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2
3 **MINUTES OF THE REGULAR SCHEDULED MEETING**
4 **OF THE EMERALD ISLE BOARD OF COMMISSIONERS**
5 **TUESDAY, MARCH 14, 2017 – 6:00 P.M.**
6 **TOWN BOARD MEETING ROOM**
7
8

9 **1. Call to Order**

10
11 The regular monthly meeting of the Emerald Isle Board of Commissioners was called to order by
12 Mayor Eddie Barber at 6:00 PM in the Town Board Meeting Room.
13

14 **2. Roll Call**

15
16 Present for the regular meeting: Mayor Eddie Barber, Mayor Pro-Tem Floyd Messer,
17 Commissioners Candace Dooley, Steve Finch, Jim Normile, and Maripat Wright.
18

19 Also present during the meeting: Town Manager Frank Rush, Town Attorney Richard Stanley,
20 Town Clerk Rhonda Ferebee, Finance Director Laura Rotchford, and Police Chief Tony Reese.
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 Wright to adopt the Agenda. The Board voted***
33 ***unanimously 5-0 in favor. Motion carried.***
34

35 **7. Proclamations / Public Announcements:**

36
37 **a. Recognitions – Police Career Advancement**

38 **Advanced Law Enforcement Certificate – Sergeant Nick Gottuso**

39 **Bill Bailey, Assistant Police Chief**

40 **David Ketchum, Police Lieutenant**

41 **Tim Long, Police Sergeant**

42 **Sandra DeLorme, Community Resource Officer**

43 **Tyler Biskup, Police Investigator**
44

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1 Police Chief Tony Reese recognized Sergeant Nick Gottuso on his recent achievement of the
2 Advanced Law Enforcement Certificate. Chief Reese stated that the Advanced Law
3 Enforcement Certificate was the highest certificate achievable by a law enforcement officer in
4 the State of North Carolina, and outlined the service and extensive training required in order to
5 be eligible for the award. Chief Reese said that Sergeant Gottuso had demonstrated his
6 commitment to his profession and his community with this achievement.

7
8 Chief Reese also recognized recently promoted officers following the recently held selection
9 process designed to fill the position of Assistant Chief of Police. Each of the promoted officers
10 were recognized individually as follows:

- 11
- 12 • Bill Bailey promoted to Assistant Police Chief
- 13 • David Ketchum promoted to Police Lieutenant
- 14 • Tim Long promoted to Police Sergeant
- 15 • Sandra DeLorme promoted to Community Resource Officer
- 16 • Tyler Biskup promoted to Police Investigator
- 17

18 The Board and public applauded the officers for their achievements and promotions.

19
20 Mayor Barber noted the following announcements for the public:

- 21
- 22 • **Bicycle and Pedestrian Advisory Committee – Wednesday, March 15 – 9 am –**
23 **Community Center**
- 24 • **Heart Saver CPR-AED Class – Thursday, March 16 – 9 am and 6 pm – EMS Station**
- 25 • **Cougar Plunge – Saturday, March 18 – 10 am – Western Ocean Regional Access**
- 26 • **Police Educating the Public (PEP) – Tuesday, March 21 – 10 am – Town Board Meeting**
27 **Room**
- 28 • **Coffee With A Cop – Thursday, March 23 – 9 am – Ben & Jerry’s**
- 29 • **4th Annual EI Marathon, Half-Marathon, and 5K Races – Saturday, March 25 – Western**
30 **Ocean Reg Access**
- 31 • **Planning Board Regular Meeting – Monday, March 27 – 6 pm – Town Board Meeting**
32 **Room**
- 33 • **Easter Egg Hunt – Sunday, April 9 – 12 noon – Community Center**
- 34 • **Board of Commissioners Regular Meeting – Tuesday, April 11 – 6 pm – Town Board**
35 **Meeting Room**
- 36 • **3rd Annual Crystal Coast Lighthouse Challenge – Bike The Banks – Saturday, May 6**
- 37
- 38
- 39
- 40
- 41

1 **7. Public Comment**

2
3 Richard Hemly (sp), spoke about a petition he had with him for a dog park and commented that
4 in his discussions with the Town Manager he understood if they could raise \$10,000 in the
5 community the Town would raise the other \$10,000. Mr. Hemly said that as he and his wife
6 were only here six months of the year they couldn't spearhead this project and they needed
7 somebody to take over and get the dog park working full-time. Mr. Hemly said they had a
8 petition and he thought someone in the Town could get out and organize this and get
9 somebody to lead the effort.

10
11 Commissioner Messer suggested that Mr. Hemly start with the people on his petition.

12
13 Town Manager Rush clarified for the Board and public that assuming such a facility could be
14 located on a piece of land the Town already owned he felt they could do something pretty nice
15 for somewhere in the \$20,000 range. Town Manager Rush said this would be for things such as
16 fencing, grading, and water fountain/facility. Town Manager Rush said he had suggested to Mr.
17 Hemly a similar model as was used to fund the bicycle and pedestrian paths where the
18 applicants for those facilities raised the money and the Board matched it dollar for dollar, and
19 that would be a good model to use for this effort if the Board was so inclined.

20
21 Jim Hackett, 6410 Ocean Drive, commented that he lived in the community of Sea Crest and he
22 represented things that go on in the community, watching what goes on and he wanted to
23 thank the Town and recognize two employees for their outstanding contributions to their
24 community. Mr. Hackett said that the Sea Crest beach access was one of three that the Board
25 had approved be reconstructed. Mr. Hackett said that he was watching the access be built and
26 it looked like there would be steps going up and steps down which wasn't really going to be an
27 improvement for them as the older they got they didn't like steps. Mr. Hackett said he emailed
28 the Town Manager Frank Rush and within half an hour, there was an Emerald Isle truck down at
29 the beach access. Mr. Hackett said an hour later he received an email from the Town Manager
30 letting him know that after looking at the walkway that Alesia Sanderson, Parks and Recreation
31 Director had spoken with the contractor and he said if it could be accommodated, they would
32 change the design. Mr. Hackett said that a few days later the contractor Bobby Bright took
33 down all they had built and started all over building a beautiful access with a gentle slope,
34 leveling out and going down without steps to the beach. Mr. Hackett said they appreciated the
35 access not having steps and felt that Frank and Alesia had been just super in responding to his
36 request, and that they had done a wonderful job.

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41

1 **8. Consent Agenda**

- 2
3 a. **Order to Advertise Tax Liens**
4 b. **Tax Releases**
5 c. **Minutes – February 14, 2017 Regular Meeting**
6 d. **Minutes – February 14, 2017 Closed Session**
7 e. **Budget Amendment – General Fund**
8 f. **Capital Project Ordinance Amendment – Bicycle and Pedestrian Fund**
9 g. **Resolution Declaring Surplus Items for Public Auction (17-03-14/R1)**

10
11 ***Motion was made by Commissioner Finch to approve the items on the Consent Agenda. The***
12 ***Board voted unanimously 5-0 in favor. Motion carried.***

13
14 Clerks Note: A copy of Resolution 17-03-14/R1 and all Consent Agenda Items as noted above are incorporated herein by
15 reference and hereby made a part of these minutes.

16
17 **9. Real Property Acquisition – 203 Islander Drive (Abandoned Go-Kart Track)**

- 18
19 a. **Public Hearing, pursuant to NCGS 158-7.1**
20 b. **Resolution Authorizing Real Property Acquisition (17-03-14/R2)**
21 c. **Resolution Authorizing Funding Request to Carteret County (17-03-14/R3)**
22 d. **Capital Project Ordinance**

23
24 Town Manager Frank Rush addressed the Board concerning this Agenda item. The following
25 excerpt from his memo to the Board is provided for additional background:

26
27 The Board of Commissioners is scheduled to conduct a public hearing and consider three items associated with the acquisition
28 of 203 Islander Drive. The property consists of 1.8 acres, and the purchase cost is \$656,250. The Board will consider a
29 resolution formally authorizing the real property acquisition, a resolution authorizing a funding request to Carteret County for
30 \$450,000 to assist with the acquisition of the property, and an associated capital project ordinance amendment.

31
32 The Property

33 The 1.8 acre tract includes an abandoned go-kart track, and is located directly adjacent (to the north) to the Western Ocean
34 Regional Access, a 4.5 acre public beach access facility off Islander Drive. The property is L-shaped, and has approximately 137
35 feet of frontage on Islander Drive, and 150 feet contiguous to the Western Ocean Regional Access.

36
37 The property is an eyesore, and has not been maintained in a manner consistent with Emerald Isle’s overall aesthetic quality.
38 The property is located in the Village West planning area, which is identified in the Town’s Comprehensive Land Use Plan as an
39 area where quality redevelopment is desired and encouraged. Additionally, the Town’s Comprehensive Land Use Plan identifies
40 the desire for a “meeting and events center” to draw additional visitors to Emerald Isle and generate additional economic
41 activity in the offseason. The “meeting and events” center would also accommodate larger public events, as Emerald Isle
42 currently lacks a large, quality meeting space.

43
44 “Meeting and Events Center” Concept

45 If the Town acquires the 1.8 acre tract, it would likely be combined with the Town’s existing Western Ocean Regional Access
46 facility, and the Town would seek a private partner for the development of a new “meeting and events center” on the
47 combined site. The exact form and substance of any partnership would be determined by the Board of Commissioners over the

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1 coming months, and the Town would then solicit proposals from potential private partners. The Town would then select the
2 private partner proposal that best matches the Town's goals.
3

4 Although the Board of Commissioners and the private partner will develop a specific plan to achieve the Town's goals, I envision
5 a concept whereby the Town would make the land on the combined site available to a private partner - in exchange for the
6 partner constructing and operating the new "meeting and events center" (in a manner consistent with the Town's goals) and
7 preserving, replacing, and/or enhancing the public beach access facilities currently on the site (165 parking spaces, restroom
8 facilities, and other amenities). The private partner would be afforded the opportunity to construct hotel accommodations and
9 other commercial enterprises on the site. The private enterprises and public facilities would be integrated together on the
10 entire site, resulting in an open and public center of activity in an oceanfront setting. The overall integrated facility would be
11 required to adhere to the Town's current building height limits (50 ft. mean roof height), and the overall facility would be
12 constructed in a style consistent with Emerald Isle's traditional architectural style.
13

14 This land acquisition is the first step in a likely lengthy process to achieve the goals noted above. This project will likely be very
15 challenging, but with hard work and creativity I believe it can be achieved and benefit the people of Emerald Isle over the long-
16 term. It will be essential to craft a public-private project that a) maintains and enhances public beach access, b) includes
17 sufficient wastewater treatment capacity, c) includes sufficient parking to accommodate public access needs, the new
18 "meeting and events center", and associated private investment, d) adheres to the Town's building height requirements, and
19 e) that is attractive to a private partner. Much hard work will be required, and it may ultimately also be necessary for the Town
20 and/or the private partner to acquire additional land in this area, construct a low-profile (and disguised) parking deck, and/or
21 seek off-site wastewater treatment capabilities. However, all significant achievements must begin somewhere, and the
22 acquisition of 203 Islander Drive represents the first step.
23

24 Public Hearing, Pursuant to NCGS 158-7.1

25 In most cases, the Town is not required to conduct a public hearing prior to a land acquisition. In this instance, depending on
26 the exact form and substance of an eventual public-private partnership, it is advantageous to conduct a public hearing prior to
27 the Board's authorization of the land acquisition. Because the purpose of the land acquisition is for economic development
28 purposes that may involve the Town conveying an interest in the property to a private partner, NCGS 158-7.1 applies, and
29 requires a public hearing.
30

31 Town staff have advertised the required public hearing in the Carteret County New Times on March 3 and March 10, consistent
32 with the requirements of NCGS 158-7.1. The public hearing will provide the public an opportunity to offer their input into the
33 proposed land acquisition and plan for redevelopment.
34

35 Resolution Authorizing Real Property Acquisition

36 As Town Manager, I have executed a purchase contract with Watson Family Assets, LLC for the 1.8 acre tract. The contract is
37 contingent upon formal approval by the Board of Commissioners prior to March 15, 2017, and the attached resolution would
38 satisfy this contingency. The total purchase price is \$656,250.
39

40 Watson Family Assets, LLC does not currently own the property, but has executed an assignable purchase contract for this
41 property and the adjacent abandoned batting cage property (0.6 acres). The total purchase price of the combined 2.4 acres is
42 \$875,000, and the Town's contract with Watson Family Assets LLC simply assigns this cost to each party on a pro rata basis. This
43 purchase price is slightly less than the amount indicated in a January 2016 appraisal of the overall property, and is less than a
44 composite of recent and currently pending commercial property sales in Emerald Isle. Watson Family Assets LLC's assignable
45 contract includes a May 17 due diligence deadline and a June 1 closing date. The Town's contract with Watson Family Assets
46 LLC includes an identical May 17 due diligence deadline and June 1 closing date.
47

48 It is anticipated that the Town will only proceed with the acquisition of 203 Islander Drive if significant outside funding can be
49 secured for this purchase. As noted, the Town is seeking funding assistance from Carteret County in the amount of \$450,000,
50 and will have until the May 17 due diligence deadline to secure this funding. If the County does not provide the requested
51 funding, I expect that the Town will terminate the contract and not proceed with the land acquisition.
52
53
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1
2 Resolution Authorizing Funding Request to Carteret County

3 The attached resolution formally authorizes a request to Carteret County for economic development funding in the amount of
4 \$450,000 for this land acquisition. If the Board approves, I will forward the appropriate request to County officials in the
5 coming days, and will attempt to secure a decision in April, well in advance of the May 17 due diligence deadline.
6

7 I am optimistic that Carteret County will partner with the Town on this significant economic development project for Emerald
8 Isle and western Carteret County. The development of a new "meeting and events center" in Emerald Isle is intended to draw
9 State and regional professional and trade associations to Emerald Isle for their 3 – 4 day conference "at the beach" during the
10 offseason. I do not envision hosting such groups during the summer months, and instead hope to host these groups in Emerald
11 Isle between September and May annually. The additional visitors during these offseason months will hopefully provide
12 additional economic opportunity for our restaurants, shops, and short-term accommodations. Additionally, and perhaps more
13 importantly, I am hopeful that by hosting these groups in Emerald Isle that it will introduce a whole new group of people to
14 Emerald Isle in the future. Ideally, some of these people will return with their family and friends for their annual vacation,
15 purchase a second home in Emerald Isle, or even relocate permanently once they realize what a special place we have in
16 Emerald Isle.
17

18 Carteret County currently has in excess of \$1 million of designated economic development funds in reserve, and these funds
19 could be made available to assist the Town with the purchase of 203 Islander Drive.
20

21 Capital Project Ordinance

22 The attached capital project ordinance appropriates a total of \$715,000 for the acquisition of 203 Islander Drive and the
23 associated cleanup cost. A total of \$656,250 is allocated for the acquisition, \$55,000 for the associated cleanup, and \$3,750 for
24 other miscellaneous costs. If the Town proceeds with the acquisition on June 1, I intend to have a contractor on site on June 2
25 to begin the cleanup of the site and restore it to a grassy field.
26

27 The attached capital project ordinance anticipates a total of \$450,000 from Carteret County, and \$265,000 from the Town of
28 Emerald Isle. The Town's share would be financed with a new installment financing agreement, likely over a 5-year term or
29 shorter. At an annual rate of 2.5% over a 5-year term, this results in an annual debt service payment of approximately \$57,000.
30 The Town could choose to finance this cost through a private institution or via an internal loan from the Future Beach
31 Nourishment Fund. The Town may also ultimately enter into an agreement with a private partner that results in the repayment
32 of the Town's initial contribution as part of the public-private partnership.
33

34 "Backup Plans"

35 Recognizing the challenges associated with this plan, I have identified two "backup plans" for the acquisition of 203 Islander
36 Drive if the "meeting and events center" goal is not achieved. First, the Town could ultimately decide to retain the property
37 and simply expand the existing Western Ocean Regional Access. Preliminary estimates indicate that a total of 80 – 100 surface
38 parking spaces could be added, and that annual parking fee revenue in the range of \$30,000 - \$40,000 is a reasonable
39 assumption. If this "backup plan" is not desirable, the Town would also have the option of simply offering the (cleaned up)
40 property for sale in the future, and recover its initial investment (and perhaps some appreciation). Considering these two
41 "backup plans", the overall risk to the Town in proceeding with acquisition of 203 Islander Drive is considered minimal.
42

43 If the Town relies on the first "backup plan", I would envision reimbursing Carteret County its \$450,000 contribution toward the
44 land purchase due to the fact that specific economic development funding is targeted. I would, however, recommend
45 requesting separate County funding for the purpose of expanding the Western Ocean Regional Access at that time. If the Town
46 relies on the second "backup plan", I would envision remitting a pro rata share of the land sale proceeds to the County, with the
47 Town retaining a pro rata share.
48

49 I am excited about the potential benefits associated with the "meeting and events center" concept for the Town, and also
50 excited about the challenge associated with this project. I look forward to discussing the proposed acquisition of 203 Islander
51 Drive at the March 14 meeting.
52

53 Town Manager Rush discussed several actions associated with the acquisition of the property
54 located at 203 Islander Drive that the Board would consider, as further outlined in detail in the

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1 memo provided above that he noted would hopefully achieve two important goals for the
2 Town in the future. Town Manager Rush stated that both goals were outlined in the Town's
3 new Comprehensive Land Use Plan as endorsed by the Board at their April meeting; the first
4 being to pursue the development of a meeting and event center in Emerald Isle, and secondly
5 our Land Use Plan had long identified the area around Islander Drive as an area that was in
6 need of quality redevelopment. Town Manager Rush discussed with the Board the proposal
7 tonight which represented an attempt to address those two key goals, and ideally begin the
8 very first step of what would be a very long term process to create a more vibrant center of
9 activity in Emerald Isle.

10
11 ***Motion was made by Commissioner Messer to open the Public Hearing, pursuant to NCGS***
12 ***158-7.1, to consider the acquisition of 203 Islander Drive for economic development purposes.***
13 ***The Board voted unanimously 5-0 in favor. Motion carried.***

14
15 Paul Schwartz, 10550 Wyndtree, asked a question about a section of property adjoining the
16 property being considered for purchase.

17
18 Town Manager Rush stated that the parcel Mr. Schwartz was referencing was an .08 acre parcel
19 currently owned by John McLean, adding that it may be advantageous if the Town proceeded
20 with the project to try to acquire that property also as it would be helpful with the overall goal.

21
22 A question was asked by a citizen in the audience about whether this project would be in
23 competition with the Islander who he thought planned to develop a convention center.

24
25 Town Manager Rush said that the Islander was currently undergoing a renovation of a new
26 building and they had approximately 5,000 square feet of meeting space included in that new
27 facility that they hoped to open later this spring. Town Manager Rush said they envisioned this
28 being a larger facility capable of accommodating larger groups and bringing statewide or
29 regional trade associations to Emerald Isle so he felt it would be a slightly different clientele or
30 market they were going after with this, trying to bring folks here in the off-season from
31 September to May. Town Manager Rush said that one of the exact details to be worked out in
32 the coming months was how big the facility would be, and he thought they were targeting
33 something in the 10,000-20,000 square foot range.

34
35 Jim Hackett, 6410 Ocean Drive, asked if this proposal was consistent with the 20-year plan.

36
37 Town Manager Rush responded that it was consistent in two key ways; one being the new plan
38 specifically sought the development of a meeting and events center for the economic
39 development goals as mentioned, and secondly, the whole Village West area was identified in
40 the Land Use Plan for quality redevelopment, and hopefully this would be a catalyst for future
41 redevelopment in that area.

1
2 Another citizen from the audience wondered if this was putting the cart before the horse as the
3 types of groups and the sizes of the groups they wanted to come to the area would need hotel /
4 motel space which in this end of the county they were lacking. He wondered if they would
5 build this facility and there would be nowhere close for people to stay.

6
7 Town Manager Rush said the exact details of the public / private partnership would be
8 negotiated and parameters determined by the Board of Commissioners, but he thought there
9 was a very good scenario that might involve additional hotel rooms as a part of this project in
10 partnership with the Town and a private developer so that they had the accommodations to
11 handle the groups. Town Manager Rush noted that they were currently at step one of probably
12 a 50 step process, having to start somewhere, and this was just the first step toward that goal,
13 but agreed they absolutely needed more hotel rooms associated, whether a part of the
14 partnership upfront or some of the other properties in that area were ultimately developed for
15 hotels.

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

19
20 ***Motion was made by Commissioner Finch to adopt the Resolution Authorizing Real Property***
21 ***Acquisition. The Board voted unanimously 5-0 in favor. Motion carried.***

22
23 ***Motion was made by Commissioner Normile to adopt the Resolution Authorizing Funding***
24 ***Request to Carteret County. The Board voted unanimously 5-0 in favor. Motion carried.***

25
26 ***Motion was made by Commissioner Wright to adopt the Capital Project Ordinance. The***
27 ***Board voted unanimously 5-0 in favor. Motion carried.***

28
29 Clerks Note: A copy of Resolution 17-03-14/R2, 17-03-14/R3, and Capital Project Ordinance as noted above are all
30 incorporated herein by reference and hereby made a part of these minutes.

31
32 **10. Resolution Authorizing State Funding Request for NC 58 / Bogue Inlet Drive Intersection**
33 **Improvements and New NC 58 Crosswalks (17-03-14/R4)**

34
35 Town Manager Frank Rush addressed the Board concerning this Agenda item. The following
36 excerpt from his memo to the Board is provided for additional background:

37
38 The Board of Commissioners is scheduled to consider the attached resolution authorizing a request for \$425,000 from the State
39 for two beneficial projects along NC 58. The resolution authorizes a \$350,000 request for the construction of intersection
40 improvements at the NC 58 / Bogue Inlet Drive intersection and a \$75,000 request for the installation of new crosswalks at 5
41 locations along NC 58.

42
43 As you know, the Town previously requested the inclusion of intersection improvements at all 4 signalized intersections along
44 NC 58 in the new Statewide Transportation Improvement Program prepared by NCDOT. Unfortunately, these intersection

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1 improvements were not included in the plan due to other larger, more expensive projects in our region. As a result of recent
2 discussions with John Rouse, NCDOT Division 2 Engineer, and the Board of Commissioners at the annual budget planning
3 workshop in January, it was suggested that the Town request State funding through the NC General Assembly for one of the
4 four intersections, and also for desired new crosswalks. Town officials met recently with NC Representative Pat McElraft, who
5 indicated her willingness to pursue the necessary funds for the projects in the attached resolution. If the Board approves the
6 attached resolution, I also anticipate a complementary funding request to the NC Board of Transportation.
7

8 The NC 58 / Bogue Inlet Drive intersection improvements would consist of the installation of a mini-roundabout with raised,
9 planted medians and curb & gutter improvements for 875 feet on the north side of NC 58 (from the Eagles store to the Emerald
10 Club) and 700 feet along the south side of NC 58 (from the Dairy Queen / Fran's building to the Wings store). If funding is
11 awarded, the existing traffic signal would be removed and a new mini-roundabout would be installed at this intersection,
12 completely within the 100 ft. public right of way. The existing, old and uneven curb and gutter in this area would be removed
13 and replaced with new curb and gutter, and sidewalk adjustments as needed. The result would be a brand new streetscape in
14 the "downtown" area of Emerald Isle. I have attached a copy of the summary sheet for this project for the Board's review.
15

16 The new crosswalks would involve the installation of pavement markings and "rectangular rapid flash beacons" (RRFBs) at 5
17 locations: near Water's Edge Mobile Home Park, at Cedar Tree Lane, at Lee Avenue, at the Town Government Complex, and at
18 Islander Drive. The Town has received several requests for crosswalks at these locations in recent years. The new crosswalks
19 would be outfitted with RRFBs that include a push-button signal activated by the pedestrian and that emit a flashing light to
20 alert drivers of the pedestrian crossing. I have attached pictures of RRFBs for the Board's information, along with an
21 information sheet prepared by NCDOT. The cost of each new crosswalk and RRFB is approximately \$15,000, thus the amount
22 requested is \$75,000.
23

24 If the Board approves the attached resolution, I will submit this funding request to Representative Pat McElraft and Senator
25 Norman Sanderson in the coming weeks. I will also forward a complementary funding request to NC Board of Transportation
26 members Hugh Overholt and Gus Tulloss.
27

28 Town Manager Frank Rush discussed with the Board the proposed resolution authorizing a
29 request for \$425,000 from the State for projects along NC 58, as further outlined in his memo
30 above that included a request for construction of intersection improvements at the NC 58 /
31 Bogue Inlet Drive intersection, and a request for the installation of new crosswalks at 5
32 locations along NC 58.
33

34 Mayor Barber asked for comments from the public. There were no public comments.
35

36 ***Motion was made by Commissioner Finch to adopt the Resolution Authorizing State Funding***
37 ***Request for NC 58 / Bogue Inlet Drive Intersection Improvements and New NC 58 Crosswalks.***
38 ***The Board voted unanimously 5-0 in favor. Motion carried.***
39

40 Clerks Note: A copy of Resolution 17-03-14/R4 as noted above is incorporated herein by reference and hereby made a part
41 of these minutes.
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1 **11. Resolution Supporting Dedicated State Revenue Source for Beach Nourishment**
2 **(17-03-14/R5)**
3

4 Town Manager Frank Rush addressed the Board concerning this Agenda item. The following
5 excerpt from his memo to the Board is provided for additional background:
6

7 The Board of Commissioners is asked to approve the attached resolution formally expressing the Town's support for the
8 establishment of a dedicated State fund and revenue source for beach nourishment. The attached resolution specifically
9 supports two potential State revenue sources that are included in the recently updated NC Beach and Inlet Management Plan
10 (BIMP) – the reallocation of a portion of the existing State sales tax revenues collected in the 8 oceanfront counties on short-
11 term lodging sales OR a new seasonal State sales tax in the 8 oceanfront counties.
12

13 As you know, there has been discussion about a potential dedicated State funding source for beach nourishment for many
14 years, however, the effort has never gained sufficient traction to achieve this goal. The State has historically provided funding
15 (from direct annual appropriations) to match Federal funds appropriated for beach nourishment in NC, but has rarely provided
16 State matching funds for locally-sponsored beach nourishment projects (the Bogue Inlet Channel / western EI nourishment
17 project in 2005 is one exception). With more communities actively engaged in or pursuing locally-sponsored beach
18 nourishment projects, there appears to be greater momentum building for a dedicated State funding source for beach
19 nourishment in the future, and a few coastal legislators appear to have greater interest in this issue.
20

21 The recently updated BIMP projects future annual beach nourishment costs in North Carolina, and identifies a need for
22 approximately \$50 million annually. The BIMP recommends the establishment of a State beach nourishment fund that would
23 provide 50% matching funds (with local government providing the remaining 50%), which would require annual State revenue
24 of approximately \$25 million. The BIMP outlines 5 potential dedicated State funding sources, all derived from the 8 oceanfront
25 counties only, for a new State beach nourishment fund:
26

- 27 • a new half-percent (0.5%) seasonal State sales tax, levied only during May, June, July, August, and September in order
28 to generate sales tax revenues primarily from beach visitors, which would generate approximately \$25 million
29 annually,
30
- 31 • a new State ad valorem tax of 10 cents per \$100 levied only on non-NC property owners, which would generate
32 approximately \$26.4 million,
33
- 34 • a new 1% State meals tax, which would generate approximately \$15.1 million, and theoretically be combined with
35
- 36 • a new State land transfer fee of \$1 per \$500 transaction cost, which would generate approximately \$10 million, and
37
- 38 • the reallocation of 50% of the existing State sales tax collections on short-term lodging sales, which would generate
39 approximately \$25.2 million.
40

41 A new dedicated State fund for beach nourishment would obviously be helpful to all NC beach communities engaged in beach
42 nourishment, including Emerald Isle, and would reduce the Town's reliance on local tax revenues and/or enable more
43 substantial beach nourishment efforts in the future. Any of the 5 new revenue sources would be helpful, although all 5 are
44 likely to face political opposition if / when the NC General Assembly considers these options. The attached resolution formally
45 expresses Emerald Isle's preference for either the reallocation of 50% of the existing State sales tax revenues collected in the 8
46 oceanfront counties for short-term lodging sales (hotels, motels, vacation rentals) OR a new half-percent (0.5%) seasonal State
47 sales tax.
48

49 In my opinion, the best option included in the BIMP is the reallocation of 50% of the existing State sales tax revenues collected
50 in the 8 oceanfront counties for short-term lodging sales (hotels, motels, vacation rentals). This approach does not require any
51 new taxes, and thus would seemingly not be controversial to taxpayers in the affected area. It also includes a logical link to
52 beach visitors, and acts as a sort of direct "user-tax". It also generates sufficient revenue to meet projected State-wide needs
53 (the full \$25 million). Of course, the reallocation of these existing State revenues (currently allocated for other needs in the

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1 annual State budget) will create the need for the NC General Assembly to identify \$25 million of budget adjustments elsewhere
2 in the State budget. However, it has been widely reported that the State budget is operating with a significant annual surplus,
3 which may make this option more feasible. Perhaps more problematic, however, is the fact that this “earmarking” of these
4 State sales tax revenues from this particular industry in these particular 8 counties for a particular (beach nourishment) purpose
5 could set a precedent for other industries, other regions of the State, and other purposes. This precedent could cause some
6 legislators to oppose this option.
7

8 Other than the reallocation of existing sales tax revenues, the new half-percent seasonal State sales tax is preferred over the
9 other options included in the BIMP. Most notably, this additional sales tax would apply only during the 5 peak summer months,
10 thereby impacting beach visitors more significantly than permanent residents. It is also only generated from the 8 oceanfront
11 counties that will or may engage in beach nourishment, and would generate sufficient revenue to meet projected State-wide
12 needs (the full \$25 million). Although sales tax is generally preferred over property tax or other tax sources, any new or
13 increased tax is likely to face opposition, even in the 8 oceanfront counties, particularly from residents in those counties that do
14 not live on or near a barrier island. Despite this likely opposition, this approach seems to be slightly more politically acceptable
15 than a land transfer tax, meals tax, or ad valorem tax on non-NC property owners (I am not certain that such an approach is
16 even legal).
17

18 The NC Beach, Inlet, and Waterway Association (NCBIWA) and other coastal local governments are currently working to
19 advance the BIMP recommendations to the NC General Assembly, and I am hopeful that these efforts may finally yield a
20 positive result. If nothing else, I believe these efforts will promote additional dialogue, which will hopefully move us all
21 collectively a little closer to the goal of a dedicated State fund for beach nourishment in the future.
22

23 Town Manager Frank Rush discussed the details of the resolution the Board would consider
24 that would formally express the Town’s support for a dedicated State revenue source for beach
25 nourishment.
26

27 Mayor Barber asked for comments from the public. There were no public comments.
28

29 ***Motion was made by Commissioner Messer to approve the Resolution Supporting Dedicated***
30 ***State Revenue Source for Beach Nourishment. The Board voted unanimously 5-0 in favor.***
31 ***Motion carried.***
32

33 **Clerks Note: A copy of Resolution 17-03-14/R5 as noted above is incorporated herein by reference and hereby made a part**
34 **of these minutes.**
35

36 **12. Resolution Opposing Expansion of Coastal Barrier Resources System in Bogue Inlet**
37 **(17-03-14/R6)**
38

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

42 The Board of Commissioners is asked to approve the attached resolution formally expressing the Town’s opposition to the
43 proposed creation of a new “system unit” (NC -06) in the Coastal Barrier Resources System (CBRS) in Bogue Inlet. For reasons
44 noted below, the attached resolution requests that new “system unit” NC-06 be removed entirely from the proposed expansion
45 of the CBRS system that the US Congress will consider (as part of a larger report) OR that the proposed boundaries be adjusted
46 to not incorporate the Bogue Inlet complex.
47

48 The goals of the Coastal Barrier Resources System are to minimize loss of human life by discouraging development in high risk
49 areas, reduce wasteful expenditure of Federal resources, and protect the natural resources in these areas. The CBRS is often
50 referred to as “cobra zones”, and you are likely familiar with this system that has impacted North Topsail Beach for many years.

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1 Inclusion in the CBRS as a “system unit” (as proposed for the Bogue Inlet area) prohibits the issuance of Federal flood insurance
2 policies, prohibits Federal expenditures (with some exceptions), and could potentially impact Federal and/or State permit
3 decisions within these areas. To be direct, a developed community like Emerald Isle simply DOES NOT want to be included in a
4 CBRS “system unit”.
5

6 The new “system unit” was initially proposed in 2009, and originally encompassed a larger area adjacent to Emerald Isle that
7 included the Bogue Inlet complex and Bogue Sound east to the NC 58 bridge. The Town expressed concerns about this new
8 “system unit” at that time (letter attached), and the areas in Bogue Sound east to the NC 58 bridge have now been removed
9 from the final report that will be presented to the US Congress for approval. The Town appreciates the removal of the Bogue
10 Sound area from the proposed new “system unit”, however, significant concerns remain in the Bogue Inlet complex. As you
11 know, the Town has fostered or completed several beneficial dredging and beach nourishment activities in this area in the
12 past,. The Town’s long-term plans involve the continuation of these activities in order to promote a stable shoreline at The
13 Point and along the oceanfront, promote public access and recreation at The Point, and promote safe and efficient navigation
14 in Bogue Inlet – all of which are critical to the Town’s future economic success and quality of life. The designation of the new
15 “system unit” has the potential to make it more difficult, more expensive, and potentially prohibit some of these vital activities
16 in the future; thus the formal expression of the Town’s opposition in the attached resolution.
17

18 I have carefully reviewed the relevant sections of the Federal report and discussed these concerns with officials at the US Fish
19 and Wildlife Service (the responsible agency). The USFWS has indicated (see attached email) that the new “system unit” should
20 not prevent these activities in the future (assuming they are State or locally-sponsored, as anticipated), however, I remain
21 concerned that there is potential for more difficulty, time, and expense in securing approval for these activities. Additionally,
22 although Federal funding is uncertain (at best) for these activities, the Town has historically received FEMA assistance for
23 similar activities and the new “system unit” could potentially preclude FEMA assistance for work that occurs in the Bogue Inlet
24 complex. Additionally, the Trump Administration has noted its goal to provide additional Federal infrastructure funding, and
25 there may be greater potential for special Federal appropriations to assist with these projects in the future – which would likely
26 not be permitted within the new “system unit”. USFWS officials noted that there are exceptions for navigation dredging
27 activities, however, those requests are considered on a case-by-case basis, and the Town would obviously prefer to avoid that
28 burden.
29

30 The attached resolution notes the Town’s formal objection, and specifically requests that the proposed new “system unit”
31 simply be eliminated. As an alternative, if that approach is not feasible, the attached resolution requests an adjustment to the
32 boundary of the new “system unit” such that it would not include the Bogue Inlet complex, as noted on the attached map.
33 Essentially, the attached resolution requests that the boundary “hug” the western side of what is considered to be the Bogue
34 Inlet complex.
35

36 If the Board approves the attached resolution, it will be mailed to Senator Burr, Senator Tillis, and Representative Jones in
37 hopes that they will intercede on the Town’s behalf. As noted, the overall report must be approved by the US Congress, and I
38 am hopeful that the US Congress will be sympathetic to the Town’s concerns. Carteret County is also expected to express
39 similar objections to our Federal officials.
40

41 Town Manager Rush discussed with the Board for their consideration this resolution formally
42 expressing the Town’s opposition to a proposed new “system unit” in the Coastal Barrier
43 Resources System (i.e. a new “Cobra zone”) in the Bogue Inlet complex. Town Manager Rush
44 noted that the good news was that this would not affect any developed areas of Emerald Isle
45 but would affect all of Bogue Inlet. Town Manager Rush explained that inclusion of Bogue Inlet
46 in the Cobra zone could prohibit future Federal funding to assist with beach nourishment or
47 inlet dredging projects. Town Manager Rush said that the Town had a robust plan put together
48 and were essentially prepared to move forward on their own with a combination of room tax
49 funding and town property tax funding to meet their inlet management needs and beach
50 nourishment needs in the future. Town Manager Rush further discussed concerns with Federal
51 funding during Federally declared disasters, and how being in the Cobra zone could affect

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1 Federal and State permits for work in Bogue Inlet and nourishing the beach, referencing
2 materials included in their agenda packets regarding his conversations with US Fish and Wildlife
3 Services staff. Town Manager Rush noted that the resolution essentially asked they not create
4 a Cobra zone here but if they did it asked if they would redraw the boundary line. Town
5 Manager Rush indicated their request as shown in the graphics that the line be moved to keep
6 out of Bogue Inlet and not affect the Town's future inlet or beach management efforts.

7
8 Mayor Barber asked for comments from the public. There were no public comments.

9
10 ***Motion was made by Commissioner Normile to adopt the Resolution Opposing Expansion of***
11 ***Coastal Barrier Resources System in Bogue Inlet. The Board voted unanimously 5-0 in favor.***
12 ***Motion carried.***

13
14 Clerks Note: A copy of Resolution 17-03-14/R6 as noted above is incorporated herein by reference and hereby made a part
15 of these minutes.

16
17 **13. Resolution Supporting Seasonal Population Adjustment Factor for Sales Tax and Other**
18 **State Revenue Distribution (17-03-14/R7)**

19
20 Town Manager Frank Rush addressed the Board concerning this Agenda item. The following
21 excerpt from his memo to the Board is provided for additional background:

22
23 The Board of Commissioners is asked to approve the attached resolution supporting the inclusion of seasonal population in the
24 official population estimates used by the State to distribute sales tax revenue and other State revenues. As you know, the use
25 of official population estimates does not accurately reflect the significant economic contributions, sales tax payments, and
26 service demands associated with our second homeowners and visitors, and the attached resolution seeks a legislative remedy
27 for this issue. The attached resolution also specifically expresses concerns with S126 (copy attached), recently introduced in the
28 NC Senate by Senator Harry Brown, and urges the NC General Assembly to utilize an alternative, State-funded strategy to
29 achieve Senator Brown's goal to provide additional revenue to rural counties in NC.

30
31 As discussed with the Board in recent years, the State's current sales tax distribution formula among the 100 counties is based
32 75% on the point-of-delivery / point-of-sale and 25% on the official population estimates of the counties. The 25% portion that
33 is based on official population estimates currently includes a population adjustment factor aimed at least somewhat at
34 addressing seasonal population, with Carteret County currently adjusted from 1.0 to 1.14. This adjustment factor still
35 significantly understates the ENTIRE population of Emerald Isle and Carteret County. As you know, the Town's official
36 population estimate is nearly 3,800, but the peak seasonal population is nearly 40,000. More importantly, Emerald Isle is
37 structured to provide infrastructure and services to a population of nearly 40,000, not a population of 3,800. In an effort to
38 provide additional revenue to rural counties, S126 would eliminate the current population adjustment factor and replace it with
39 a new adjustment tied to the NC economic development tier system, thereby reducing Carteret County's adjustment factor
40 from 1.14 to 0.90, further ignoring the significant seasonal population in places like Emerald Isle and Carteret County. Based on
41 estimates prepared by Finance Director Laura Rotchford (also attached), S126 could result in an annual loss of sales tax
42 revenues of up to \$83,000 annually for Emerald Isle, and Carteret County and its 11 municipalities could collectively lose up to
43 \$1.3 million annually if S126 ultimately becomes law. Other tourism-dependent communities are similarly harmed by S126,
44 including other coastal communities and mountain communities with a significant seasonal population. The attached
45 resolution notes Emerald Isle's support for Senator Brown's goal to provide additional revenue for rural counties, but urges the
46 State to utilize an alternative, State-funded strategy to achieve this goal.

47
48 The attached resolution also specifically requests that the NC General Assembly enact legislation establishing a "seasonal
49 population adjustment factor" to be applied to the distribution of sales tax revenues and other State revenues distributed to all

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1 NC counties and municipalities on the basis of population. The resolution notes that such a “seasonal population adjustment
2 factor” could be applied by adjusting the official population estimate for all 100 counties and all municipalities in the State by
3 adding an amount equal to two (2) times the number of housing units for each jurisdiction that are reported for “seasonal,
4 recreational, or occasional use” in the most recent decennial US Census. This US Census data is regularly reported, is consistent
5 for all NC counties and municipalities, and is presumed to be accurate, thus making it easy and fair for the State to apply to the
6 distribution of sales tax and other State revenues that are distributed on the basis of population.
7

8 If such legislation is enacted, essentially, two (2) times the number of housing units used “for seasonal, recreational, or
9 occasional use” would be added to the official population estimate used by the State. For example, if Carteret County’s
10 reported population used by the State for revenue distribution is 69,826 and there are 15,402 housing units used “for seasonal,
11 recreational, or occasional use” in Carteret County in the 2010 US Census, then Carteret County’s population would be adjusted
12 from 69,826 to 100,630. At the municipal level, if Emerald Isle’s reported population is 3,797 and there are 3,931 housing units
13 used in Emerald Isle “for seasonal, recreational, or occasional use” in the 2010 US Census, then Emerald Isle’s population would
14 be adjusted from 3,797 to 11,659 for State revenue distribution purposes. In reality, there are usually more than 2 people in
15 each housing unit that is used “for seasonal, recreational, or occasional use”, but I think the use of the “2 per unit” adjustment
16 is reasonable considering the wide variety in size of seasonal housing units and the wide fluctuation in the percent of the year
17 that units are used across the entire State of NC. The Board should note that even if a seasonal housing unit is never used
18 during the year that there are still significant service demands just by the existence of the unit – the same costs exist for Police
19 protection, Fire protection, street maintenance, storm water management, beach nourishment, etc.
20

21 I have had several conversations with Representative McElraft about this issue, and, at Representative McElraft’s request, I am
22 working to arrange a meeting with Town officials, Representative McElraft, and Senator Brown to discuss our concerns with
23 S126 and the proposed “seasonal population adjustment factor”. I remain hopeful that we can affect a positive change for
24 Emerald Isle, Carteret County, and other tourism-dependent communities.
25

26 Town Manager Frank Rush discussed with the Board the new bill S126 that would reduce the
27 Town’s annual sales tax revenues by approximately \$83,000. Town Manager Rush provided
28 detailed information regarding this issue as further outlined in his memo above. Town
29 Manager Rush noted that the current version proposed in Senate Bill 126 would essentially take
30 one small component of the original 2015 bill as introduced by Senator Harry Brown and
31 redistribute a portion of the sales tax with the net impact resulting in approximately \$83,000
32 per year to Emerald Isle if approved. Town Manager Rush said this S126 was taking away an
33 adjustment factor that addressed at least in part the seasonal population. Town Manager Rush
34 said that when they distributed the sales tax revenues on the basis of population, the Town got
35 credit for 3,700 people in Emerald Isle and not the 40,000 here in the summer or 20,000 here in
36 the spring or fall. Town Manager Rush said the adjustment factor somewhat accommodated
37 the Town but S126 reduced that adjustment factor from 1.14 to 0.90 for Carteret County
38 because in the proposed legislation it would now be based on the economic development tiers.
39 Town Manager Rush stated that the resolution for the Board’s consideration asked that they
40 please find a different solution to aid the poorer, rural counties and to not harm the tourism
41 communities. Town Manager Rush said the resolution also put forth a solution to address the
42 seasonal population issue recommending a specific formula be used in all State revenue
43 distributions that were based on population.
44

45 Mayor Barber asked for comments from the public. There were no public comments.
46

1 Commissioner Messer stated that if Senator Harry Brown got this bill passed it was a big deal
2 for Carteret County and every town in the county, a lot of money. Commissioner Messer said it
3 reminded him of a phrase that popped up a few years ago – wealth distribution.
4

5 ***Motion was made by Commissioner Wright to adopt the Resolution Supporting Seasonal***
6 ***Population Adjustment Factor for Sales Tax and Other State Revenue Distribution. The Board***
7 ***voted unanimously 5-0 in favor. Motion carried.***

8
9 Clerks Note: A copy of Resolution 17-03-14/R7 as noted above is incorporated herein by reference and hereby made a part
10 of these minutes.

11
12 **14. Appointments – Planning Board – 4 Vacancies**

13
14 **Brief Summary:** The Board of Commissioners should appoint 4 individuals to 2-year terms on the
15 Planning Board that will expire in March 2019.

16
17 The terms of current members Ken Sullivan, Ryan Ayre, Steve LeRoy, and Paul Schwartz all expire this
18 month. All except for LeRoy have expressed interest in being reappointed.
19

20 At the Board's direction, Town staff have advertised for applications from members of the community
21 interested in serving on the Planning Board. These applications have been provided to the Board under
22 separate cover. A total of 7 individuals have submitted applications for consideration, in addition to the
23 3 current members.
24

25 The 4 appointments on March 14 will join members Malcolm Boartfield, Mark Taylor, and Jim Osika,
26 whose terms expire in March 2019.
27

28 ***Motion was made by Commissioner Wright to appoint Paul Schwartz to a term on the***
29 ***Planning Board that expires in March 2019.***

30
31 ***Motion was made by Commissioner Normile to appoint Susan Monette to a term on the***
32 ***Planning Board that expires in March 2019.***

33
34 ***Motion was made by Commissioner Finch to appoint Kenny Sullivan to a term on the Planning***
35 ***Board that expired in March 2019.***

36
37 ***Motion was made by Commissioner Messer to appointed Ty Cannon to a term on the***
38 ***Planning Board that expired in March 2019.***

39
40 ***Following the four separate motions for appointments to the Planning Board the Board voted***
41 ***unanimously 5-0 in favor of all four. Motions carried.***
42

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1 Commissioner Messer stated that this was the best list of candidates he had ever seen and
2 encouraged the candidates not selected to stay involved because the appointments came up on
3 a regular basis.

4
5 **15. Comments from Town Clerk, Town Attorney, and Town Manager**

6
7 There were no comments from the Town Clerk or Town Attorney.

8
9 Town Manager Frank Rush updated the Board about the funding request for the Beach Music
10 Festival noting that they had talked in January about submitting a funding request for the Beach
11 Music Festival and a ticketed concert event. He noted that after reviewing the available acts
12 and additional conversation with the Tourism Development Authority they planned to only
13 submit the funding request for the Beach Music Festival itself for \$35,000 to cover the musical
14 acts, the same approach as last year.

15
16 Additionally, Town Manager Rush noted that he would attend a meeting the next day in New
17 Bern to learn the Corps of Engineers schedule for navigation dredging in Bogue Inlet.

18
19 Lastly, Town Manager Rush asked if there was any potential interest in staff pursuing ordinance
20 changes to allow golf carts on a portion of Coast Guard Road or other areas, and if there was no
21 interest he would drop the issue. The Board did not express interest in pursuing this issue.

22
23 The following is an excerpt from the Town Manager Comments memo to the Board providing
24 additional background information for all items of importance:

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

27 The Race Committee and Town staff are gearing up for the races on March 25. As of March 10, a total of 717 runners have
28 registered for the 3 races, which is down from last year, when approximately 1,500 runners registered. Due to the way the
29 calendar falls this year, our race is scheduled for the same day as the Wrightsville Beach Marathon, which is an older, more
30 established race, and this may be impacting our registration numbers. In previous years, our races have occurred one week or
31 more later. We do expect to see an increase in registrations in the next two weeks, particularly for the 5K race. Regardless, we
32 are working hard to put on a quality event, and still hope to raise a significant amount for the bike path and the Crystal Coast
33 Autism Center.

34
35 **Parks and Recreation Trust Fund Grant Application**

36 I continue to explore the possibility of the Town purchasing the vacant 30 acre tract behind the Town Government Complex for
37 future park development. The deadline for grant applications to the NC Parks and Recreation Trust Fund is May 1, and I may
38 have a resolution authorizing a grant application (with a public hearing) on your April 11 meeting agenda.

39
40 **Emerald Isle EMS Contracts, New Board of Directors Structure**

41 The Town's contracts with EI EMS, Inc. expire on June 30, and I expect to present a new emergency medical services contract
42 recommendation to the Board at the April 11 meeting. The new contract will include several new provisions intended to
43 improve accountability and also prepare for a future transition of EI EMS to a Town department.

44
45 The term of the new contract will be from April 15, 2017 – March 1, 2018, and will include a new structure for EI EMS Board of
46 Directors. The new structure will include 2 appointments from the Emerald Isle Board of Commissioners (one with a business
47 background and one with a medical background), and the Board will be asked to make these appointments at the April 11

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1 meeting. EI EMS, Inc. will appoint 3 members, and the new 5-member EI EMS Board of Directors would be seated by April 15.
2 It is anticipated that the Joint EMS Committee will continue to work toward a future transition of EI EMS to a Town department
3 over the course of the next year.

4
5 The Board will also consider an extension of the separate contract for the Town to provide financial management services for EI
6 EMS, Inc.

7
8 **Emerald Isle Beach Music Festival Funding Request**

9 Due to primarily to concerns expressed by the TDA Board of Directors, and also some difficulty in securing desired performers, I
10 have decided not to submit a formal TDA funding request for a ticketed concert event featuring a national recording artist. We
11 will however, be submitting a funding request for \$35,000 to fund the beach music performers at the Beach Music Festival,
12 which is scheduled for Saturday, September 30. I hope to revisit the idea of a ticketed concert featuring a national recording
13 artist in 2018.

14
15 **Potential Closure of Old Ferry Road Between Mangrove Drive and NC 58 (Behind CVS)**

16 I am working with adjacent property owners on the potential closure of this ~ 600 ft. segment of Town street behind CVS. The
17 segment only serves 3 property owners, all of whom have alternative access to their property. The closure of this street
18 segment would relieve the Town of maintenance responsibility in the future, would aid the adjacent property owners, and will
19 hopefully promote redevelopment of the old car wash property. If the property owners are agreeable, I expect to present a
20 Resolution of Intent to the Board at the April 11 meeting.

21
22 **Pre-Positioned Hurricane Debris, Pump, Generator Contracts**

23 Town staff are currently working with our FEMA consultant to solicit bids for these contracts, and we expect to present contract
24 recommendations to the Board at the May 9 meeting.

25
26 **Osprey Ridge Storm Water Pump Station**

27 Work on this project is nearly complete. The only remaining work is the installation of a new electric line to serve the pump
28 station and the installation of a small discharge pipe. I expect this work to be completed in the coming days.

29
30 **Bogue Inlet Drive Improvements, Bike Path**

31 SunLand Builders is making good progress on the realignment of Bogue Inlet Drive thus far. The existing sidewalk has been
32 removed, and the new rock base has been installed for the realigned street. Barring some unforeseen problem or weather
33 issues, we expect them to complete work on this project by early or mid-April.

34
35 **Board of Adjustment Appointments**

36 There are currently two vacancies on the Board of Adjustment, and the terms of 3 current members expire in May. Please let
37 me know if you'd like us to advertise for applicants and/or reach out to the current members. The Board of Adjustment has not
38 met since November 2011, nearly 5 ½ years ago.

39
40 **Potential Golf Cart Ordinance Change – Allow on Coast Guard Road Between Deer Horn Drive and NC 58 / Crew Drive?**

41 As discussed previously, I have been considering presenting an ordinance amendment for the Board to consider that would a)
42 reduce the speed limit on Coast Guard Road between Deer Horn Drive and NC 58 / Crew Drive from 35 mph to 25 mph, and b)
43 allow golf carts in the Town's program to travel on this segment. This change would allow golf carts to cross NC 58 at the traffic
44 signal at the Coast Guard Road intersection (which golf cart operators believe is safer than crossing at non-signalized
45 intersections at Islander Drive and Mallard Drive) and would provide a golf cart connection for residents in the Cape Emerald,
46 Ocean Oaks, Sea Dunes, Deer Horn Dunes, and Osprey Ridge neighborhoods to access the middle of Emerald Isle.

47
48 Concerns have been expressed about the potential dangerous nature of the NC 58 / Coast Guard Road intersection with
49 vehicles travelling at high speed from the bridge area and the potential for a serious accident with a golf cart if a vehicle runs
50 the red light (i.e., a golf cart does not provide the protection that a typical motor vehicle would provide in an accident). On the
51 other hand, bicyclists and pedestrians are permitted to cross at that intersection, and are perhaps more vulnerable than a golf
52 cart. Additionally, there is concern that the allowance of golf carts in this ¼ mile segment of Coast Guard Road will cause
53 confusion and result in more golf carts operating illegally on the remainder of Coast Guard Road (that would remain a 35 mph
54 speed zone; although I have received a suggestion that all of Coast Guard Road should be reduced to 25 mph). On the other

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1 hand, this change would benefit the residents in the nearby subdivisions, allowing them to access Emerald Plantation and other
2 areas of Emerald Isle, which can not legally occur under the current ordinance.
3

4 Please let me know your thoughts on this issue.
5
6
7

8 **Bogue Inlet Navigation Dredging**

9 I will be attending a meeting with the Corps of Engineers and NC Division of Water Resources about Bogue Inlet dredging on
10 March 15, and expect to learn more about the Corps' schedule for dredging Bogue Inlet. I have previously requested an April or
11 early May dredging event, and they are working to accommodate that request.

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

13 Public Works has not yet installed this new feature due to other workload demands. We hope to have this new small storm
14 water relay pump installed later this month or in April. The new system will discharge water into the dune field at The Point,
15 and should effectively resolve standing water issues on Bogue Court.
16

17 **PEP Program To Focus on 911 Center Protocols, Caller Questions**

18 We sometimes receive complaints from our residents and property owners about the seemingly long list of questions asked by
19 County 911 dispatchers when someone calls 911 to report a concern. In all instances, the Police, Fire, and/or EMS responder is
20 dispatched early in the dialogue after the dispatcher has the most important information, and the subsequent questions occur
21 while the responder is en route. In an effort to better educate our residents and property owners, Chief Reese has arranged for
22 County officials to present information about 911 protocols at the April 18 PEP (Police Educating the Public) meeting.
23

24 Additionally, at the Town's request, the 911 Center is working to streamline the questions used for non-emergency calls in
25 order to reduce the burden on the caller. They have implemented new protocols for unleashed dog calls, and I've asked Chief
26 Reese to work with the 911 Center to attempt to streamline the process for other non-emergency calls.
27

28 **Leash Law Enforcement**

29 In response to concerns received in recent weeks, the Police Department has increased enforcement of the Town's leash law on
30 the beach strand. Particular emphasis is being placed on the regional beach access facilities, however, officers will be more
31 actively enforcing this ordinance along the entire beach strand.
32

33 **Street Resurfacing**

34 Onslow Grading and Paving has completed most of the streets included in the Town's 2017 street resurfacing contract, and we
35 are pleased with their work. The resurfacing of Louise Avenue at the entrance to the Western Ocean Regional Access was
36 intentionally delayed to allow crews at the Islander Suites to complete work on the wastewater system adjacent to the park
37 entrance. We expect to direct Onslow Grading and Paving to that location when they return to resurface Bogue Inlet Drive.
38

39 **Wedding, Noise Concerns – Eastern Emerald Isle**

40 Mayor Barber, Emerald Isle Realty officials, and I recently met with residents in the 100 and 200 block to discuss concerns about
41 weddings and noise at two vacation rental units in that area. Emerald Isle Realty has not violated any Town ordinances, but is
42 voluntarily taking steps to address the neighbors' concerns. Some of the residents assert that vacation rental units hosting
43 weddings or other special events is a zoning violation, however, Town staff do not interpret the zoning ordinance as such.
44

45 **Beach Access Food Vendor Program**

46 Alesia Sanderson, Parks and Recreation Director, solicited food vendor applications from Emerald Isle businesses in February,
47 and did not receive any applications. She is now soliciting applications from non-EI businesses through March 28. If there is
48 sufficient interest, we will allow them to offer food at the regional beach access facilities this summer.
49

50 **Beach Swing Prototype**

51 I have asked the Parks and Recreation Department to develop a "beach swing" bench prototype for installation on the beach at
52 the Western Ocean Regional Access, and hope to have it installed prior to Memorial Day weekend. If it is well received, we will
53 likely offer these as another way to honor or memorialize a loved one at other beach access locations (similar to the benches
54 along the bicycle path).
55

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1 **Town Survey**

2 I have not yet had an opportunity to devote time to this effort, but still hope to devise a customer satisfaction survey to be
3 offered online early this summer.
4

5 **Western Ocean Regional Access Stage Expansion**

6 In an effort to improve the stage for performers, a Town contractor will be adding an additional 200 sq. ft. to the stage at the
7 Western Ocean Regional Access. We hope to have this expansion completed before Memorial Day weekend, and used by
8 performers at the Beach Music Festival in September.
9

10 **Additional Storm Water Improvement Near Speedway Gas Station, Near K&V Plaza**

11 Public Works has completed the installation of a new infiltration area on the northeast corner of Coast Guard Road and NC 58,
12 and it appears to be more effective in resolving standing water concerns at this location. I have asked Public Works to install a
13 similar system on the northwest corner of that intersection, and we hope to complete this work in the next few months.
14

15 Public Works is also planning to install a similar system in front of K&V Plaza near the intersection of Mangrove Drive and NC
16 58, near the gas pumps. This area frequently accumulates standing water.
17

18 **Cape Emerald Discharge Pipe Replacement**

19 We are receiving some resistance to the proposed pipe expansion and replacement from State officials, and we are still working
20 through this issue. I remain hopeful that a CAMA permit will ultimately be granted to replace the existing 15 inch discharge
21 pipe with a new 24 inch pipe. The FY 16-17 budget includes a total of \$32,500 for this work.
22

23 **Beach Access Walkway Replacements**

24 The Town's contractor, B&P Services, is nearing completion of the new Sea Crest walkway. Upon completion of Sea Crest, we
25 expect the contractor to move to the Georgia Street walkway, followed by the Hubert Street walkway. We hope to have all 3
26 walkways complete and open to the public by April 30, if not sooner.
27

28 **Emerald Isle Video / Commercial**

29 Brad Styron, a local photographer / videographer, is still working on the planned Emerald Isle video / commercial, and we hope
30 to "debut" it just before Memorial Day weekend. The new video / commercial will include footage of all the great things about
31 Emerald Isle and will be available on the Town's website and social media platforms. I also hope to eventually create a 30-
32 second version that could potentially air on television as a commercial.
33

34 **Work Beginning for 2020 US Census**

35 The US Census Bureau is gearing up for the 2020 Census, and recently reached out to Town staff. After we learn more, Town
36 Planner Josh Edmondson will make a presentation to the Board and the community at an upcoming Board meeting.
37

38 **Municipal Elections Bills**

39 Bills have been filed in the 2017 session of the NC General Assembly that could impact municipal elections in the future. Some
40 proposals involve shifting municipal elections from odd-numbered years to even-numbered years to occur at the same time as
41 other Federal and State elections, and at least one proposal would make municipal elections partisan, and require candidates to
42 identify with one of the two major political parties.
43

44 **Coyote Management Program**

45 The coyote management program ended on February 28, and resulted in the trapping of 14 coyotes. The program ran
46 smoothly, with no problems of any kind. Town staff will continue to monitor the coyote population during the year, and may
47 initiate a new program in December 2017 if deemed necessary.
48

49 **El Woods Park Disc Golf Course**

50 The new disc golf course is nearing completion, and is expected to be complete and open to the public in the coming days. We
51 greatly appreciate the work of local resident Andy Johnson, other volunteers, and local sponsors to create the new course in El
52 Woods Park.
53

54 **Condominium Deck Program**

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1 Town Planner Josh Edmonson continues to work with condominium complex representatives and management companies on
2 this program, and we hope to resolve the outstanding concerns and implement the program later this spring.
3
4
5
6
7

8 **Unified Development Ordinance Simplification**

9 Josh Edmondson and I will be working on a significantly simplified UDO to present to the Planning Board and Board of
10 Commissioners in the coming months. My goal is to eliminate all unnecessary regulations and confusing language, and create a
11 simple, reader-friendly ordinance that achieves the Town's most important development policy goals.
12

13 **16. Comments from Board of Commissioners and Mayor**

14
15 Commissioner Dooley commented that they were still in desperate need of about 70-100
16 volunteers for the Emerald Isle Marathon. Commissioner Dooley noted that it took 300
17 volunteers to make the race happen and encouraged those interested to contact her by email
18 on the race website.
19

20 Commissioner Normile gave a shout out to Andy Johnson who without any Town funding was
21 really close to letting the discs fly for the Emerald Isle Woods Disc Golf Course, and thanked him
22 for all of his hard work.
23

24 **17. Closed Session – Pursuant to NCGS 143-318.11(5), for the Purpose of Discussing Potential**
25 **Real Estate Acquisition AND Pursuant to NCGS 143-318.11(3), for Attorney-Client Privilege**
26

27 ***Motion was made by Commissioner Messer to go into Closed Session pursuant to NCGS 143-***
28 ***318.11(5), for the purpose of discussing a potential real estate acquisition AND pursuant to***
29 ***NCGS 143-318.11(3), for attorney-client privilege. The Board voted unanimously 5-0 in favor.***
30 ***Motion carried.***
31

32 ***Motion was made by Commissioner Messer to return to Open Session. The Board voted***
33 ***unanimously 5-0 in favor. Motion carried.***
34

35 Upon returning to Open Session there was no action taken by the Board as a result of Closed
36 Session.
37

38 **18. Adjourn**

39
40 ***Motion was made by Commissioner Messer to adjourn the meeting. The Board voted***
41 ***unanimously 5-0 in favor. Motion carried.***
42

43 ***The meeting was adjourned at 7:05 pm.***
44

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- 1 Respectfully submitted:
- 2
- 3
- 4 Rhonda C. Ferebee, NCCMC, CMC
- 5 Town Clerk