budget planning workshop. The Fire Department is currently considering a grant application for either 3 or 6 new personnel, and applications are expected to be due later this winter or spring.

**NC 58 Right of Way Between Bridge and Coast Guard Road – East Side**

Carteret Craven Electric Cooperative removed significant trees under the power lines in this area earlier this year, and this part of the entrance to Emerald Isle is now not as attractive as it had been previously. The Town recently partnered with the adjacent property owner to remove underbrush in that area, and we continue to seek to “tidy up” that entire area and give it a more “maintained” and “neat” look. We will be working to remove downed trees from a few wetland areas, and also cutting all remaining small vegetation, and perhaps adding more mulch. Our goal is to have this area looking as attractive as the area near the base of the bridge prior to the 2017 tourism season.

**Condominium Deck Inspection Program**

Town Planner Josh Edmonson will be meeting with condominium complex representatives and management companies in January to begin to develop a new, voluntary condominium deck inspection program for the Town’s 9 condominium complexes. The new program will likely incorporate the basic elements of the vacation rental deck inspection program, but will also likely have some key differences. We hope to have this new program implemented by April 1.

**Coastal Awnings Sign**

It is our understanding that the owner of the sign has leased the sign to an Emerald Isle-based business, and that the sign copy will be changed prior to the December 31 deadline established by the Town.

**Keller Williams Sign**

We also expect this sign copy to be removed prior to the Town’s December 31 deadline, but are not certain if the sign owner has identified an Emerald Isle-based business for that sign.

**New Island Harbor Marina Signs**

Town Planner Josh Edmondson is working with the owner of the marina to replace the 3 existing signs located on the east side of NC 58 between the bridge and Coast Guard Road. The replacement of these off-premises signs was made possible by a sign ordinance amendment approved this summer. The preliminary design of the new signs is very attractive, and should result in a nicer appearance in that area.

**Cape Emerald POA Pipe Repair**

The Town recently remitted a \$12,000 payment to the Cape Emerald Masters Association for a portion of the cost to repair a failed storm water pipe in Cape Emerald. The failed pipe was a private pipe, but the failure was caused by poor workmanship on a Town storm water pipe that received flow from the private pipe. The Town recovered slightly more than \$3,000 from the contractor for this repair work, with the Town covering the remaining \$9,000 remitted to Cape Emerald.

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**Cape Emerald Discharge Pipe Replacement**

Due to more pressing concerns, we have not yet begun this project. I expect to submit a CAMA permit application later this month, and hope to install a new, larger pipe from the Cape Emerald ponds to Bogue Sound sometime this winter or spring.

**Recent Surplus Property Auction**

The Town received a total of \$2,945 from the sale of various surplus items via an internet auction, most notably a 1988 Chevrolet step van.

**New Grocery Store**

The developer of the new grocery store planned for NC 58 / Crew Drive near Mallard Drive expects to begin construction in spring 2017, with a goal to open the store in spring 2018. We will be working to coordinate all road improvements and roundabout construction for winter 2017-2018 to minimize traffic impacts.

**Conceptual Design Work – NC 58 Corridor, Village East, Village West**

I previously solicited assistance from students at the NC State College of Design to develop conceptual renderings of the proposed “village” concepts and streetscape improvements contemplated for the NC 58 Corridor, Village East, and Village West areas. Unfortunately, I was unable to secure assistance from NC State, and I now plan to solicit assistance from qualified design firms to develop conceptual renderings to better communicate the vision for these areas. I hope to present a recommendation to the Board sometime in early or mid-2017, after the Comprehensive Plan / Land Use Plan process is complete.

**Comprehensive Update / Simplification of Unified Development Ordinance**

This continues to become a higher priority for me, and I am now fully convinced that we need to embark on a process to update and simplify the UDO in the coming months. I expect to begin work on this initiative sometime in early or mid-2017, after the Comprehensive Plan / Land Use Plan process is complete.

**Old Ferry Road - Behind CVS**

I am planning to task Public Works with removing damaged asphalt in the Old Ferry Road right-of-way behind CVS sometime this winter. The asphalt to be removed is in poor condition, looks unsightly, and is not located within the main vehicle travel lanes. Our approach will be to remove the asphalt to create a neater condition, and then plant grass in this area.

In the alternative, I plan to approach the adjacent property owners to determine any interest in permanently closing the road, thus conveying the property to the adjacent owners. The Town has no need for the road, and it dead ends at NC 58. NCDOT regulations do not allow a connection to NC 58. If the adjacent owners are interested in this approach, I will present the appropriate Board actions at an upcoming meeting. If they are not, then we will simply make the improvements described above and continue to maintain the road.

**Bogue Inlet Navigation Dredging**

The US Army Corps of Engineers has not completed any recent dredging in Bogue Inlet, and there are a few shallow areas in the connecting channel and across the ocean bar. Because there is not much value to dredging in the winter, the Corps is now planning to dredge Bogue Inlet sometime this spring before the prime boating season begins. We remain hopeful that the Corps will adjust the alignment of the marked connecting channel to a more central location when this work is performed this spring.

**NC 58 Traffic Improvements**

We expect the Statewide Transportation Improvement Program to be released later in December or January, and I remain hopeful that the Emerald Isle projects will ultimately be included in the final plan.

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**Customer Satisfaction Survey**

I am planning to work with the Board, staff, and a professional survey designer to develop a “customer satisfaction survey” for Town services and programs. I hope to begin work on the survey sometime this winter and release it to the public sometime in the spring or summer 2017.

**Beach Access Mat - Improve Wheelchair Access?**

I am planning to investigate the possibility of adding a special beach mat to one of the Town’s handicapped beach access locations to test out the effectiveness of these products. The cost of these mats has come down considerably in recent years, and there may be some benefit to these mats in certain locations in Emerald Isle.

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

Mayor Barber and the Board of Commissioners wished everyone a very Merry Christmas.

**18. Closed Session – Pursuant to NCGS 143-318.11(5), for the Purpose of Discussing Potential Real Estate Acquisition**

***Motion was made by Commissioner Wright to go into Closed Session. The Closed Session was being held pursuant to NCGS 143-318.11(5), for the Purpose of Discussing Potential Real Estate Acquisition. The Board voted unanimously 5-0 in favor. Motion carried.***

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

Upon returning to Open Session there was no action taken by the Board as a result of Closed Session.

**19. Adjourn**

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

***The meeting was adjourned at 7:10 pm.***

Respectfully submitted:

Rhonda C. Ferebee, CMC, NCCMC  
Town Clerk