



1 Shores Fire and EMS. Town Manager Rush noted that David was a native of Beaufort, a 1999  
2 graduate of East Carteret High School, and he was pleased to have David working with the  
3 Town and looked forward to great things from David and the whole crew at EMS.

4  
5 EMS Chief David Jones thanked the Board for the opportunity to work for such a great town  
6 and he looked forward to serving the citizens of Emerald Isle.

7

8 **7. Proclamations / Public Announcements**

9

10 **a. Proclamation in Honor of the Emerald Isle Parrott Head Club – “Service, Volunteerism,**  
11 **and Fun” – (18-03-13/P1)**

12

13 Mayor Barber recognized the Emerald Isle Parrott Head Club with a Proclamation honoring the  
14 group for their “Service, Volunteerism, and Fun”. Ken Stone spoke on behalf of the Emerald  
15 Isle Parrott Head Club with many of the members being in attendance. Mr. Stone said the club  
16 was a great group of people who worked within the community, took pride in their community,  
17 and had a ball while doing it. Mr. Stone spoke of Parrott Head events coming up, including the  
18 raffle at the St. Patrick’s Festival with proceeds going to the Town to purchase defibrillators, a  
19 disc golf tournament at Emerald Isle Woods with funds also going to enhancing and improving  
20 the course. Mr. Stone also mentioned in May the Beach Bike Poker Run, their biggest  
21 fundraiser of the year with all of the funds raised going to Semper Fi Odyssey Kids Camp where  
22 kids of wounded warriors go to adventure camp for a week, and they mentored them  
23 throughout the school year.

24

25 **b. EIFD Lifeguard Host Family Program**

26

27 Fire Chief Bill Walker and Fire Captain Bruce Norman spoke to the Board and public about the  
28 Emerald Isle Fire Department Lifeguard Host Housing Program. Chief Walker noted that  
29 Captain Norman took over the Lifeguard Program three years ago and he had completely  
30 revamped it and had really thought outside of the box. Captain Norman stated that in order to  
31 hire a sufficient number of lifeguards he had come up with a program similar to what the  
32 Morehead Marlins did in Morehead City, which was to offer their players a house through the  
33 summer. Captain Norman said they were going to try this summer to see if they received any  
34 responses from the great citizens of Emerald Isle from a family who was willing to take in one  
35 lifeguard and let them stay with them until the first or second week of August. Captain Norman  
36 said this would assist the lifeguards financially who were coming to us from other States to  
37 work this summer. Captain Norman said they hoped to bring in 16 lifeguards this summer.  
38 Captain Norman said they were going to solicit Emerald Isle residents to see if they could get at  
39 least 3-4 willing families to house a lifeguard.

40

41 Town Manager Rush thanked Chief Walker, Captain Norman, and also Captain Matthias for  
42 their good working improving the program over the last few years. Town Manager Rush said

1 that they were seeing the good results of the hard work put into the program. Town Manager  
2 Rush noted that the Fire Department just this year had affiliated the Department with the U. S.  
3 Lifesaving Association, a national organization, and they were pleased to be meeting their  
4 standards going forward.

5  
6 Mayor Barber noted the following announcements for the public:

- 7
- 8 • **Golf Cart Safety / Regulations Class – Friday, March 16 – 6 pm – Town Board Meeting**
- 9 **Room**
- 10 • **Festival Kids’ Rides – Friday, March 16 – 5 pm – 10 pm – Emerald Plantation Shopping**
- 11 **Center**
- 12 • **27<sup>th</sup> Annual St. Patrick’s Festival – Saturday, March 17 – 9 am – 6 pm – Emerald**
- 13 **Plantation Shopping Center**
- 14 • **Police Educating the Public (PEP) – Tuesday, March 20 – 10 am – Town Board Meeting**
- 15 **Room**
- 16 • **Bicycle and Pedestrian Advisory Committee – Wednesday, March 21 – 9 am –**
- 17 **Community Center**
- 18 • **Coffee With A Cop – Thursday, March 22 – 9 am – 4Js Coffee and Bakery**
- 19 • **Easter Eggstreme – Saturday, March 24 – 10 am – 12 noon – Community Center**
- 20 • **Golf Cart Safety / Regulations Class – Saturday, March 24 – 10 am – Town Board**
- 21 **Meeting Room**
- 22 • **Golf Cart Advisory Meeting – Monday, March 26 – 6 pm – Town Board Meeting Room**
- 23 • **Planning Board Regular Meeting – Monday, March 26 – 6 pm – Town Board Meeting**
- 24 **Room**
- 25 • **Dog Park Development Committee Meeting – Wednesday, March 28 – 3 pm – Town**
- 26 **Board Meeting Room**
- 27 • **Beach Driving Closed – 9 pm – Thursday, March 29 – 5 am – Monday, April 9**
- 28 • **Good Friday Holiday – Friday, March 30 – Town Offices Closed, Community Center**
- 29 **Closed**
- 30 • **Golf Cart Safety / Regulations Class – Saturday, April 7 – 10 am – Town Board Meeting**
- 31 **Room**
- 32 • **Board of Commissioners Regular Meeting – Tuesday, April 8 – 6 pm – Town Board**
- 33 **Meeting Room**
- 34 • **4<sup>th</sup> Annual Bike the Banks – Saturday, May 5 – 8 am – Community Center**

35  
36 Clerks Note: A copy of Proclamation 18-03-13/P1 as noted above is incorporated herein by reference and hereby made a  
37 part of these minutes.

38  
39  
40  
41

1 **8. Public Comment**

2  
3 **Brief Summary:**

4  
5 The public will have the opportunity to address the Board about any items of concern not on the agenda. The  
6 Mayor and Board welcome and appreciate all comments from the public, and will take these comments into  
7 consideration as they make decisions on Town issues and provide direction to Town staff. Public comment is a time  
8 for the Board to listen to the public's concerns and ideas, and is not intended for a lengthy dialogue or question  
9 and answer session.

10  
11 The Mayor, Board, and Town staff are happy to meet with any citizen during normal business hours or at any other  
12 mutually agreeable time to discuss Town issues and answer any questions.

13  
14 Bernie Whalley, 5306 Ocean Drive, stated that he loved the roundabout, he appreciated it and  
15 it was a pure pleasure to go around it, and that he had found very few people who were  
16 intimidated by it. Mr. Whalley felt it added so much to our community and that he was pleased  
17 that it was there. Mr. Whalley also mentioned the recently completed boardwalk at Fairfax and  
18 Ocean. Mr. Whalley said the boardwalk was built without any steps that made it extremely  
19 nice for folks who were wheelchair bound and could get to the top once again to see the ocean  
20 and enjoy the salt air. Mr. Whalley wished that it could be considered in the future that more  
21 boardwalks be built that same way and commented that the boardwalk was extremely well  
22 built and solid.

23  
24 James Wolfe, 9100 Reed Drive, congratulated Commissioner Dooley for the good turnout for  
25 the Marathon over the weekend. Mr. Wolfe welcomed the new EMS Chief, adding that if he  
26 was half as good as the EI EMS Chief he should have success every day. Mr. Wolfe spoke about  
27 Article 138A of the NC statutes stating that it talked about having a chairperson read a  
28 statement prior to any act. Mr. Wolfe said the statute talked about ethics and stated that  
29 before they talked about an agenda they should state if there was a conflict of interest with  
30 anyone on the Board. Mr. Wolfe said if there was a conflict of interest it should be stated in the  
31 minutes. Mr. Wolfe said he never saw that happen here but he saw it happen at Carteret  
32 County, and Cedar Point. He was curious why the Town didn't do that – he thought if the Board  
33 had a conflict of interest that was the time before they talked about it that they could recuse  
34 themselves. Mr. Wolfe talked about the due diligence of the Board to vote unless they had  
35 been excused by the Board. Mr. Wolfe said he believed the statement must be read before the  
36 meeting began – Mr. Wolfe asked if that could be done by the Board.

37  
38 Jordan Madorsky, 307 Parkins, expressed concerns about the roundabout. Mr. Jordan felt a red  
39 light worked because everyone knew how that worked but not everyone understood the  
40 roundabout. Mr. Madorsky hoped it worked but felt it was very confusing and that it was going  
41 to be a problem there no matter what. Mr. Madorsky said his second point was that there was  
42 only one access point onto this island and they were front-loading all of the development  
43 because of the way the Town was laid out. Mr. Madorsky understood people had the right to

1 maximize the value of their property, however they had to balance that with how many people  
2 the island could hold. Mr. Madorsky said every cottage demolished in the first two rows was  
3 replaced with a sandcastle so now rather than 2-3 cars arriving they had 5-6 cars arriving. Mr.  
4 Madorsky said he had spoken as part of his job to people from Indian Beach to the Point -  
5 residents, property owners, and guests - and they liked things the way it was and don't want  
6 change so he hoped the Board asked themselves how much was too much.

7  
8 Joan Pate, 9100 Reed, addressing her comments to Town Manager Frank Rush and also  
9 reporter Brad Rich, regarding comments made where Town Manager Rush commented  
10 acknowledging the opposition from Queens Court throughout the process and his comments  
11 that the vast majority of Town taxpayers had expressed no concerns. Ms. Pate referenced the  
12 public comment section of the meeting minutes following the showing of the conceptual  
13 drawings noting of all the comments made only one was from Queens Court. Ms. Pate  
14 mentioned a few things her Facebook page had asked the Board to do – Meet Micah at the  
15 ocean access, the walkabout at the Roundabout, the EMS takeover. Ms. Pate said that there  
16 were so many comments about EMS by other people other than Queens Court. Ms. Pate said  
17 that she appreciated their listening to Queens Court and for the Town acknowledging them but  
18 she didn't think Queens Court was the only reason the Town changed the plans. Ms. Pate said  
19 she was thankful for the Town selling the 1.8 acres, getting the proposals, and leaving the  
20 Western public beach access alone. Ms. Pate said it was not Queens Court but the people  
21 talking to them and she felt it was a misconception when they said in the newspaper that it was  
22 the Queens Court residents concern.

23  
24 **9. Consent Agenda**

- 25  
26 a. **Order to Advertise Tax Liens**  
27 b. **Tax Releases**  
28 c. **Minutes – January 9, 2018 Regular Meeting**  
29

30 ***Motion was made by Commissioner Finch to approve the item on the Consent Agenda. The***  
31 ***Board voted unanimously 5-0 in favor. Motion carried.***

32  
33 **Clerks Note: A copy of all other Consent Agenda Items as noted above are incorporated herein by reference and hereby**  
34 **made a part of these minutes.**  
35  
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44

1 **10. Proposed Installment Financing Agreement – McLean-Spell Park Land Purchase**

- 2  
3 **a. Update – Federal and State Grant Funding**  
4 **b. Public Hearing**  
5 **c. Resolution Approving Financing Terms (18-03-13/R1)**  
6

7 Town Manager Frank Rush and Finance Director Laura Rotchford addressed the Board  
8 concerning this Agenda item. The following excerpt from the Town Manager’s memo to the  
9 Board is provided for additional background:

10  
11 The Board of Commissioners is scheduled to conduct a formal public hearing and consider the issuance of up to  
12 \$600,000 of new installment financing debt at the March 13 meeting. The new installment financing debt will fund  
13 the Town’s share of the land acquisition cost for the 29.7 acre tract of land (the Surfside tract) adjacent to the  
14 Town Government complex that is now known as McLean-Spell Park.  
15

16 Update – Federal and State Grant Funding

17 As you recall, the total purchase price for the Surfside tract is \$3 million, and the Town plans to reserve this land  
18 (the last large vacant parcel in Emerald Isle) for passive (20 acres) recreational use and the development of future  
19 active (9.7 acres) recreation facilities.  
20

21 The Town was awarded a total of \$2.545 million of Federal and State grant funding in 2017 for the acquisition of  
22 the Surfside tract. A total of \$1.5 million has been awarded by the US Department of Defense - Readiness and  
23 Environmental Protection Integration Program (REPI) through MCAS Cherry Point. A total of \$500,000 has been  
24 awarded by the NC Parks and Recreation Trust Fund (PARTF), and a total of \$545,000 has been awarded by the NC  
25 Clean Water Management Trust Fund (CWMTF).  
26

27 Due to the very lengthy process for the release of Federal REPI funds, the Town facilitated the interim purchase of  
28 the Surfside tract by the Conservation Fund of North Carolina in October 2017. The Conservation Fund’s mission is  
29 to assist local communities with the preservation of park land, and their services are aimed specifically at  
30 situations like this one where the land, the political will, and the funding are all available, but the timing is not  
31 quite right. Upon release of Federal REPI funds later this spring, the State will release the PARTF and CWMTF  
32 funds, and the Conservation Fund will formally convey the Surfside tract to the Town of Emerald Isle. At that time,  
33 the Town will be required to contribute the balance of the funds necessary to complete the land acquisition – a  
34 total of \$455,000. The Town has also agreed to compensate the Conservation Fund for its services and for the  
35 short-term interest cost, and expects to remit a total of approximately \$75,000 to the Conservation Fund at or  
36 soon after the closing date. Thus, the Town’s total cost is expected to be approximately \$530,000, as discussed  
37 with the Board in September 2017.  
38

39 The Federal REPI process is ongoing, and several important steps have been completed in the past few months. I  
40 have worked closely with staff at the Conservation Fund, MCAS Cherry Point, PARTF, and CWMTF over the past  
41 few months, and everything appears to be falling into place. The REPI funds are expected to be released within the  
42 next 60 days, which will also trigger the release of the PARTF and CWMTF funds. Thus, the Town will need to  
43 provide its contribution in early May. The proposed installment financing agreement would provide the required  
44 Town funds.  
45

46 Public Hearing

47 As per NCGS 160A-20, a public hearing is required before the Board approves the issuance of Town debt, and has  
48 been scheduled for the March 13 meeting. The proposed installment financing agreement is with Branch Banking

MINUTES OF THE REGULAR MEETING  
OF THE EMERALD ISLE BOARD OF COMMISSIONERS  
MARCH 13, 2018  
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1 & Trust (BB&T), and includes a principal amount of up to \$600,000 (the actual amount issued will likely be less).  
2 The proposed term is 10 years, with level principal payments (\$60,000 annually), at an annual interest rate of  
3 3.57%. The debt will be secured by the Surfside tract, and the first year debt service payment is estimated at  
4 \$81,420. Annual debt service payments would gradually decrease over the 10-year term, with the final payment  
5 estimated at \$62,142. The proposed installment financing agreement includes a 1% prepayment penalty, and  
6 \$1,000 of closing costs.

7  
8 The Town is fortunate to have relatively minimal debt. As of March 13, the Town's total outstanding debt is  
9 approximately \$1.64 million, or approximately 0.06% of the Town's total assessed value. (The Town's official debt  
10 policy limits total Town debt to 2.00% of the Town's total assessed value.) The Town's FY 17-18 debt service  
11 expense is approximately \$557,000, or approximately 5.8% of the FY 17-18 budget. (The Town's official debt policy  
12 limits annual debt service expenditures to 15% of the annual budget.)  
13

14 As you know, the Board indicated (informal) approval of this financing strategy in September 2017, and the Town's  
15 5-Year Capital Replacement / Improvement Program also includes this financing strategy. This financing strategy  
16 has also been noted at recent Board meetings, and was also discussed at the recent budget workshop meeting.  
17

18 Resolution Approving Financing Terms

19 The attached Resolution Approving Financing Terms formally authorizes a new installment financing agreement  
20 with BB&T in an amount up to \$600,000. As noted above, the exact amount has not yet been finalized, and is  
21 dependent on the actual closing date for the Town's acquisition from the Conservation Fund, and also the  
22 potential inclusion of a new pedestrian bridge over Archers Creek to connect the new park with the Community  
23 Center. We anticipate the actual amount issued to be approximately \$560,000+/- if a new pedestrian bridge is  
24 included in the proposed installment financing agreement, however, we have intentionally structured the attached  
25 resolution to provide maximum flexibility for the Town.  
26

27 The new installment financing agreement includes an annual interest rate of 3.57% over a 10-year term, and  
28 results in annual debt service payments that average \$71,781 per year for 10 years. The Board should note,  
29 however, that the Town will make level principal payments rather than equal payments, thus the first year debt  
30 service payment is \$81,420. The annual payment declines gradually each year, with the 10<sup>th</sup> and final annual  
31 payment of \$62,142 due in 2028. Debt service payments will be included in the Town's annual General Fund  
32 budget.  
33

34 The Town solicited proposals from several financial institutions, and received three proposals – from BB&T, PNC  
35 Bank, and Sound Bank. BB&T's proposal quoted a 3.57% annual interest rate with \$1,000 of closing costs, and  
36 PNC's proposal quoted a 3.66% annual interest rate with up to \$7,500 of closing costs. Sound Bank's proposal  
37 included a 10-year term, but the quoted interest rate was only fixed for 5 years – thus, the Sound Bank proposal  
38 was not considered further. BB&T's proposal is the most favorable for the Town, thus the recommendation to  
39 accept BB&T's proposal. In addition, BB&T is the Town government's bank, and also holds the Town's other  
40 significant debt instruments (the 2013 refinancing, and the 2013 "Community Improvements Package").  
41

42 The attached resolution also includes provisions authorizing the Finance Officer to submit the necessary  
43 application to the NC Local Government Commission (LGC) and includes several statements supporting the use of  
44 an installment financing agreement under NCGS 160A-20. The proposed installment financing agreement will be  
45 formally considered by the LGC at its April 10 meeting, and is expected to be approved.  
46

47 Laura Rotchford, Finance Director, and I look forward to discussing the proposed installment financing agreement  
48 with the Board at the March 13 meeting.  
49

1 Town Manager Rush updated the Board on the Federal and State Grant Funding for the  
2 acquisition of the McLean-Spell Park. Mr. Rush noted the Town arranged for significant grant  
3 funding for the purchase of the 29.7-acre tract of land. Mr. Rush noted the total land purchase  
4 price was \$3 million, and the Town assembled a total grant package from both the federal  
5 government and two state grants of \$2,545 million. Mr. Rush stated that left the Town's  
6 contribution for that land purchase of about \$455,000. Mr. Rush said that because of the  
7 complicated process at the Federal Government to release the \$1.5 million the Town arranged  
8 for the Conservation Fund of North Carolina to take interim ownership of the property and they  
9 closed on October 31, 2017, for the sole purpose of holding that land until the other grant  
10 funds were released. Mr. Rush said they expected Federal grant funds to be released in the  
11 next 60 days and then immediately following that the State grant funds. Mr. Rush noted the  
12 Town of Emerald Isle needed to come up with its share of the funding in the amount of  
13 \$455,000 as well as incurred interest and administrative expense with the Conservation Fund of  
14 about \$75,000 for a total of \$530,000. Mr. Rush said they were ready to move forward and  
15 Finance Director Laura Rotchford had solicited proposals for the Town to finance that portion.

16  
17 Finance Director Laura Rotchford briefed the Board on the details of the installment financing  
18 agreement. Ms. Rotchford noted the Resolution for the Board to consider which served two  
19 purposes. Ms. Rotchford stated the first purpose would authorize staff to proceed with the  
20 application process to the Local Government Commission. Ms. Rotchford said if approved they  
21 would submit the application putting it on the LGC's April 10 agenda for review. Ms. Rotchford  
22 noted the second section of the Resolution was to approve the proposal from BB&T. Ms.  
23 Rotchford stated they received three proposals from the Town's Request for Proposals of  
24 several banks. Ms. Rotchford stated that BB&T was the lowest interest rate with the lowest  
25 closing costs at 3.57% over a 10-year term.

26  
27 ***Motion was made by Commissioner Messer to open the Public Hearing. The Board voted***  
28 ***unanimously 5-0 in favor. Motion carried.***

29  
30 Joy Brownlow, 7506 Sound Drive, spoke of a report by an ecologist who had worked with North  
31 Carolina's Heritage Program and had conducted a site survey of the 30-acre tract of pristine  
32 maritime forest and wetlands now known as McLean-Spell Park to determine the eligibility for a  
33 clean water grant. Ms. Brownlow stated this was the last remaining interior tract of maritime  
34 forest in Emerald Isle although Town officials had made it clear they reserved the right to  
35 develop up to 10 acres for active recreational use such as that offered by athletic fields and  
36 pickle ball courts in order to become what the Town termed a complete community. Ms.  
37 Brownlow felt it was worth noting that there was already an athletic park just across the bridge  
38 called Western Park. Ms. Brownlow felt the completeness of our community would not come  
39 from more clear cutting and environmental degradation but from a shared commitment to  
40 environmental responsibility and upholding its designation as a sea turtle and bird sanctuary.  
41 Ms. Brownlow thought the question was not whether to develop 10 of 30 acres since 7 acres  
42 was off limit to protect the wetlands, but whether to clear-cut 10 of about 23 acres, which

1 meant they stood to lose approximately 43% of that last remaining maritime forest. Ms.  
2 Brownlow said that the ecologist's report found that the Town's proposal to retain 9 acres of  
3 the tract for recreational development would be a serious threat to the natural integrity of the  
4 site given the small size of the site. Ms. Brownlow said it was noted by the ecologist's report  
5 that if a quarter of this 30 acre site were to be cut down that it would destroy virtually all of its  
6 ecological value. Ms. Brownlow felt it was also important to consider that this tract was home  
7 to the painted bunting that was listed by the US Fish and Wildlife Service as a federal special  
8 concern species. Ms. Brownlow asked the Board to put a stop to further destruction of  
9 maritime forest and critical habitat as the island approached full buildout. Ms. Brownlow noted  
10 the ecologist's report stated that all of the natural area as drawn was recommended for  
11 protection and further stated the Town was encouraged to use the land as a natural recreation  
12 area with trails and small parking lots but without facilities that would require large clearings or  
13 removing any of the intact maritime forest or wetlands. Ms. Brownlow stated the greatest gift  
14 the Board could give to the current and future children of Emerald Isle was a community made  
15 complete by its preservation of our beautiful and irreplaceable indigenous habitat. Ms.  
16 Brownlow said that they would all benefit recreationally, educationally, and ecologically from a  
17 pristine maritime forest.

18  
19 John Cowan, 104 Lee Avenue, echoed Ms. Brownlow's concerns about maintaining the area as  
20 a natural area. Mr. Cowan said to develop it with fields that would require seeding, fertilizer,  
21 and additional runoff was just a travesty for the environment. Mr. Cowan said the required  
22 parking to support any kind of events would require more cutting and more ground cover being  
23 displaced because of runoff conditions. Mr. Cowan felt it would be a terrible thing to see the  
24 last tract in Emerald Isle of virgin forest be destroyed for an athletic field that had very little if  
25 any purpose whatsoever.

26  
27 ***Motion was made by Commissioner Messer to close the Public Hearing. The Board voted***  
28 ***unanimously 5-0 in favor. Motion carried.***

29  
30 ***Motion was made by Commissioner Normile to adopt the Resolution Approving Financing***  
31 ***Terms. The Board vote unanimously 5-0 in favor. Motion carried.***

32  
33 Town Manager Frank Rush indicated that there were no specific park development plans at this  
34 time. Mr. Rush said the Board of Commissioners with public input would develop plans in the  
35 longer term at the appropriate time. Mr. Rush said realistically any future park amenities  
36 would be contingent on grant funding coming available in the future. Mr. Rush noted that  
37 there was a provision in the written materials to construct a new pedestrian bridge that would  
38 link the Town's Community Center and the parking facilities with the new 30-acre property.  
39 Mr. Rush said Eagle Scout's had been working in recent weeks to create trails and they were  
40 trying to make that available for public use some time later this spring. Mr. Rush said the intent  
41 to this point was to not allow any parking across the creek; the Board's direction being to  
42 structure the parking such that it would be on this side of the creek with an attractive, wider

1 pedestrian bridge. Mr. Rush said any future plans would be developed in the coming years and  
2 he thought the Board's conversations had this being a long term investment in the future of  
3 Emerald Isle.

4  
5 Clerks Note: A copy of Resolution 18-03-13/R1 as noted above are incorporated herein by reference and hereby made a part  
6 of these minutes.

7  
8 **11. Ordinance Amending Chapter 6 – Development Standards – of the Unified Development**  
9 **Ordinance (18-03-13/O1)**

- 10  
11 **a. Public Hearing**  
12 **b. Consideration of Ordinance Amendment**

13  
14 Town Planner Josh Edmondson addressed the Board concerning this Agenda item. The  
15 following excerpt from his memo to the Town Manager is provided for additional background:

16  
17 The Planning Board has been discussing the driveway standards as required in the UDO for several months. If you  
18 remember, last summer, Ryan Staebler interned with the Town and undertook a driveway inventory. During that  
19 inventory 2,779 driveways were found to be non-compliant all of which exceeded the maximum allowed width of  
20 16' in the right-of way. Of these, 1090 were non-compliant due to the flare at the street edge. In addition, Ryan  
21 found 193 illegal parking areas, which were delineated with some type of material in the right-of-way. This is not  
22 allowed by ordinance.

23  
24 This inventory triggered staff and the planning board to begin the process of amending the ordinance to  
25 accommodate language to include the flare. After speaking with several contractors, the flare serves as an  
26 important functional and aesthetic piece to the driveway. By including language about the flare in the driveway  
27 standard almost all of the non-compliant driveways due to the flare would become compliant. We also included  
28 language in the amendment that will aid in enforcing the illegal parking areas within the right-of-way.

29  
30 For background information purposes, the current parking regulation for dwelling units and mobile homes is two  
31 (2) parking places per individual dwelling unit. I suppose many of the illegal parking areas are constructed to meet  
32 parking demand. The proposed amendment is listed below:

33  
34 **Proposed Amendment to 6.1.6 (3)**

35  
36 **(1) In the R2, RMF, and MH District**

37  
38 In addition to the standards in subsection (1) and (2) above, single-family, duplex and mobile homes structures in  
39 the R2, RMF, and MH districts shall:

- 40 a) be limited to two (2) driveways on the Town or private right-of-way,  
41 b) not ~~to~~ exceed a width of sixteen (16) feet each excluding the flares and, if used as part of the parking area,  
42 shall be of sufficient length to park two (2) cars off the street right-of-way  
43 c) not exceed a width of three (3) feet for each flare  
44 d) not exceed a length of six (6) feet for each flare  
45 e) flare points shall connect using an inward curved shape  
46 f) not exceed a width of twenty two (22) total feet including flares

1  
2 All driveways or any other parking areas in a Town or private right-of-way constructed or repaired, and not in  
3 compliance with the above standards after date of adoption of this ordinance shall be subject to appropriate  
4 enforcement action.

5 A key provision to this amendment is found in this last sentence. All driveways and parking areas constructed  
6 before adoption of this ordinance are essentially grandfathered but all driveways and/or parking areas  
7 constructed/repared after the ordinance is adopted must meet the above standards. If not, appropriate action  
8 will be taken to enforce the ordinance. Having this piece is an important provision that will aid staff in enforcing  
9 this ordinance.

10  
11 The last part of this amendment simply removes redundant language concerning driveways found in Section 6.7.1  
12 (5) of the UDO. Essentially, the current language concerning driveways in (5) of Section 6.7.1 will be deleted and  
13 each regulation after (6) – (10) would move up in order one number. No language is changing to those remaining  
14 regulations.

15  
16 **Proposed Amendment 6.7.1 (5) – (10)**

17  
18 ~~(5) — **Width and Length of Residential Driveway**~~  
19 ~~The width of a residential driveway shall be not less than ten (10) feet nor greater than sixteen (16) feet and, if~~  
20 ~~used as part of the parking area, shall be of sufficient length to keep two (2) cars off the street right-of-way.~~  
21 ~~Each residentially zoned lot is limited to not more than two (2) driveways.~~

22 The Planning Board voted unanimously to approve the amendment at their February 26, 2018 meeting. If you  
23 have any questions before the meeting please feel free to contact me. I look forward to discussing this with the  
24 Board at their March 13, 2018 meeting.

25 Town Planner Josh Edmondson discussed the scope of the proposed ordinance amendment  
26 regarding driveway standards as outlined in detail in his above memo. Town Planner  
27 Edmondson noted the driveway inventory prepared the previous summer by Planning Intern  
28 Ryan Staebler that resulted in the data that began the staff and Planning Board's work on the  
29 amendment being considered. Town Planner Edmondson noted that of the 2,779 non-  
30 compliant driveways, 1090 were non-compliant due to the flare at the street edge, and 193  
31 illegal parking areas were found that were simply in the right-of-way and didn't meet their  
32 parking standards. Town Planner Edmondson noted that many of the non-compliant driveways  
33 had been there for a long time and many were probably done without receiving proper permits  
34 from the Town or checking with the Town about driveway requirements.

35 Town Planner Edmondson stated that the proposed amendment would not add additional  
36 restrictions but would bring the 1,090 driveways into compliance with this new amendment.  
37 Town Planner Edmondson said the amendment would include the flare portion of the driveway.  
38 Town Planner Edmondson stated because of the number of non-conforming driveways existing  
39 it would grandfather the existing non-compliant driveways until such time that they would  
40 request to upgrade their driveway at which time they would no longer be grandfathered and  
41 would be brought into compliance with today's standards.

42 Town Planner Edmondson also noted that all driveways or other parking areas in a Town or  
43 private right-of-way constructed or repaired and not in compliance with the standards after the

1 date of the adoption of this ordinance shall be subject to appropriate enforcement action.  
2 Town Planner Edmondson said once this ordinance was adopted it would set a firm date that all  
3 other non-compliant driveways were grandfathered and when they conducted enforcement  
4 action on a new driveway and a neighbor had an existing non-compliant driveway they would  
5 be able to explain the neighbor was grandfathered before the new standards were adopted.  
6 Town Planner noted that if the neighbor did anything to his grandfathered driveway and it was  
7 non-compliant the Town would make sure at that time that it came into compliance.

8 Town Planner Edmondson stated there was also some redundancy and they would be deleting  
9 Section 6.7.1 (5) since it was now all incorporated into Section 6.1.6 (3).

10 Town Planner reiterated that anything that was delineating a driveway in Emerald Isle needed  
11 to be discussed with the Planning Department about a permit whether it was rock, asphalt,  
12 concrete, paving, even landscape timbers to be sure it was correct from the beginning.

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

15 Jim Hackett, 6410 Ocean Drive, asked about the duplex in his area where they had a shelved  
16 area where they could park cars or boats, whether that was considered part of the driveway.  
17 Town Planner Edmondson said that would be considered illegal and would be grandfathered in  
18 the way the ordinance was proposed. Mr. Hackett felt they were unsightly and there should be  
19 an effort to get rid of those over time rather than grandfather them. Mr. Hackett said he would  
20 like the Town to consider those type of auxiliary parking areas to be gotten rid of over time.

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

23 Commissioner Normile thought Jim Hackett brought up a great point and one the Planning  
24 Board spent the most time on which would essentially grandfather in about 900 lots.  
25 Commissioner Normile said these were mostly for homes built many years ago when there was  
26 not a concrete driveway. Commissioner Normile felt from the big picture perspective it may  
27 simply be a bit overbearing and expensive to a great number of people and he liked the  
28 approach of the Planning Board in taking a step in the right direction by doing things correctly  
29 to start from acknowledging that Jim Hackett brought up a valid point. Commissioner Normile  
30 complimented the Planning Board on the long discussion to find common ground to establish a  
31 base line.

32 Town Planner Edmondson said that he made a conscious effort as he was going about Town to  
33 look for folks working on driveways to address it, but it still could be difficult with so many  
34 properties. Town Planner Edmondson said they had contractors who were aware of Town  
35 regulations who would contact him if they saw things going on that they didn't think were  
36 appropriate. Town Planner Edmondson said they really were trying to address the new  
37 driveways but it was the older driveways that were tougher to deal with. Town Planner

1 Edmondson stated they wanted to start somewhere and get it right and ultimately if they saw  
2 someone trying to re-delineate a space, re-rock, they would advise them they couldn't do that  
3 and that they would need to take it out. Town Planner Edmondson felt there were ways to  
4 address this issue but it would take a conscious effort to see it.

5 Planning Board Chair Ken Sullivan who was in attendance added that when the word  
6 grandfathered was used for a parking area in the right-of-way it was really not what it meant  
7 because they didn't own the property anyway. Mr. Sullivan said it was the Town's property, or  
8 the State's property and the parking areas being grandfathered was telling the Town Planner  
9 that he didn't have to go door to door. Mr. Sullivan said being grandfathered didn't mean that  
10 someone took over the property and it could be there forever. Mr. Sullivan said that was why  
11 the language used for grandfathering illegal parking pads was different from the grandfathering  
12 of the over-wide driveways.

13 ***Motion was made by Commissioner Normile to adopt the Ordinance Amending Chapter 6 –***  
14 ***Development Standards – of the Unified Development Ordinance Regarding Driveway***  
15 ***Standards. The Board voted unanimously 5-0 in favor. Motion carried.***

16 Clerks Note: A copy of Ordinance Amendment 18-03-13/O1 as noted above are incorporated herein by reference and hereby  
17 made a part of these minutes.

18

19 **12. Islander Drive Redevelopment**

20

21 **a. Review of Proposals**

22 **b. Identification of Preferred Proposal for Exclusive Negotiations / Pathway Forward**

23 **c. Proposed Amendment to Interlocal Agreement with Carteret County for Economic**  
24 **Development Funding**

25 **d. Potential Public Improvements – Western Ocean Regional Access, Islander Drive**  
26 **Streetscape**

27

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

30

31 The Board of Commissioners is scheduled to review 5 proposals received in response to the Town's recent Request  
32 for Proposals – Islander Drive Redevelopment at the March 13 meeting.

33

34 Ideally, the Board will identify its preferred proposal for exclusive negotiations at the March 13 meeting, and then  
35 direct the Town Manager and Town Attorney to negotiate and draft a formal "development agreement" with the  
36 selected developer for public hearing and formal Board consideration at the April 10 meeting (or a later meeting,  
37 as necessary or desired). Following approval of the formal "development agreement", the Town would formally  
38 convey the 1.85 acre tract of land at 203 Islander Drive to the selected developer later this spring or summer.

39

40 As outlined below, the Town expects to realize a significant profit from the sale of this 1.85 acre tract of land, and,  
41 if the Board concurs with my recommendation below, these funds would be re-invested in significant  
42 improvements to the Town's Western Ocean Regional Access and Islander Drive streetscape. These improvements

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1 would seek to enhance the visitor experience, improve the aesthetics and function of Islander Drive, and  
2 (hopefully) promote additional quality development in this area of Emerald Isle in the future. As you know, this  
3 area has been underutilized for several years, and since 2004 the Town's land use plans have included a goal to  
4 revitalize this area. The actions under consideration by the Board at the March 13 meeting will likely result in  
5 further progress toward the achievement of the Town's ultimate goals for this area.

6  
7 Background / History

8 As you know, the former go-kart track / bumper boat (203 Islander Drive) and batting cage (207-211 Islander Drive)  
9 properties were abandoned for several years, and resulted in an unattractive appearance along Islander Drive that  
10 was not consistent with the quality of other development throughout Emerald Isle. The Town has been working  
11 since 2004 to improve this area of Emerald Isle, and the Town's 2004 and 2017 land use plans specifically promote  
12 quality redevelopment of this area ("Village West") of Emerald Isle.

13  
14 In recent years, there have been several positive developments in this area, including:

- 15  
16 • the Town's continued development of additional amenities and aesthetic improvements at the Western  
17 Ocean Regional Access,
- 18  
19 • the significant renovation and expansion of The Islander Hotel,
- 20  
21 • the construction of the new Transportation Impact headquarters and Caribsea restaurant,
- 22  
23 • continued improvements to the Salty Pirate Water Park, and
- 24  
25 • the (in-progress) construction of the new Lighthouse Inn and Suites boutique hotel.

26  
27 These initiatives have resulted in incremental improvement in this area over the past decade+, however, the  
28 abandoned go-kart track / bumper boat and batting cage properties continued to be an eyesore that detracted  
29 from this area of Emerald Isle. Over the years, the Town worked cooperatively with the owner of these properties  
30 to promote the cleanup of these properties (vegetation cutting, removal of debris), however, the Town lacked  
31 legal standing to compel the removal of the significant concrete features on the site.

32  
33 In early 2016, in response to increasing concerns about the appearance of this area, the Town convened a group of  
34 nearby property owners (The Islander Hotel, Holiday TravLPark, and Transportation Impact) to explore the  
35 possibility of one of more entities acquiring these properties - solely for the purpose of cleaning up this area of  
36 Emerald Isle and promoting quality redevelopment in the future. At the time, the property had been listed for sale  
37 through a local real estate agent, and the asking price was \$1.4 million, which was considered excessive. (The go-  
38 kart track / bumper boat property is approximately 1.85 acres, and the batting cage property is approximately 0.7  
39 acres. The combined land area is approximately 2.55 acres.) At that time, due primarily to the excessive asking  
40 price, the Town was unable to facilitate a land purchase by or with these parties.

41  
42 At about the same time, the Town was aware of economic development grant funding available through Carteret  
43 County, and began to formulate a strategy to potentially secure grant funds for the acquisition, clean-up, and  
44 eventual redevelopment of this land. Subsequent to the meeting with nearby property owners, the Town made a  
45 verbal offer to acquire the go-kart track / bumper boat, batting cage, and also the Artisan Granite and Marble  
46 property (an additional 1.5 acres across Islander Drive) for \$1.4 million. This offer was contemplated by the  
47 owners, but was rejected, at least in part, due to Artisan's desire to continue to grow their business in Emerald Isle  
48 at that location.

49

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1 Throughout the remainder of 2016 and into early 2017, the Town continued to pursue the acquisition of this  
2 property either by the Town itself, or by a private entity interested in cleaning up and redeveloping the property.  
3 The Town made additional verbal and formal offers for the go-kart track / bumper boat and batting cage  
4 properties (2.55 acres), but these offers were rejected. The Town remained in contact with the owner of Holiday  
5 TravLPark (Watson Family Assets LLC), who had also made verbal and formal offers for the property but had also  
6 been rejected. Watson Family Assets LLC was primarily interested in the batting cage property (0.7 acres), and was  
7 interested in the Town taking ownership of the go-kart track / bumper boat property (1.85 acres).  
8

9 After several attempts, Watson Family Assets LLC was able to execute a purchase contract for the entire 2.55 acres  
10 in February 2017, with a total purchase price of \$875,000. At that time, the Town executed a purchase contract  
11 with Watson Family Assets LLC for the go-kart track / bumper boat property (1.85 acres), and agreed to pay the  
12 same per-square-foot price included in the contract between Watson Family Assets LLC and the previous owners.  
13 The Emerald Isle Board of Commissioners approved the purchase contract in March 2017, along with a request for  
14 \$450,000 of economic development grant funding from Carteret County, and also noted its interest in pursuing the  
15 recruitment of a private entity to construct a “meeting and events center” in this area (which had been identified  
16 as a future goal in the Town’s 2017 Comprehensive Land Use Plan adopted earlier in 2017). The Carteret County  
17 Board of Commissioners approved the award of \$450,000 of economic development grant funding in May 2017,  
18 and the Town closed on the purchase of the go-kart track / bumper boat property (1.85 acres) in June 2017. The  
19 Town’s purchase price was \$629,647, the same per-square-foot price included in the original Watson Family Assets  
20 LLC contract.  
21

22 The Town solicited informal bids for the removal of all concrete and debris in May, and this work was completed in  
23 July 2017. The Town’s total cost for this work was \$47,623. The property was then seeded, and has remained as a  
24 vacant lot since July 2017. In and of itself, the removal of all concrete and debris from the site is a significant  
25 accomplishment, and has significantly enhanced the appearance of this area. Accounting for other minor land  
26 acquisition expenses (surveys, environmental studies, etc.), the Town’s total investment in the go-kart track /  
27 bumper boat property (1.85 acres) is \$688,944. Carteret County provided \$450,000 and the Town contributed  
28 \$250,000, resulting in a total land acquisition / clean-up budget of \$700,000. As of March 13, there is currently a  
29 balance of \$11,056 of unspent funds in this project account.  
30

31 As you know, concerns were expressed by the public during summer 2017 about the potential inclusion of a  
32 portion of the Western Ocean Regional Access for the development of a “meeting and events center”. Although  
33 the Town committed to maintain the function of the Western Ocean Regional Access, enhance the public facilities  
34 available, and ultimately create additional beach parking, public concerns persisted, and in October 2017 the  
35 Board of Commissioners directed the Town Manager to offer the go-kart track / bumper boat property (1.85 acres)  
36 for sale.  
37

38 Due to the Board’s interest in ensuring compatible future development on the site, and in an effort to provide the  
39 Board with the maximum flexibility for the sale of the property, the Town issued a Request for Proposals – Islander  
40 Drive Redevelopment in December 2017. Proposals were due by February 16, 2018, and the Town received a total  
41 of 6 proposals from 3 interested parties. One of the proposals has since been withdrawn because it did not include  
42 a required minimum purchase price of \$700,000, resulting in a total of 5 proposals from 2 interested parties: 4  
43 proposals from A-Team Enterprises LLC (includes owners of The Islander Hotel) and 1 proposal from  
44 Transportation Impact.  
45

46 Review of Proposals

47 I have attached a copy of the Request for Proposals – Islander Drive Redevelopment for your review, and the RFP  
48 includes a thorough description of the property, applicable development regulations, and instructions for  
49 respondents.  
50

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1 As you know, the property has been zoned Village West for several years, and this zoning district allows residential,  
2 commercial, and mixed use structures. The zoning ordinance limits the height of any new buildings to a maximum  
3 40 ft. mean roof height, with the potential for up to 50 ft. with the issuance of a special use permit. It is  
4 anticipated that all 5 proposals would be consistent with the Town's current zoning regulations, and would not  
5 exceed 40 ft. mean roof height, as outlined in the Town's current regulations. (This requirement could be included  
6 in a formal "development agreement" if desired by the Board).

7 I have attached copies of each proposal for the Board's and the public's review, along with subsequent information  
8 that was specifically requested by the Town after the proposals were received on February 16. I believe all 5  
9 proposals are quality proposals that will provide significant benefits for the people of Emerald Isle. In short, I don't  
10 believe the Board can make a bad choice, as all 5 are a "home run" for our community.

11  
12 The 5 proposals are summarized as follows:  
13

- 14 • A-Team Enterprises LLC – Option 1
  - 15 - deed existing Islander conference center (6,800 sq. ft. of space) to Town of Emerald Isle, plus
  - 16 \$350,000 in exchange for 203 Islander Drive
  - 17 - construct new entrance to existing Islander conference center that is oriented toward Western Ocean
  - 18 Regional Access property
  - 19 - \$8 million investment in 30, 3-story condominium units with retail units on ground floor, with
  - 20 construction expected to begin in January 2019
  - 21 - construction of new boardwalk feature along Louise Avenue and Islander Drive
  - 22 - construction of approximately 43 on-street public parking spaces along Louise Avenue and Islander
  - 23 Drive to serve planned retail units and the general public
  - 24 - project includes separate acquisition of adjacent McLean property (modular office building), resulting
  - 25 in total of 2.62 acres to be developed
  - 26
- 27 • A-Team Enterprises LLC – Option 2
  - 28 - expand existing Islander conference center by additional 3,000 sq. ft. (total of 9,800 sq. ft. of space)
  - 29 and deed to Town of Emerald Isle in exchange for 203 Islander Drive
  - 30 - construct new entrance to existing Islander conference center that extends to Western Ocean
  - 31 Regional Access property
  - 32 - \$8 million investment in 30, 3-story condominium units with retail units on ground floor, with
  - 33 construction expected to begin in January 2019
  - 34 - construction of new boardwalk feature along Louise Avenue and Islander Drive
  - 35 - construction of approximately 43 on-street public parking spaces along Louise Avenue and Islander
  - 36 Drive to serve planned retail units and the general public
  - 37 - project includes separate acquisition of adjacent McLean property (modular office building), resulting
  - 38 in total of 2.62 acres to be developed
  - 39
- 40 • A-Team Enterprises LLC – Option 3a
  - 41 - \$800,000 purchase price
  - 42 - \$8 million investment in 30, 3-story condominium units with retail units on ground floor, with
  - 43 construction expected to begin in January 2019
  - 44 - construction of new boardwalk feature along Louise Avenue and Islander Drive
  - 45 - construction of approximately 43 on-street public parking spaces along Louise Avenue and Islander
  - 46 Drive to serve planned retail units and the general public
  - 47 - project includes separate acquisition of adjacent McLean property (modular office building), resulting
  - 48 in total of 2.62 acres to be developed
  - 49
  - 50

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- 1       • A-Team Enterprises LLC – Option 3b  
2       - \$700,000 purchase price, plus additional \$100,000 investment by A-Team in Islander Drive  
3       streetscape improvements determined by the Town  
4       - \$8 million investment in 30, 3-story condominium units with retail units on ground floor, with  
5       construction expected to begin in January 2019  
6       - construction of new boardwalk feature along Louise Avenue and Islander Drive  
7       - construction of approximately 43 on-street public parking spaces along Louise Avenue and Islander  
8       Drive to serve planned retail units and the general public  
9       - project includes separate acquisition of adjacent McLean property (modular office building), resulting  
10      in total of 2.62 acres to be developed  
11  
12      • Transportation Impact  
13      - \$850,000 purchase price  
14      - allows Town use of the property for 36 months or until future development plans proceed  
15      - future plans to construct additional office space (11,000 sq. ft.+/-) and 3 – 5 condominium units  
16      (5,000 sq. ft. +/-) for clients and guests  
17      - planned 16,000 sq. ft. building, with total investment of up to \$6 million  
18      - anticipated continued growth of the firm, with additional employment opportunities for area  
19      residents in the future.  
20

21 Identification of Preferred Proposal for Exclusive Negotiations / Pathway Forward

22 As noted earlier, I believe all 5 proposals are a “home run” for Emerald Isle, and the Board is fortunate to have  
23 nothing but good choices. After considering:

- 24  
25      • the Board’s previously stated goals for the Islander Drive area,  
26  
27      • public input received over the past year,  
28  
29      • the Town’s interlocal agreement with Carteret County,  
30  
31      • recent informal discussions with each of the Board members,  
32  
33      • the Town’s ultimate goals to enhance the visitor experience, improve the aesthetics and function of  
34      Islander Drive, and (hopefully) promote additional quality development in this area of Emerald Isle in the  
35      future, and  
36  
37      • the unique opportunity presented by 2 of the 5 proposals to convert a “home run” into a “grand slam” for  
38      all parties concerned,  
39

40 I am recommending that the Board narrow its identification of the preferred proposal, for exclusive negotiations,  
41 to the following 2 proposals:

- 42  
43      • A-Team Enterprises LLC – Option 3a  
44      - \$800,000 purchase price  
45      - \$8 million investment in 30, 3-story condominium units with retail units on ground floor, with  
46      construction expected to begin in January 2019  
47      - construction of new boardwalk feature along Louise Avenue and Islander Drive  
48      - construction of approximately 43 on-street public parking spaces along Louise Avenue and Islander  
49      Drive to serve planned retail units and the general public

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- project includes separate acquisition of adjacent McLean property (modular office building), resulting in total of 2.62 acres to be developed

OR

- Transportation Impact
  - \$850,000 purchase price
  - allows Town use of the property for 36 months or until future development plans proceed
  - future plans to construct additional office space (11,000 sq. ft.+/-) and 3 – 5 condominium units (5,000 sq. ft. +/-) for clients and guests
  - planned 16,000 sq. ft. building, with total investment of up to \$6 million
  - anticipated continued growth of the firm, with additional employment opportunities for area residents in the future.

Both proposals include quality new development, depending on the Board’s preferred type of development (residential / retail vs. office / residential) on this site. I have high confidence that both proposals will be constructed in a quality manner, and will ultimately be wonderful additions to Emerald Isle. The plan is more firm and the timeline for construction is more immediate with the A-Team Enterprises LLC proposal.

There are significant benefits for our community with each of these 2 proposals, in terms of quality new development, significant investment, additional economic activity, a more vibrant Islander Drive area, and additional property tax revenues for both Carteret County and the Town. Obviously, each of the 2 proposals will generate a significant profit for the Town, and if the Board concurs, the re-investment of these funds in significant improvements to the Town’s Western Ocean Regional Access and Islander Drive streetscape will only result in additional benefits for our community.

As a result of the County contributing \$450,000 of economic development grant funding for the land acquisition, the property is jointly owned by the Town and Carteret County. The interlocal agreement executed by the Town and the County is attached, and includes provisions for the reimbursement of the \$450,000 if the Town sells the property to a third party, with the County entitled to 64.3% of any profits. I recommend that the Town formally request that the County amend this interlocal agreement and allow the Town to retain all profits --- if the Town agrees to re-invest all profits in improvements to the Western Ocean Regional Access and Islander Drive streetscape. Recent informal conversations with County officials about this potential amendment have been encouraging, and I remain hopeful that the County will ultimately approve such an amendment in the coming weeks.

If the Emerald Isle Board of Commissioners selects A-Team Enterprises LLC – Option 3a, with a total purchase price of \$800,000, and the County allows the Town to retain all profits, the Town would have the following funds available to re-invest in improvements to the Western Ocean Regional Access and the overall Islander Drive streetscape:

\$ 11,056	remaining balance in project account
\$ 100,000	profit from sale of land
\$ 100,000	State grant for economic revitalization of Islander Drive area
<u>\$ 50,000</u>	Town equity after reimbursing previous Town expense
\$ 261,056	TOTAL AVAILABLE FOR RE-INVESTMENT.

If the County does not allow the Town to retain all profits, the Town would be required to remit \$64,300 to the County, thus reducing the total available for re-investment to \$196,756, which is still significant.

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1  
2 If the Emerald Isle Board of Commissioners selects Transportation Impact, with a total purchase price of \$850,000,  
3 and the County allows the Town to retain all profits, the Town would have the following funds available to re-  
4 invest in improvements to the Western Ocean Regional Access and the Islander Drive streetscape:

5  
6           \$ 11,056           remaining balance in project account  
7           \$ 150,000          profit from sale of land  
8           \$ 100,000          State grant for economic revitalization of Islander Drive area  
9             50,000           Town equity after reimbursing previous Town expense  
10           \$ 311,056          TOTAL AVAILABLE FOR RE-INVESTMENT.

11  
12 With the Transportation Impact proposal, if the County does not allow the Town to retain all profits, the Town  
13 would be required to remit \$96,450 to the County, thus reducing the total available for re-investment to \$214,606,  
14 which is still significant, and would result in significant public benefits.

15  
16 As discussed previously, the Board has considerable latitude in making its decision on which proposal to approve  
17 for exclusive negotiations. Factors the Board may wish to consider (in no particular order) include the following:

- 18  
19       • the type of development proposed, and its compatibility with existing development in this area,  
20  
21       • the potential for this development to enhance this area of Emerald Isle and promote additional quality  
22        redevelopment in the future,  
23  
24       • consistency with the Town's previously stated goals and land use plans,  
25  
26       • consistency with the RFP process,  
27  
28       • the overall economic impact and tax revenue associated with the proposal,  
29  
30       • the sale price,  
31  
32       • the potential additional public improvements included in the proposal and/or to be constructed by the  
33        Town with the profits,  
34  
35       • the timeline for construction, and  
36  
37       • other factors deemed important to the Board.

38  
39 Regardless of which proposal is selected by the Board, the Town intends to utilize the legal process outlined in  
40 NCGS 158-7.1 (d) to consummate the sale of the property, ideally later this spring or summer. NCGS 158-7.1 (d)  
41 reads as follows:

42  
43       NCGS 158-7.1 (d)

44       (d) Interests in Real Property. – A county or city may lease or convey interests in real property held or  
45        acquired pursuant to subsection (b) of this section in accordance with the procedures of this subsection. A  
46        county or city may convey or lease interests in property by private negotiation and may subject the  
47        property to such covenants, conditions, and restrictions as the county or city deems to be in the public  
48        interest or necessary to carry out the purposes of this section. Any such conveyance or lease must be  
49        approved by the county or city governing body, after a public hearing. The county or city shall publish

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1 notice of the public hearing at least 10 days before the hearing is held; the notice shall describe the  
2 interest to be conveyed or leased, the value of the interest, the proposed consideration for the  
3 conveyance or lease, and the governing body's intention to approve the conveyance or lease. Before such  
4 an interest may be conveyed, the county or city governing body shall determine the probable average  
5 hourly wage to be paid to workers by the business to be located at the property to be conveyed and the  
6 fair market value of the interest, subject to whatever covenants, conditions, and restrictions the county or  
7 city proposes to subject it to. The consideration for the conveyance may not be less than the value so  
8 determined.  
9

10 Essentially, this statute will require the following for the Town to complete the sale of this property:

- 11
- 12 • the negotiation and drafting of a formal “development agreement” between the Town and selected  
13 developer that outlines the sale price, the required due diligence fee and/or earnest money deposit, the  
14 planned development, the timeline for construction, any associated public improvements, the anticipated  
15 economic benefits and tax revenues, and desired performance guarantees and/or a reverter clause (in the  
16 event of non-performance),  
17
- 18 • the completion of an updated appraisal to insure that the Town is receiving fair market value,  
19
- 20 • a determination of the average hourly wage paid to workers by the business(es) included in the project,  
21 and  
22
- 23 • a formal public hearing regarding the “development agreement” and proposed sale.  
24

25 This property was acquired following the procedures outlined in NCGS 158-7.1 (a,b,c) in March 2017, and this  
26 statute appears to provide the Board with maximum flexibility in making a decision to proceed with the sale of the  
27 property. If, however, the Board would like to consider an alternate sale method, I am happy to recommend  
28 alternative methods for the Board’s consideration. The Board should note, however, that these alternative  
29 methods would likely not allow the Town to control the specific development that occurs on the property in the  
30 future.  
31

32 If the Board identifies the preferred proposal for exclusive negotiations at the March 13 meeting, I anticipate  
33 working with the Town Attorney and the selected developer to negotiate and draft the appropriate “development  
34 agreement” in the coming weeks. I would also commission the new property value appraisal, and would expect to  
35 have both items completed by the end of March. A public hearing would be scheduled for the Board’s April 10  
36 meeting, after which the Board could make a final decision on the sale. Closing would occur as soon as possible  
37 thereafter, likely later this spring or summer.  
38

39 If it takes longer to negotiate and draft the “development agreement” and/or the appraisal, or if the Board needs  
40 more time to decide, the public hearing and final Board decision would be scheduled for the May 8 meeting (or  
41 later if desired).  
42

43 Proposed Amendment to Interlocal Agreement with Carteret County for Economic Development Funding  
44 As noted above, a copy of the interlocal agreement executed by the Town and the County is attached, and includes  
45 provisions for the reimbursement of the \$450,000 if the Town sells the property to a third party, with the County  
46 entitled to 64.3% of any profits.  
47

48 As noted above, I recommend that the Town formally request that the County amend this interlocal agreement  
49 and allow the Town to retain all profits --- if the Town agrees to re-invest all profits in improvements to the  
50 Western Ocean Regional Access and Islander Drive streetscape. Recent informal conversations with County

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1 officials about this potential amendment have been encouraging, and I expect the County Commissioners to  
2 formally consider this request as early as its March 19 meeting.

3  
4 Because the County would be reimbursed its full initial investment (\$450,000), because the Town would commit to  
5 re-invest the profits in improvements that will benefit Emerald Isle and all of Carteret County, and because the  
6 amount of profit realized by the County is relatively small in the context of their budget (either \$64,300 or  
7 \$96,450), I am optimistic that the County Commissioners will approve such an amendment. As discussed earlier,  
8 however, if the County does not approve the amendment, the Town will still have a significant amount available to  
9 invest in beach access and streetscape improvements in this area.

10  
11 Potential Public Improvements – Western Ocean Regional Access, Islander Drive Streetscape (Sale Proceeds, Grant  
12 Funding)

13 As noted above, if the Board selects either the A-Team Option 3a or the Transportation Impact proposal, the Town  
14 will have approximately \$200,000 - \$300,000 to invest in public improvements at the Western Ocean Regional  
15 Access and in improvements to the Islander Drive streetscape. The Board would have full latitude to determine  
16 the specific improvements to be constructed later this spring or summer, and may wish to consider the following  
17 ideas:

- 18
- 19 • construction of an improved streetscape along Islander Drive, with additional on-street parking (in  
20 addition to those constructed by A-Team, if their proposal is selected), improved lighting, new /  
21 additional sidewalk, improved landscaping, and/or other attractive features,
- 22 • reconstruction of the existing walkways and shower facilities at the Western Ocean Regional Access (that  
23 connect the parking area with the dune line),
- 24
- 25 • bathhouse improvements,
- 26
- 27 • additional sand volleyball court(s),
- 28
- 29 • a small splash-pad feature,
- 30
- 31 • a small pickleball court(s),
- 32
- 33 • concert stage improvements, and/or
- 34
- 35 • any other desired amenities that will enhance the visitor experience or improve the function and  
36 appearance of the WORA.
- 37

38 I would envision Town staff securing accurate price quotes for the various improvements for Board consideration  
39 later this summer or fall, with a goal to construct any planned improvements in fall 2018 and/or winter 2019 prior  
40 to the 2019 tourism season.

41  
42 Conclusion

43 As you know, the Town's overall goal has always been (and remains) the improvement of the Islander Drive area to  
44 create a more attractive and vibrant center of activity in Emerald Isle – regardless of the type or form of any future  
45 development in this area.

46  
47 The Town has consistently indicated that just about any quality new development that is consistent with the  
48 Town's current development regulations would be welcome in the Islander Drive area. Unfortunately, for many  
49 years, this area has been underutilized and has not been consistent with the aesthetic quality standards

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1 throughout Emerald Isle. The previously considered “meeting and events center” concept was primarily a “means  
2 to this end” that was eligible for significant grant funding, but was not the ultimate goal.

3  
4 I am pleased that the Town was able to secure the property, remove the concrete and debris from the property,  
5 and restore this land to a grassy, vacant field. As noted numerous times during previous discussion of this issue,  
6 even if nothing else happens on this site in the future it still represents a significant improvement for Emerald Isle.

7  
8 Fortunately, however, the final outcome is likely to be very positive for our community. Regardless of which  
9 proposal the Board selects, the end result will likely include the following:

- 10  
11 • the elimination of a long-term eyesore (already achieved),  
12  
13 • the construction of attractive new building(s) in this area, with low building heights and consistent with  
14 existing quality development in Emerald Isle,  
15  
16 • vibrant activity in this area of Emerald Isle,  
17  
18 • additional property tax revenues for the County and the Town, and  
19  
20 • significant public improvements at the Western Ocean Regional Access and along Islander Drive, at  
21 essentially no or very minimal cost to the Town’s taxpayers.  
22

23 Overall, a great end result for Emerald Isle no matter the final outcome.  
24

25 Town Manager Frank Rush provided a detailed PowerPoint presentation regarding the Islander  
26 Drive Redevelopment. Town Manager Rush noted that the Board would formally review 5  
27 proposals for the sale and redevelopment of the property located at 203 Islander Drive, and  
28 then identify the proposals they preferred, and then direct he and the Town Attorney to engage  
29 in exclusive negotiations with the developer for the preferred proposal. Town Manager Rush  
30 noted that once that was complete the Town staff and Town Attorney would work with the  
31 selected developer to complete other procedural requirements, and hopefully come back to  
32 the Board in April to ask for their consideration of a formal development agreement. Town  
33 Manager Rush said the formal development agreement would spell out in great detail the  
34 purchase price, terms of sale, the kind of development proposed, and restrictions, if any, to  
35 place on development beyond existing development ordinances.  
36

37 Town Manager Rush stated the Board was also asked to consider a request to the Carteret  
38 County Commissioners to retain the profits, and finally the recommendation, if they selected  
39 one of the proposals, was to take the significant profits the Town would realize from the sale of  
40 the land along with grant funds awarded, and invest those monies in beach access  
41 improvements and also in the Islander Drive streetscape, hopefully creating a more inviting,  
42 and aesthetically pleasing environment there.  
43

1 Town Manager Rush following his presentation said he would be happy to answer any  
2 questions, and noted that representatives from A-Team LLC, and Transportation Impact were  
3 also in attendance tonight.

4  
5 Samer Hamad, A-Team Enterprises, LLC, commented that they were excited and eager to get  
6 started on the project on Islander Drive. Mr. Hamad felt it was something that Islander Drive  
7 needed and they obviously had a substantial investment on Islander Drive in the Islander. Mr.  
8 Hamad noted the Board had a hard decision and felt that both proposals were really good and  
9 he was glad to answer any questions.

10  
11 Commissioner Normile thanked A-Team for a thorough, well-written and well documented  
12 proposal, and the same held true for Transportation Impact, and should a proposal be selected  
13 tonight there would be yet another public hearing and still a lot of work to do, with a  
14 commercial review process ahead as well. Commissioner Normile had a question for A-Team  
15 and also Transportation Impact which was that he read in their proposals they were projecting  
16 only a 40' mean roof height and was it their intent to apply for a 50' special use permit. Mr.  
17 Hamad stated not at this point. Mr. Hamad also mentioned the value of the 43 spaces on  
18 Islander and Louise Drive that was probably a value of at least \$70,000 for parking spaces.

19  
20 Brian Byrd, Director of Operations at Transportation Impact, thanked the Board for the  
21 opportunity to bid on this property. Mr. Byrd said as there was limited commercial space in  
22 Emerald Isle and that was something they coveted in order to expand as they were fast growing  
23 as his father Keith Byrd had stated in his email. Mr. Byrd said with limited commercial space  
24 they may have to move off the island so they saw this as an opportunity to secure a future  
25 office location with mixed-use residences with the primary use of those residences being TI  
26 guests, partners, and clients. Mr. Byrd said there would not be any outside marketing of those  
27 residences at that building. Mr. Byrd noted they were in preliminary exploration stages so they  
28 didn't have any mock-ups, or sketches of the building for the main reason that they were  
29 projecting they wouldn't need to expand into that location for at least another 3-5 years. Mr.  
30 Byrd said they promised to not build for 36 months, and for those 36 months to give access to  
31 the Town for any use they may have at that point. Mr. Byrd said in response to Commissioner  
32 Normile's height question they would be following all regulations in the negation process if they  
33 were selected and aesthetically he imagined the building would look similar or the same theme  
34 as their current headquarters looked now which was at the 40' limit, and he didn't see that  
35 changing.

36  
37 Town Manager Rush referred the Board to the zoning map on the wall which showed out of the  
38 approximate 3,200 acres of property in Emerald Isle there was only 200 acres where you could  
39 build something other than single family homes, and duplexes. Town Manager Rush said there  
40 was roughly 6% of the land area in Emerald Isle that you could build commercial, condos, mixed  
41 use development so any future growth that was not single family homes and duplexes would be  
42 along Highway 58, along Islander Drive, and maybe along Bogue Inlet Drive going forward.

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Mayor Barber asked for comments from the public.

Jay Thomas, 115 Lee, said that there was no question of who needed to get the award tonight. Mr. Thomas said that Transportation Impact had done so much for this community and the county, so many things that many didn't even know anything about. He felt that it was a no-brainer that Transportation Impact needed that property.

Joan Pate, 9100 Reed, noted that on the RFP for submission of bids for the Islander land there were 18 items asked of the prospective developer to outline. Ms. Pate said looking over the two prospective developer bids on the website and in the memo tonight the A-Team's proposals were delivered by the deadline with 17 of the 18 items, she said 17 only because she didn't understand what was meant by requirement Q. Ms. Pate said that Transportation Impact had a one-page letter with less than five of the questions answered. Ms. Pate said that 17 days after the bidding had closed per the RFP the Town had received two more pages from Transportation Impact. Ms. Pate said that the Transportation Impact bid stated that the property would be left vacant for a minimum of 36 months from closing and the town would be free to use it but would be responsible for the proper installation and removal of any parking material the Town may choose to install. Ms. Pate wondered if Transportation Impact wanted to sell it instead of building on it whether the Town would lose its say on what could or could not be built there. Ms. Pate said they were also told there was a third bidder whose bid was not at the \$700,000 required and they would like to see that bid as the RFP stated all proposals received were public record and open to inspection.

Town Manager Rush stated that once the Board identified the preferred proposal one of the provisions of the agreement would be that if the developer did not meet the obligations stipulated in that agreement there would be a reverter clause for the land to come back to the Town, or an opportunity for the Town to compel compliance.

James Wolfe, 9100 Reed, said he had asked the Town Manager on numerous occasions to see the Town proposals. Mr. Wolfe thought before the Board made a decision he felt the public had the right to see the non-agreed upon minimum standard proposal whatever that may be. Mr. Wolfe argued that the Town had stated when the whole process started that they didn't want to be owners and they didn't want to be operators of an event center on that property. Mr. Wolfe said the first two proposals from the A-Team should not even have been addressed because they didn't meet the \$700,000 threshold and the proposal was for a building they didn't want. Mr. Wolfe said he asked the Town Manager on several occasions to give him copies of the proposals and that he had continuously said he didn't have the right to give to him. Mr. Wolfe said he had a right and the Town had no right to deny them and they should make no vote until such time as the public was given all of the information and not just the information that some or all wanted to present.

1 Town Manager Rush stated that the proposals were made available on Thursday, March 8 and  
2 were all on the Town website, there were copies available tonight on the back table. Town  
3 Manager Rush said there was one proposal that didn't meet the minimum criteria that was  
4 withdrawn by the respondent. Town Manager Rush said they were awaiting legal guidance  
5 from the School of Government whether or not that could be released going forward. Town  
6 Manager Rush said that everything that had been done was fully compliant with the  
7 appropriate statutes, and they made a great effort to be sure people had the correct  
8 information about Emerald Isle, whether you agreed or disagreed, it was absolutely a priority to  
9 make sure folks had the opportunity to know what was going on.

10  
11 Jordan Madorsky, 317 Parkins, said he had always described Emerald Isle as a quaint southern  
12 Town that happened to be on the Atlantic Ocean. Mr. Madorsky said he heard one of the  
13 objectives in the RFP was small town atmosphere. Mr. Madorsky was curious as to how the  
14 small town atmosphere was created by the proposals received, and felt that was at the heart of  
15 the whole thing, whether you were receiving proposals tonight that built a small town  
16 atmosphere. Mr. Madorsky thought if they were comfortable that these proposals did that  
17 then they were on the right track but if not they needed to hold onto the property and find  
18 something that really did build on the small town atmosphere.

19  
20 Town Manager Rush said that was the Board's judgement tonight as to what proposals were  
21 consistent with those goals.

22  
23 Jean Racide, 9100 Reed, wanted to know who comprised A-Team Enterprises, and all of the  
24 people who comprised Transportation Impact. Ms. Racide wanted to know if any of them were  
25 County or Town elected officials, or were employed by the Town of Emerald Isle or Carteret  
26 County.

27  
28 Town Manager Rush said the proposals included a list of the individuals involved in those  
29 corporations and to his knowledge there was no one in those corporations employed by the  
30 Town of Emerald Isle or the County.

31  
32 Samer Hamad, A-Team Enterprises, LLC, and Brian Byrd with Transportation Impact, confirmed  
33 their organizations had no affiliated employees or elected officials of the Town of Emerald Isle  
34 or Carteret County.

35  
36 John Wootten, 103 Eagles Nest, took the opportunity to complement and thank Town Manager  
37 Frank Rush for what he had done with this difficult subject. Mr. Wootten reminded everyone  
38 that the primary goal of the plan established in 2005 for Village West was to bring in hotel,  
39 motel, restaurant developments that would benefit the Town, and local businesses and  
40 encouraged that they not lose sight of that goal. Mr. Wootten felt they couldn't make a wrong  
41 decision tonight but he said his father used to tell him to always take the deal that was in hand.

42

1 Paul Musco, Sound Drive, owner of the Salty Pirate Waterpark, noted on the footprint of one of  
2 the proposals they had 67 designated parking spaces and the spaces that would be designated  
3 for public parking spaces. Mr. Musco thought with 30 residential units and retail below in his  
4 mind 67 parking spaces didn't make sense. Mr. Musco asked if any of the parking would be  
5 available to them in the public lot or any other street parking in that area as opposed to them  
6 using their 67 parking spaces.

7  
8 Samer Hamad, A-Team Enterprises, LLC, stated that was the requirement by the engineer. Mr.  
9 Hamad said the units would be a mix of one and two bedrooms. Mr. Musco said it seemed if all  
10 30 units were full and they were more than one bedroom with retail below there wouldn't be  
11 enough parking to be sufficient for the area and he wondered if the overflow would go into  
12 public parking. Mr. Hamad said that would be negotiated with the Town.

13  
14 Town Manager Rush said those points would be a part of the negotiations in the development  
15 agreement and further refined going forward. Town Manager Rush said that once a  
16 development agreement was in hand and the actual developer moved forward it would go  
17 through the same commercial review process required of every new development.

18  
19 Mr. Musco said he understood it was early on but the parking was a concern because he had  
20 issues with parking in that area himself.

21  
22 Commissioner Messer said these were two great proposals and either one of them was a win  
23 situation for the Town and in the long run he thought the end result would be similar with  
24 some commercial and some residences. Commissioner Messer said it had been a difficult  
25 decision for him as he had been on the Board for 17 years and normally there were so many  
26 facts to sway you one way or the other but this decision was really tough. Commissioner  
27 Messer said that what swayed him was that he didn't want to give away \$50,000 as they could  
28 do a lot of improvements in Town with that amount. Commissioner Messer said when the time  
29 came he would support the proposal from Transportation Impact.

30  
31 Commissioner Normile agreed with Commissioner Messer that he didn't think they could make  
32 a wrong decision, and it was a difficult decision for him to make. Commissioner Normile said  
33 that he had gone back and reviewed Land Use Plan materials and wanted to mention a few of  
34 his notes. Commissioner Normile felt the crucial goals for him in making a decision were that  
35 he wanted to – purchase the land, clean up the land, position it correctly for proper  
36 redevelopment, and then sell the land. Commissioner Normile certainly wanted to repay the  
37 County their economic development funds, settle the Town's internal debt, utilize any profits  
38 and only spend them at the Western Ocean Regional Access. Commissioner Normile said  
39 thanks to Representative McElraft they still had \$100,000 that could also be contributed for  
40 Islander Drive. Commissioner Normile remembered vividly when they were at the Carteret  
41 County Board meeting that Commissioner Comer and others were very adamant that what was  
42 selected generated ad-valorem taxes and he felt both proposals would do that – one earlier

1 than the other. Commissioner Normile felt that whatever they selected they should have the  
2 vision that the improvements to the land were going to be as salient today as they would be 20-  
3 40 years from now. Commissioner Normile trusted that they would make the right decision and  
4 the right product would remain there for many years. Commissioner Normile said his  
5 recommendation was A-Team Enterprises Option 3A. Commissioner Normile said it was an  
6 \$8,000,000 investment in our community, a mixed-use product which fit the old and new Land  
7 Use Plan, with a complementary boardwalk to be built at A-Teams expense to safely move  
8 pedestrian traffic along Islander Drive. Commissioner Normile requested that should A-Teams  
9 proposal be adopted that A-Team update their financing letter. Commissioner Normile noted  
10 that he was professional friends with Transportation Impact and if the A-Team was selected he  
11 had to face them later in the week, they were good men and did great things for the  
12 community. Commissioner Normile thought with his time on the Land Use plan and the  
13 Planning Board and his time on the Board that Option 3A was the 20-40 year product.  
14

15 Commissioner Finch said he had also given this a lot of thought and they were in a no lose  
16 situation. Commissioner Finch said they were both two very fine proposals by two very fine  
17 individuals, and groups. Commissioner Finch said the decision was difficult but when the dust  
18 settled he would be in favor of the A-Team Option 3A as he felt it was the best proposal in the  
19 long run. Commissioner Finch commented that Transportation Impact had done many great  
20 things for this Town.  
21

22 Commissioner Dooley echoed Commissioner Normile and Finch's comments and she too had  
23 great relationships with Transportation Impact as well. Commissioner Dooley said she had a  
24 great opportunity to speak with both groups and she too would support the A-Team Option 3A.  
25 Commissioner Dooley agreed with Commissioner Normile that this was something she could  
26 see 20-40 years from now the Board at that time being happy with this project.  
27

28 Commissioner Taylor stated that he had learned a lot during his last two years on the Planning  
29 Board and looking at the two proposals he felt Transportation Impact did do a lot of great  
30 things for the community but on the other side was what would benefit the people here in  
31 Emerald Isle. Commissioner Taylor said with the A-Team proposal he could see it benefiting the  
32 residents more on a day to day basis with the stores below and residents above. Commissioner  
33 Taylor felt it mixed with how they wanted Emerald Isle to be in that area. Commissioner Taylor  
34 said he would love to see a location for a campus for Transportation Impact here in Emerald Isle  
35 but at this point, he believed that Option 3A was the best plan for the land at this time.  
36

37 ***Motion was made by Commissioner Normile to identify the proposal from A-Team***  
38 ***Enterprises, LLC Option 3A as the Town's preferred proposal for exclusive negotiations for the***  
39 ***sale and redevelopment of 203 Islander Drive, and to direct the Town Manager and the Town***  
40 ***Attorney to negotiate and draft a formal development agreement for the future***  
41 ***consideration by the Board of Commissioners. The Board voted 4-1 in favor. Messer opposed.***  
42 ***Motion carried.***

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***Motion was made by Commissioner Taylor to formally request that Carteret County amend the current interlocal agreement for economic development funding to enable the Town to retain all profits from the sale of 203 Islander Drive, provided such profits are re-invested in improvements to the Western Ocean Regional Access and the Islander Drive streetscape. The Board voted unanimously 5-0 in favor. Motion carried.***

**13. Resolution Authorizing TDA Funding Request – Emerald Isle Beach Music Festival (18-03-13/R2)**

Parks and Recreation Director Alesia Sanderson 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 resolution formally authorizing a \$20,000 “Event Funding” request to the Carteret County Tourism Development Authority (TDA) for the 2018 Emerald Isle Beach Music Festival.

The 2018 funding request is aimed at repeating and building on the success of the 2016 and 2017 Emerald Isle Beach Music Festivals, as part of the Town’s concerted efforts to lure more visitors for a beautiful fall weekend when they may not otherwise visit Emerald Isle.

The 2016 and 2017 Emerald Isle Beach Music Festivals were well-received, and Town staff estimated a crowd of approximately 8,000 - 9,000 people in attendance on the beach strand for each event. Town staff intend to essentially duplicate the 2016 and 2017 events on Saturday, September 29, 2018 with a similar layout, alcohol policy, food vendor availability, and public safety presence. I have attached a copy of the site layout from the previous events, along with a panorama photo of the crowd enjoying the music on the beach.

The total budget for the free beach music concert is \$54,000, and the attached resolution authorizes a \$20,000 funding request to the TDA, which is the same amount of funding awarded in 2017. The Town will provide a \$34,000 local match through sponsorships, t-shirt sales, vendor fees, and the remaining balance from previous events.

Alesia Sanderson, Parks and Recreation Director, has already lined up the beach music performers for the 2018 event, and they are as follows:

- Sammy O’Banion (performing and MC)
- The Embers
- Chairmen of the Board
- The Tams
- Band of Oz, and
- The Fantastic Shakers.

We are excited about this lineup, and expect it to be well-received by attendees at the 2018 beach music festival.

1 As was the case in 2016 and 2017, Town staff will again provide significant in-kind production, setup and cleanup,  
2 and public safety services associated with the event. We will be seeking to again produce a safe, fun, and high  
3 quality event in 2018.

4  
5 Alesia Sanderson and I look forward to discussing the proposed TDA funding request with the Board at the March  
6 13 meeting.

7  
8 Parks and Recreation Director Alesia Sanderson briefed the Board on the Resolution for  
9 consideration by the Board for the proposed funding request of \$20,000 to the Carteret County  
10 Tourism Development Authority as further outlined in the above memo. Parks and Recreation  
11 Director Sanderson mentioned the great line-up of performers for the 2018 event, and spoke of  
12 the \$34,000 that would be matched from sponsorships, t-shirt sales, vendor fees, and the  
13 remaining balance from previous events. Parks and Recreation Director Sanderson said this  
14 was an effort on behalf of the Town to boost the shoulder season economy to visit Emerald Isle.

15  
16 Mayor Barber thanked Parks and Recreation Director Alesia Sanderson for the great job she did  
17 on this festival as well as all of her hard work on the St. Patrick's Festival, adding they couldn't  
18 do it without her.

19  
20 ***Motion was made by Commissioner Dooley to approve the Resolution Authorizing Tourism***  
21 ***Development Authority Funding Request – Emerald Isle Beach Music Festival. The Board***  
22 ***voted unanimously 5-0 in favor. Motion carried.***

23  
24 **Clerks Note: A copy of Resolution 18-03-13/R2 and all other Consent Agenda Items as noted above are incorporated herein**  
25 **by reference and hereby made a part of these minutes.**

26  
27 **14. Comments from Town Clerk, Town Attorney, and Town Manager**

28  
29 There were no comments from the Town Clerk or Town Attorney.

30  
31 Town Manager Frank Rush discussed feedback received about the roundabout noting they  
32 were in constant communication with NCDOT and the roundabout seemed to be working well  
33 so far. Town Manager Rush noted the Golf Cart path funded by residents in the Old Cove  
34 subdivision was nearing completion and would serve as a good pilot program. Town Manager  
35 Rush said that Reed Drive was due to be paved prior to the St. Patrick's Festival. Town Manager  
36 Rush noted they had trapped a total of 12 coyotes during the legal trapping season. Lastly,  
37 Town Manager reiterated for the public that the final Environmental Impact Statement for the  
38 Bogue Banks Master Beach Nourishment after 8 years of hard work was released for final public  
39 comment and they believed that would result in the issuance of the 50-year Beach  
40 Nourishment permit later this summer. Town Manager Rush said more on this issue was  
41 located in the Comments from the Town Manager but felt for the future leaders and residents  
42 of Emerald Isle this might be the most important item in the whole packet tonight, and he

1 appreciated the hard work of the Beach Commissioner and the Shore Protection Office, and the  
2 other Towns.

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

6  
7 **Emerald Isle St. Patrick's Festival – March 17, 2018**

8 The Town's signature festival will be held for the 27<sup>th</sup> time on the actual St. Patrick's Day holiday! As in the past  
9 few years, children's rides will also be open on Friday, March 16 from 5 pm – 10 pm. Special thanks to Alesia  
10 Sanderson, Parks and Recreation Director, and her team for their great efforts. We are looking forward to a big  
11 weekend!

12  
13 As in past years, visitors are permitted to park vehicles in the NC 58 right of way. The recently seeded area near the  
14 new NC 58 roundabout will be roped off to protect emerging grass, however, there should be ample parking area  
15 along the rest of the NC 58 right of way. Additionally, Publix will be allowing the public to park in their new parking  
16 lot between Crew Drive and NC 58.

17  
18 **EI Marathon, Half-Marathon, and 5K Races – March 10, 2018**

19 As of March 8, we are approaching 800 runners, and hope to have a few more late entries. The weather forecast  
20 looks great for the race, and we look forward to another successful event in EI!

21  
22 **NC 58 Roundabout Construction Nearing Completion**

23 The NC 58 roundabout is complete, and is functioning well (aerial photo attached). The contractor still has a few  
24 more pavement markings to complete, particularly on the south leg (Mallard Drive near the bike path) and on NC  
25 58 as drivers approach the roundabout. This work is expected to be complete on March 9 or soon thereafter.

26  
27 We will continue to evaluate the roundabout in the coming weeks, and work with NCDOT traffic engineers to  
28 identify any other sign and/or pavement marking adjustments that may be helpful. I expect to invite NCDOT  
29 engineers back to Emerald Isle in the coming weeks to review any potential additional adjustments.

30  
31 We are also planning to add a few street lights in the roundabout area in the coming weeks, and I am awaiting a  
32 recommendation from Carteret-Craven Electric Cooperative on specific locations. We are also seeking to add small  
33 reflectors on the pavement and/or on the concrete islands.

34  
35 **Golf Cart Path Construction Underway**

36 The Town's contractor is making good progress on the construction of an approximately 400 ft. long golf cart path  
37 along NC 58 between Olde Cove Road and Whitewater Drive. We expect the new path to be complete and open  
38 for golf cart traffic within the next two weeks. The new path will enable residents of the Olde Cove Road  
39 subdivision to safely and legally access Town streets for golf cart travel to other areas of Emerald Isle. If this "pilot  
40 project" is well-received, we will be discussing other potential projects with the new Golf Cart Advisory Committee  
41 in the coming months.

42  
43 **Reed Drive Paving**

44 We had hoped to complete the resurfacing of Reed Drive between Loon Drive and Coast Guard Road prior to  
45 March 9, however, weather and other factors have delayed this work until the week of March 12. We will be  
46 working to have this work completed before the St. Patrick's Festival on March 16-17.

47  
48  
49

1 **Coast Guard Road Pavement Markings Touched Up**

2 Performance Striping, a local pavement marking company, recently offered to repaint the Coast Guard Road  
3 pavement markings for only the cost of the paint itself, as part of their testing of a new piece of equipment. Most  
4 of this work was completed on March 7, and we expect them to complete the remaining segments of Coast Guard  
5 Road on March 9.

6  
7 **Coast Guard Road Electric Line Improvements**

8 Carteret-Craven Electric Cooperative's contractor is nearing completion of vegetation removal between Ocean  
9 Oaks Drive and Spinnakers Reach, and should complete this phase of the project in the coming days. A different  
10 contractor will then be replacing poles and adding additional electric lines to improve reliability in this area of  
11 Emerald Isle. All work is expected to be complete before Memorial Day weekend.

12  
13 **Coyote Trapping Program Complete**

14 The Town's winter 2017-18 coyote trapping program ended on February 28, and resulted in the trapping of a total  
15 of 12 coyotes. A total of 9 males and 3 females were trapped. There were 5 coyotes trapped at the Emerald Isle  
16 Public Boating Access Area, 2 coyotes trapped on the McLean-Spell Park property, and 5 coyotes trapped in various  
17 locations along Coast Guard Road.

18  
19 The EIPD will continue to monitor coyote concerns, and will assist property owners as necessary and appropriate.

20  
21 **State Beach Nourishment Funding Request**

22 With the NC General Assembly's short session beginning in May, we expect to work more closely with NC  
23 Representative McElraft and NC Senator Sanderson on the Town's funding request. As approved by the Board in  
24 January, the Town is seeking \$4.6 million from the new Coastal Storm Damage Mitigation Fund, or 50% of the total  
25 \$9.2 million project cost. We remain hopeful that these funds can be included in the FY 18-19 State budget, and  
26 thus enable the project to be constructed during winter 2018-2019.

27  
28 **Final Environmental Impact Statement Released – Beach Nourishment “Master Plan”**

29 After more than 8 years, the “Master Plan” for beach nourishment activities along all of Bogue Banks is nearing  
30 final approval. The Final EIS was released on March 1, and public comments are now being accepted until April 2.  
31 The EIS, which outlines future beach nourishment and inlet management efforts for the next 50 years, and will  
32 significantly streamline the permitting process for future projects, is expected to be approved later this spring or  
33 summer. Formal Federal and State permits are expected soon thereafter, and should be in place for the planned  
34 winter 2018-19 beach nourishment project in eastern Emerald Isle.

35  
36 **Bogue Inlet Navigation Dredging Planned for Late April or early May**

37 The navigation channel from the AIWW to the ocean bar in Bogue Inlet is in generally good condition, with only a  
38 few shoaling areas in the marked navigation channel (new survey attached). The US Army Corps of Engineers is  
39 tentatively scheduled to touch up the main navigation channel in late April or early May, which is good timing for  
40 the 2018 tourism season.

41  
42 **New Public Water Access Grant Cycle**

43 The NC Division of Coastal Management recently issued a “call for grant applications” for the 2018 Public Water  
44 Access grant program. Pre-applications are due by April 9, and approximately \$1 million will be awarded to  
45 recipients in the 20 coastal counties. The local match for this grant program is 15% for land acquisition and 25%  
46 for improvements to existing sites.

47  
48 One idea I've been contemplating is a potential lot purchase near The Point to expand parking opportunities in  
49 that area – essentially to create another facility similar to the Station Street Park. I have discussed the potential  
50 acquisition of a vacant lot on Channel Drive with the owner, and I am also exploring another vacant lot on Island

1 Circle. If we can assemble a purchase contract and competitive grant application between now and April 9, I may  
2 submit the grant application and seek retroactive Board approval of the grant application at the April 10 Board  
3 meeting. I will keep the Board informed of any progress on this issue. Please also let me know if you have other  
4 grant application ideas.

5

6 **Beach Access Walkway Construction**

7 The construction of the new beach access walkway at West Landing Drive is complete, and the Town's contractor  
8 is currently working on the Fairfax Drive walkway. Work on the Whitewater Drive and Beachview Drive walkways  
9 begin upon completion of Fairfax Drive. The contractor will then construct new steps to provide easier access to  
10 Bogue Sound at the end of Lee Avenue. Our goal is to have all of this work completed by May.

11

12 **Golf Cart Advisory Committee to Meet on March 26**

13 The new committee will hold its first meeting on Monday, March 26 at 3 pm in the Town Board Meeting Room.  
14 Police Chief Tony Reese and I will provide staff support to the new committee. We expect to provide an overview  
15 of the Town's golf cart program, provide background information on the geographical, legal, practical, and financial  
16 challenges associated with expanding golf cart access, assist the committee with the selection of a Chair, and  
17 determine the future meeting schedule. We look forward to working with this group to further enhance the  
18 Town's successful golf cart program!

19

20 **Dog Park Development Committee to Meet on March 28**

21 This new committee will hold its first meeting on Wednesday, March 28 at 3 pm in the Town Board Meeting Room.  
22 Parks and Recreation Director Alesia Sanderson and I will provide staff support to the new committee. We expect  
23 to provide a review of previous locations considered for a dog park, explain the successful fundraising model  
24 employed by the Bicycle and Pedestrian Advisory Committee, and discuss desired elements of any new dog park in  
25 Emerald Isle. We also expect to assist the committee with the selection of a Chair and determine the future  
26 meeting schedule. We look forward to working with the group to make this goal a reality in EI in the not-too-  
27 distant future!

28

29 **New "Welcome to Emerald Isle" Sign To Be Installed**

30 The new welcome sign has been ordered, and is expected to be installed before Easter weekend. A new flagpole  
31 and lighting will also be installed.

32

33 **NC 58 "Gateway" Flowers, Uplighting**

34 Parks and Recreation Department staff continue to work with Commissioner Finch (with his background as an  
35 electrical contractor) on the installation of uplighting in the landscaped areas along NC 58 near the bridge. We  
36 expect to have the new lights installed by May, and also plan to add colorful flowers in this area.

37

38

39 **NC 58 Sidewalk Repairs**

40 The Town's contractor has completed the replacement of several damaged sidewalk panels between Emerald  
41 Plantation and Mangrove Drive, and we expect the remaining locations to be completed prior to the St. Patrick's  
42 Festival on March 17.

43

44 **Coast Guard Road Bicycle Path Crossings**

45 Public Works staff have added orange flags to pedestrian crossing signs at two locations (Emerald Isle Woods Park,  
46 Wyndward Court) along Coast Guard Road to improve awareness, and is investigating other signage improvements  
47 for this area.

48

49

50

1 **NC 58 Flashing Pedestrian Crosswalk**

2 We are working with NC Representative Pat McElraft to secure approximately \$15,000 - \$20,000 of State funds to  
3 enable NCDOT to install a flashing pedestrian crosswalk on NC 58 near the Ocean Drive “dog-leg”. This  
4 improvement has been requested by residents in the Water’s Edge Mobile Home Park multiple times in the past,  
5 and Rep McElraft is working hard to honor this request.

6  
7 The Town has also received additional requests for flashing pedestrian crosswalks, but has not been able to secure  
8 State funding for these improvements. Other locations that could benefit from these features include Cedar Tree  
9 Lane, Lee Avenue, Cedar Street, and Islander Drive.

10  
11 **EMS Transition Complete**

12 The Town began providing emergency medical services with a new Town EMS Department on March 1, and thus  
13 far the transition has been smooth. All necessary transition tasks are complete, and new Chief David Jones began  
14 leading the department on March 1.

15  
16 **Vacant Paramedic Position**

17 All 6 of the full-time paramedics and EMTs accepted positions with the new Town EMS Department, and we are  
18 pleased to have them join the Town organization. One full-time paramedic recently submitted his resignation,  
19 however, to accept a promotional opportunity with Onslow County EMS. He will, however, remain employed by  
20 the Town EMS Department in a part-time capacity.

21  
22 **Fire Engineer Position Filled**

23 The Fire Department recently filled a vacant Fire Engineer position, and I expect to introduce our newest EIFD  
24 employee at the April 10 meeting.

25  
26 **Annual Meeting with Emerald Isle Real Estate Professionals**

27 I am scheduled to provide the annual update to Emerald Isle real estate professionals on March 22. I will again be  
28 updating the “Status of Town Projects / Issues” document for distribution to this group, and will also include this  
29 document on the Town’s website. I always enjoy meeting with this group.

30  
31 **Appearance of NC 58 on Mainland Between NC 24 and Emerald Isle Bridge**

32 We have received recent concerns about potholes and the appearance of NC 58 on the mainland as you approach  
33 Emerald Isle, and we have requested that NCDOT address these concerns. I expect NCDOT to devote resources to  
34 this effort sometime in the coming weeks, and hopefully have the main entrance-way leading to Emerald Isle  
35 looking good before the 2018 tourism season.

36  
37 **NCDOT Evaluating NC 58 / Bogue Inlet Drive Intersection Improvements**

38 I am currently working with NCDOT to schedule small group meetings with “downtown” business owners later this  
39 month to discuss potential improvements to NC 58 in this area. Following that input, NCDOT will likely further  
40 develop its plans and then solicit general public input on potential improvements in this area. The NC 58 / Bogue  
41 Inlet Drive intersection improvements are planned for 2025 in the State Transportation Improvement Program  
42 (STIP), however, NCDOT is working to “bump up” the construction schedule for many smaller projects like this one.  
43 I am optimistic that any improvements will be constructed much sooner than 2025, but I would not expect any  
44 construction prior to 2019 or 2020, at the earliest.

45  
46 **More Golf Cart Safety Classes Added**

47 In an effort to make the class as accessible as possible to our absentee property owners, the Police Department  
48 has scheduled several more golf cart safety classes this spring. Additional dates are as follows:

- 49  
50
- Friday, March 16, 2018 @ 6:00pm

- 1 • Saturday, March 24, 2018 @ 10:00am
- 2 • Saturday, April 7, 2018 @ 10:00am
- 3 • Monday, April 16, 2018 @ 6:00pm
- 4 • Saturday, April 21, 2018 @ 10:00am
- 5 • Saturday, May 5, 2018 @ 10:00am
- 6 • Saturday, May 19, 2018 @ 10:00am
- 7 • Friday, May 25, 2018 @ 6:00pm

8  
9 Golf cart owners who attend the class are eligible for a \$25 discount on the annual golf cart registration fee  
10 (reducing the fee from \$100 to \$75).

11  
12 **New Publix Grocery Store**

13 The new Emerald Isle store is expected to open on March 28.

14  
15 **Sunset Lane Storm Water Improvements**

16 This project is in a holding pattern due to permitting issues, and Town staff are working with the adjacent property  
17 owner's engineer and NC Division of Coastal Management staff to identify an acceptable design adjustment.

18  
19 **Wyndward Court Storm Water Improvements**

20 Public Works hopes to begin work on this project later this month, and plans to install a small electrical pump to  
21 relay storm water from the Wyndward Court cul-de-sac over to the Town's large storm water pump on Island  
22 Circle. This project has been delayed due to other more pressing issues, but we hope to complete this project in  
23 the coming weeks.

24  
25 **15. Comments from Board of Commissioners and Mayor**

26  
27 Commissioner Taylor thanked everyone for attending as it showed the amount of care they had  
28 for Emerald Isle. Commissioner Taylor said tonight was the first hard decision he had to make  
29 but he was trying to honor the seat and make what he thought would be the best decision for  
30 the majority of Emerald Isle. Commissioner Taylor said when he made a decision he tried to  
31 look at would benefit all of us and not a few of us.

32  
33 Commissioner Finch thanked Commissioner Dooley for her work on the races this past  
34 weekend. He said he heard lots of good comments and praise for her, as well as Frank and all  
35 of the great volunteers for the event.

36  
37 Commissioner Messer thanked everyone for attending and echoed Commissioner Finch's  
38 remarks about Commissioner Dooley and her untiring efforts.

39  
40 Commissioner Dooley commented that she certainly didn't do it alone, that she had a  
41 wonderful committee and the Town staff was extremely supportive working all week, and all  
42 day Saturday to make it a great success. Commissioner Dooley said they had over 800 runners,  
43 and she looked forward to their next meeting presenting funds to their great beneficiaries the

1 Little Pink Houses of Hope and the Bicycle and Pedestrian Path. Commissioner Dooley said she  
2 couldn't do it without the committee, town staff, and the over 300 volunteers.

3

4 Commissioner Normile thanked everyone; he felt it was a homerun night for Emerald Isle.  
5 Commissioner Normile thanked Transportation Impact and the A-Team and Frank for his hard  
6 work.

7

8 Mayor Barber thanked everyone for attending tonight.

9

10 **16. Adjourn**

11

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

14 ***The meeting was adjourned at 8:05 pm.***

15

16 Respectfully submitted:

17

18 Rhonda C. Ferebee, CMC, NCCMC

19 Town Clerk

20

21