

# MINUTES OF THE REGULAR SCHEDULED MEETING OF THE EMERALD ISLE BOARD OF COMMISSIONERS

TUESDAY, JANUARY 11, 2000 – 7:00 P.M. – TOWN HALL

Mayor Barbara Harris called the meeting to order at 7:03 P.M. Commissioner Emory Trainham gave the invocation. Answering Roll Call were Mayor Harris, Commissioner Farmer, Commissioner Wootten, Commissioner Trainham, Commissioner Murphy and Commissioner McElraft. Also present were Town Manager Pete Allen, Town Clerk Carolyn Custy, Police Chief Mark Wilson, Fire Chief Billy Walker, Parks & Recreation Director Alesia Sanderson, Public Works Director Robert Conrad and Building Inspector John Yost.

## APPROVAL OF MINUTES

*Commissioner Trainham moved, Commissioner Farmer seconded and the Board voted unanimously to approve the Minutes of the Special meeting of December 2, 1999 and the Minutes of the Regular Meeting of December 14, 1999 as written.*

## MAYOR'S COMMENTS

Mayor Harris commented that an addition to the Agenda numbered 8e Appointment of 2<sup>nd</sup> alternate to the Board of Adjustment needed to be made.

She also asked that any public comments on the Public Hearing be saved until the time it comes up on the Agenda.

## PUBLIC COMMENTS

**Mr. Jim Pearce who resides in Sea Dunes Subdivision** commented The Board stated in their explanations while they were candidates, the following: (1) wise decision making (2) good stewardship of taxpayers dollars. He asked how the Board could justify hiring an attorney at four times the rate of the previous attorney and \$125.00 versus the \$90.00 per hour. Mr. Pearce feels that the Board cannot justify the action of requesting the resignation of the former Town Attorney. He reminded the Board that they won the election by a majority of votes. He commented on the Planning Board and asked that the remainder of members be allowed to serve out their terms. He also asked what the new agenda was? Mr. Pearce commented that as long as the decisions are fair to all citizens he backed and supported them.

**Vera C. Gaskins of 5405 Cedar Tree Lane** made comments regarding events that led to her refusal to present Mrs. Harris (now Mayor Harris) with a Certificate of Appreciation. She also made comments regarding Attorney Stanley and the former board's handling of Town business while ignoring conflicts or interest. A copy of Mrs. Gaskins statement is attached to these minutes for reference.

**Mr. Edmund Dowling who resides at 404 Cape Emerald Court** commented on the voter's expression of a strong desire for change and their calling for a clean sweep for and aft so that all hands' philosophy and interests would be compatible. He compared the Planning Board ranks issue to choosing sides for a baseball game. He commented that they should acknowledge the wishes of the voters and not remain on the Board if they are "not a member of the team." Mr. Dowling's statement is attached to these minutes

for reference.

**Mr. Edwin Mountford who resides at 103 E. Sound of the Sea** commented on the proposed A&B Districts concerning tax increases for beach renourishment. Mr. Mountford stated he is in favor of beach renourishment under the proper circumstances. He is not in favor of taxing by way districts A & B where people who live on the beach are taxed 10 times more than anyone else. He commented that he cannot be convinced that those people use the beach 10 times more than anyone else. He commented that if the town is to prosper, all must be in the same boat and all must hold the oars with each other. Mr. Mountford asked the Board to go on record before the County Commissioners and ask them not to pass the Resolution on January 24<sup>th</sup> but to reconsider it and put in a fair and equitable tax provision for all members, not only for Emerald Isle but for Carteret County.

**Mr. Forest Owens who resides 408 Bogue Inlet Drive** spoke next regarding playground equipment. He related that he served on a committee last spring to raise monies for a decent playground for the children. They did not raise enough money. The town put in some money. He asked that the needs be filled and that money be found to build a playground for the children of Emerald Isle.

**Mrs. Ann Huml who resides 9101 Pebble Beach** commented on driving on the beach. She expressed her concerns about the matter of beach vehicles on the beach. She asked that the Board consider abbreviating the length of time that 4-wheel drive vehicles are allowed on the beaches. She also stated that she has no quarrel with legitimate fishermen. She expressed her concerns regarding passes and joy riders. Mrs. Huml suggested the dates of October 31<sup>st</sup> beginning and the weekend of Easter ending for the beach vehicular traffic.

**Commissioner McElraft** commented that there is a sign up sheet for this committee that will work on this project if anyone is interested.

**Mrs. Eloise Stockdale who resides at 8521 Oceanview Drive** gave comments on the Planning Board issue. She spoke of the shock she received when learning of the proposed changes. She spoke of the number of votes the new Board received. She reminded the Board that they were elected to serve the Town and the Town includes a diverse group of people. She feels that when making decisions for the Town the decisions be based on the people who voted for the Commissioners, those who voted not to support the Commissioners and those who are non-residents ongoing.

### **OLD BUSINESS**

**Mr. Dick Levin who is president of the Bogue Banks Beach Preservation**, came forward and made a presentation regarding the economic side of beach renourishment. Mr. Levin started with a broad view and gave some information regarding facts and figures about travel and tourism in the United States which included it being the largest industry in the country, contributes \$873 billion dollars to the economy, it generates \$55 billion dollars of taxes, it brings almost 17 million people and adds over 1/3 of a million jobs to the economy each year.

He then went from the United States to the Coast of the United States. He related that the Coastal areas represent only 1/5 of the total US land. One hundred fifty million of 280 million live within 2 hours of the Coast. Of the US the leading tourist destinations are (1) the beaches (2) national parks and (3) historical sites. In 1999 beach tourists in America spent a short \$200 billion dollars that can be added to that. The beaches, last year, created almost 3 Million jobs.

He related to beaches south of Emerald Isle (Miami Beach) which had no beaches in the 1970's and who

had done beach renourishment. They now have beaches. He related that Florida has calculated that every dollar spent on beach renourishment has returned \$700.00 along.

Mr. Levin made a point that the largest contributor of Carteret County economy in 1997 was Emerald Isle. Second largest was Atlantic Beach, third was Pine Knoll Shores, fourth was Indian Beach and 5<sup>th</sup> was Salter Path. He said the economic impact of the beaches of Bogue Banks will be about \$211 million dollars for Carteret County in 1999. Job created are 3,400 per year with a payroll of \$38 million dollars off tourism. Bogue Banks is 1 per-cent of the total land mass of Carteret County however it pays 43% of Carteret County's taxes.

Mr. Levin made another point that if Bogue Banks did not exist and if the County services remained at their present level, taxes would have to be raised 64%. Mr. Levin pointed out that for every owner that lives and uses the beach there are 140 who use it who are not residents.

Mr. Levin revealed that the CSE Baird Project is going to cost approximately \$4 million a year for the debt service on the Bond issue. For that amount of money, Carteret County citizens will get (1) creation of 3,400 jobs, (2) a direct payroll of \$38 million dollars a year (3) \$211 million dollars of total economic benefits off the beaches, (4) preservation of recreational environment, (5) protection of the public infrastructure, (6) protection of animal and bird habitats, (7) protection from storm events, (8) protection of the County tax base.

Mr. Levin said his conclusion is "Don't look a gift horse in the mouth if you own a half million dollar house". Mr. Levin gave calculations that showed it would cost approximately \$35.00 per week for the tax. He also touched on those who live off the beach. Their tax would be only a couple of dollars. Those with an evaluation of \$150,000 dollars would pay approximately \$1.50 per week. Those with \$100,000 evaluation would pay approximately \$ .83 per week.

All property owners who would pay the tax would get benefits which include protection of property from hurricanes and storm which means protection of the in-zone stream of rental property, etc., preservation of recreational environment, avoidance of rebuilding steps annually, avoidance of pushing sand, protection of the public infrastructure, protection of animal and bird habitats and preservation of exemplary low tax rate.

There are one or two political considerations to be touched on. There is more misinformation. The preservation of Bogue Banks is not going to happen unless the Boards and citizens stand up and say "I'm in for it".

The misinformation is as follows: opposition to beach renourishment characterized by everything under the sun including sun spots, lack of knowledge of the cause of beach erosion, confusion about the users of the beach, incorrect information about the effectiveness of the beach renourishment project, false information about effects on sea animals, and lack of understanding about cost effective relationship of beach renourishment. He stressed that \$.83 cents per week is what it would cost.

Mr. Levin thanked the Board for inviting him to speak and apologized because he had to get back to Chapel Hill because of his wife's surgery.

**Mr. John Wells, a marine geologist**, gave a short talk and said Beach renourishment is a very complex issue. Mr. Wells gave four points. He agrees with what Mr. Levin said regarding the economic issues that are very clear issues. The economic arguments are very compelling. He related that the only choice Bogue Banks has is to renourish if they want to keep the beach in its current location. Issues will have to

be addressed in the environmental impact statement. Two issues have to be addressed properly are (1) it is critical that renourishment be done in the winter months and (2) the sand that is put on the beach must match what is already there. He noted that there will be disruption of the beach with heavy equipment, material put in the inner tidal zones will kill small organisms that live there, the clouding of the sediment in the water will increase along the island for a certain period of time but if you asked him are these long term, are these lasting significant environmental impact, he would say "if these two criteria which he gave above are met, the answer is no".

Mr. Wells said the project is designed to be a 10 year project. The proposal is to bring the island elevation up to the elevation of Atlantic Beach. Then an additional amount will be added to Bogue Banks to buy an annual erosion rate of 2 feet in a 10 year time. Mr. Wells said if we continue to have hurricanes like we have in 1996 and 1999, the 10 year project duration as proposed is optimistic. The goal is to hold the beach where it is and maintain it.

Mr. Wells thanked the Board for allowing him to speak.

**Mrs. Paxon Holz who owns property in Emerald Isle** expressed her support for beach renourishment. She feels it would be a terrible thing if beach renourishment was not supported. She does not feel it is important who should pay at this time. All should support it.

**Mr. John Vogler, Sr. of 7016 Sound Drive** expressed his opposition to beach renourishment. It hasn't work here and has not worked at Topsail. He has replaced sand and planted dune grass along with sand fencing and has lost it all. He put a price of \$50,000 on his efforts.

**Mr. Tom Ericson who signed up to speak relinquished his time.**

**Mr. John Grady who resides at 113 Fawn Drive** expressed his support for beach renourishment but not the way the costs are figured. He asked why Lands End, Spinnakers Reach, Point Emerald Villas, Wyndtree and the rest of the pointe area are excluded from the beach renourishment fee?

**Mr. Rush** with the County Managers Office answered that the decision made on District A which does not include property West of Spinnakers Reach to the Pointe was made for two reasons. (1) is that the area of the beach appears very healthy. Careful measurements have been taken and with the exception of where Mr. Royals house was is the healthiest area of the beach. (2) They will not receive any sand as part of this project. The engineering design is a project that will move sand up to the boundary line of Spinnakers Reach and Lands End subdivision. It was felt that it would not be fair to charge these individuals if they were not receiving any sand. He explained that the erosion at the Pointe has not been included because it is in an entirely different dynamics of the inlet. The Corps of Engineers are doing work right now on that.

Mr. Grady made a point of if we make up 43% of the County tax base and get 6% of the County services, where is the money going? He also asked if this beach is so critical to Carteret County, why is the County not paying some of this fee? Mr. Rush commented that the County is paying some. He said two components is the special tax are District A's revenues will generate about 50% of the cost of this project and District B's revenue will generate about 11% of the cost of the project. Carteret County is kicking \$ .01 on the County Tax rate that will generate about 11% of the total project cost and there is also the remaining 25% of the cost of the project that will come from Sales tax dollars that will be allocated to beach renourishment. Occupancy tax is still being considered for this project because the General Assembly will not reconvene until May. It is not know if any occupancy tax will be made available. The County is also looking at taking on a \$30 Million Dollar debt for this project.

**Mr. Julian Peele** commented he wanted to applaud Dick Levin's excellent presentation.

**Mrs. Joyce Mize who resides at 113 Deer Horn Dunes** expressed her opposition to beach renourishment. She talked about walking on and visiting beaches that have been renourished. The sand is gray and coarse and shell fragments are large and sharp. She asked that the natural beauty of the beach be preserved.

**Mr. Bob McInnis** commented on how beautiful the island was in April 1979. He says he owns property that faces Emerald Drive and he does know that beach rental property rent is much higher than those away from the beach. He feels that those taxpayers should pay additional monies. He commented that he stands in favor of the Resolution because he does not think, "we have any choice". The taxpayers either take care of the beaches or they are going to be gone. His hope is that all will vote in the best interest of Emerald Isle and Bogue Banks.

**Trish Love who owns 1-4 A Pebble Beach** indicated what she was going to say has already been said.

**Mr. Max Crohn who owns property at 4601 Ocean Drive** expressed his support for beach renourishment. He feels there will be beach renourishment if there are a few more hurricanes. Mr. Crohn made a point that the folks who live here will have to make up tax revenues if the front row houses are lost. He commented those who do not want to pay more will pay more if the tax revenues are lost. He suggested another District, District C for second row homes. His reason was second row homes should not have to pay \$.5 cents and people ocean front \$.50 cents. They have accesses to the beach every 1100 feet. If first row is eliminated along with Ocean Drive, second row homes will not be able to be gotten into because the roads are gone. His suggestion on the fees were \$.40 cents for beach front folks, \$.10 cents for second and the rest could be \$.05 cents and \$.01 cents.

**RESOLUTION AUTHORIZING TERRITORY WITHIN THE CORPORATE LIMITS OF EMERALD ISLE TO BE INCLUDED IN COUNTY SERVICE DISTRICTS FOR BEACH EROSION CONTROL – DISTRICT A AND DISTRICT B.**

Commissioner Trainham read the Resolution for the benefit of the Public. A copy is attached to these minutes.

*Commissioner Trainham moved and Commissioner Wootten seconded that the Resolution Authorizing Territory Within the Corporate Limits of Emerald Isle to be included in County Service Districts for Beach Erosion Control – District A and District B be approved as stated.*

**Commissioner Wootten** commented that he was bothered about comments regarding the County contribution to this effort. At the meeting with the County Executives, he was enlightened with the fact that the reallocation of the Sales Tax that will equal \$1.2 million dollars (25%) is coming from other people in the County.

**Commissioner McElraft** addressed the Ocean front property owners. When she first looked at Spinnakers Reach situation, she too was upset that they were not included. Then she started thinking about what the benefits are and beach renourishment is in need. Many are spending lots to replace the stairs each year on ocean front. People in Lands End and further down do not have that dilemma. All have to be Emerald Isle citizens together. All benefit from it. She said, "you pay now or pay later".

*The Board voted unanimously to approved the Resolution as written.*

**DISCUSSION AND POSSIBLE FINAL PLAT APPROVAL FOR THE SANDS SUBDIVISION, A 9 LOT SUBDIVISION LOCATED BEHIND EMERALD ISLE MINI-MART ON OCEAN DRIVE AT THE OLD DOG-LEG AREA.**

Mr. Allen said this item has been asked to be pulled from the agenda. Rather than table it, it was his suggestion that it be dropped from the agenda and take it up again when the Health Department permits are in place.

A 10 minute intermission was taken at 8:35 p.m.

The meeting resumed at 8:55 P.M.

**NEW BUSINESS**

**PUBLIC HEARING FOR THE PURPOSE OF TAKING POSSIBLE ACTION ON AN AMENDMENT TO SECTION 13-22 (B) OF THE CODIFICATION RELATIVE TO THE PLANNING BOARD.**

Mayor Harris read the proposed amendment for the benefit of the public that addresses the membership, terms and vacancies of the Emerald Isle Planning Board. A copy of the proposed amendment is attached to these minutes for reference.

*Commissioner Wootten motioned, Commissioner Murphy seconded and the Board voted unanimously to open the Public Hearing.*

**Mr. Bob Smith**, present Planning Board member, came forward and corrected a statement that appeared in the newspaper that indicated he resigned from the Planning Board. He did not resign and does not intend to. He did submit an application to be reappointed to the Planning Board after his term comes up in March of 2000 and he made it clear in his cover letter that he is currently serving on the Planning Board, that his term ends in March and he wished to be considered for reappointment at that time. In no way did he imply that he resigned. Mr. Smith commented that at the last town meeting, Mayor Harris stated that all Planning Board members who wished to be considered for appointment to the Planning Board to have their applications by December 31, 1999. Mr. Smith submitted his in compliance with Mayor Harris's request. Since January 4<sup>th</sup>, Mayor Harris has stated that the applications were welcome anytime. Mr. Smith reiterated that he has not resigned even though he was asked to by Commissioner John Wootten. He does not feel that he has done anything wrong and feels that the resigning would imply that he has done something wrong. He has a good standing with the current Planning Board members and would like to serve out his term. Mr. Smith stated that the new Ordinance that is being considered giving the Commissioner the power to terminate members of the Planning Board "for the good of Emerald Isle" is a very broad statement and can very easily imply or will always leave doubts in peoples minds as to why someone was terminated. Mr. Smith thinks there should be specific reasons for termination. There is already an Ordinance that spells out reasons for termination of a Planning Board member and it should be left as it is.

**Mr. Jarrell Stockdale** who resides at 21 Ocean View Drive commented that he hopes his remarks will help to make a wise decision on this issue. He said he is sure the way the Planning Board is set up is provide checks and balances so that one group of politicians cannot come in and destroy a government that other people feel differently about. There are staggered terms on the Planning Board. This is so when people come on the Planning Board, it takes a while to learn Ordinances, etc. If a whole new group comes in, they will not be able to do a good job because they will not have the knowledge and

experience. Mr. Stockdale continued, being able to remove a person without cause is something that you can rarely find. No one has a situation where you can release someone without cause. He feels that this is a very unwise thing to do. Mr. Stockdale submitted his resume to serve on any committee for the Town and he would still like to do that but he would not serve on the Planning Board if this Ordinance passes because he would not want to be thrown into the wind of politics.

**Mr. Clarke Wylde** commented that he is the Captain of the baseball team. Apparently there are two out and he is the last one at bat. Mr. Wylde gave a brief history on when he came to Emerald Isle and how it has grown since he came here. He said this community was a very quaint, very lovely community at that time. At present a Stormwater runoff ordinance is being worked on that will impact the residents. He asked the Board to place this as one of the items to look at and consider very heavily to pursue. Mr. Wylde commented that with the stormwater runoff that is being worked on coupled with the revegetation that is taking place, he feels that it will go a long way. Mr. Wylde said he has served 11 years on the Planning Board and is very proud of what they have accomplished.

**Mrs. Stephanie Warren** who resides at 8514 Woodcliffe Drive commented that an amendment to the current Planning Board is unnecessary. The Planning Board makes recommendations to the Town Board for approval. She asked that the Board be responsible and rational in decisions made.

**Mr. Ricky Farrington** commented on the negative remarks he has seen over the last year. He said he is a realtor, planner, builder and he is very proud of what he does and what he had already done. Mr. Farrington said his brother is a Planning Board member but he has asked Mr. Farrington not to defend him. Mr. Farrington said a letter to the editor, that probably could be considered as containing some slanderous facts, indicated that the new Board knew something detrimental to the character of present Planning Board members. Mr. Farrington said it would be a very good time tonight to verify what the Board does know, if they do know anything. He referred to Mr. Leroy Henderson and said that to drop someone like him without some type of comment would not be fair or a neighborly thing to do.

**Mr. Bill Holz** who lives in Cape Carteret. He expressed his opinion that the Ordinance being considered is very bad. He pointed out that 50% of the people who own property in Emerald Isle does not have the right to vote in Emerald Isle. He commented that he does not recall, in pre-election statements, where any of the candidates said the first thing we will do is fire Richard Stanley and the first thing we are going to do with the Ordinances is to fire the Planning Board. The motivation is not vindictive. The present Planning Board does not have the right thoughts for the new Board. He feels that Board's idea of an ideal Planning Board member would be someone who is either retired or at least works off this island because if you have a business in Emerald Isle, you are considered to be a special interest. He commented that builders and realtors are the most disorganized people there are. They have no unity, no organization, no policy statement or anything like that. They are strictly individuals trying to meet a payroll and feed their families. He said that the real special interest groups are Coastal Federation and Crossroads. They have position statements and agendas. He feels that with this Ordinance, the question may be not what is best for Emerald Isle but what the Commissioners want the Planning Board to do. Mr. Holz said, "I think if you pass this you are creating a dirty little precedence". Personally he feels that the Board might have a work over of Ordinances in mind and they will need a cooperative Planning Board. He stated that one of the primary goals stated during the elections was to preserve Emerald Isle. He hopes that they will keep in mind what they want to preserve was built by real estate developers, home builders and past Boards.

**Mrs. Paxon Holz** came forward and commented she feels it would be very wrong to pass this amendment. She feels there will be serious backlash and that a "sleeping giant" will be awoken.

**Mr. Dan McCormick** commented to the effect that the present Planning Board has shown no favoritism

and he commends them for that. They have done their job. If a precedence is set tonight, God forbid we have to go through this 2 years from now when we replace the whole Board. A great system is in place now and he asked that the Board not try to fix something that is not broken.

**Mrs. Sylvia Baird** who resides at 2707 Ocean Drive commented she has never seen as much controversy in any town and she feels it is totally ridiculous. Whether it be good or bad, we live in the same town, we want what is good for the town and she feels that the underlying cause is everyone is getting rid of everybody but no one wants to state specifically why. She asked for reasons. She feels that we have more problems that are more important than bickering about people on a Board.

**Commissioner Farmer** stated that there will be a discussion period for the board after the public hearing and that the public would hear the board's thinking at that time.

**Mr. Gordon McAdams** who resides at 325 Loblolly Street and commented he is against the proposed amendment to the Ordinance concerning the Planning Board. He continued that he doesn't know how many times he voted for Mrs. Harris for reappointment to the Planning Board. They didn't see eye to eye on many things over the last couple of years. Most of those years, Mrs. Harris was involved in the real estate business on the island and Mr. McAdams did not consider that to be a negative on Mrs. Harris part, but he felt it was a positive reason for continuing her reappointment. He does not feel that just because someone is involved in real estate, that should not necessarily make them ineligible for the Emerald Isle Planning Board. There needs to be a good mixture. The individuals who serve on the current Board have served this town well and honorably and it disturbs Mr. McAdams see some of their names or as a group dragged through the mud with comments that are made that are really are laid out there to lead others who are not as knowledgeable on the inner workings of town government to believe there is something wrong or sinister going on behind the scenes. He commented that the Board has been asked tonight to explain the reasons. Mrs. Harris has indicated in the past that she wanted to open the lines of communication to the citizens of Emerald Isle. She has been asked to do that and she basically said she is not going to discuss it further. He really doesn't understand that. He asked that the Board wait until the present terms expire before replacing the members.

*Commissioner Trainham moved, Commissioner Murphy seconded and the Board voted 5-0 to close the Public Hearing.*

*Commissioner Trainham moved, Commissioner Farmer seconded that the Board accept the amendment as written.*

**DISCUSSION: Commissioner McElraft** was against this on December 14<sup>th</sup>, the swearing in day and the public was told the reasons why. Most of the public has reiterated those reasons much better than she could have. She stated she knows "its a done deal" so instead of hashing over all the reasons why the ordinance should not be changed, she said "thank you" to the people who served on the Planning Board. She read some of the names on the Board and asked the public how many of them thought the Board was all realtors and Builders? Of the names she read only one builder and one real estate agent was in the seven members. She commented that she thinks this should not be done to the citizens on the Planning Board but again, she thinks "it's a done deal".

**Commissioner Farmer** read a statement regarding the reasons heard at the meeting tonight why the ordinance should not be changed and replace the Planning Board. Commissioner Farmer said she believes the Board has to take this step. She commented that we cannot keep going in the direction we've been going during the last 20 years without destroying what brought us all here in the first place. The assumption that what's good for developers must automatically be good for Emerald Isle is no

longer valid. She stated that the Town Board's charge is to identify and protect what we as a community value in Emerald Isle and the Planning Board is a key in this process. She expressed a need for revisions of the Land Use Plan and ordinances. Commissioner Farmer stated that the old Planning Board lacks the vision and conviction to accomplish the job. To keep them in place is truly not in the best interests of Emerald Isle. A copy of Commissioner Farmer's statement is attached to these minutes.

**Commissioner Trainham** concurred with what Commissioner Farmer said but questioned the assumption that "this is a done deal". Nothing is done. The Board is independent and they have not decided ahead of time. He also added the idea that in the ordinances the Planning Board serves at the pleasure of the Board. The Board asked the present Planning Board if they would please resign and resubmit applications so that the present Town Board could study not only the ones who have been on the Board but any new applications. Four members of the present Planning Board refused to do what the Board asked them to do. As far as he is concerned, he thought this was a reflection upon the purposes and actions that this Board has taken or is about to take. Discharge? Of course it is honorable discharge. It is not a question of whether anyone has done something wrong. Commissioner Trainham continued that we have a new day and we have a lot of new things to do. He suspects that the citizens will want to know about these things and he was surprised that the new Board did not get the cooperation from the Planning Board. He thinks, as the result, the Board should look at the idea of "awakening the sleeping giant".

**Commissioner Wootten** commented that he was upset, when in all of the campaigning and leading up to the election, someone may remember that he was copied on the Planning Board and the Board of Commissioners, primarily coming after the environment and the process within these two boards and that he was upset that they were closed; they were not open favorably to people knowing what was going on and that flowed on down into the Planning Board. It was very difficult to determine what was going on. He has not and will not impinge on the character or any of the individuals who are serving on the Planning Board. This issue that has been taken is that this Board desires to change the Planning Board is in reference against the individuals of the Planning Board. This is not so. It has not been said. He feels that it is proper for this Board of Commissioners to make a study and policy, try to set a tone for the future for the Town. Commissioner Wootten said "I think it is the right of this Board of Commissioners to expect the Planning Board to fall in line with those expectations and desires". He also commented that there are no checks and balances here. The Board of Commissioners is the leader and the Planning Board is the follower. Commissioner Wootten's point made is that he does not feel that the present Planning Board members have the vision to do what he wants to do as one of the town commissioners.

**Commissioner Jay Murphy** commented this was one of the hardest decisions he has had to make. He has the utmost respect for the members now. He has had some problems with the decisions made in the past and he has had problems with the predecessors in the past. He feels that this decision will better the Town of Emerald Isle.

*The Board of Commissioners voted 4-1 to approve the Amendment to Section 13-22 (b) of the codification relative to the Planning Board. Commissioner McElraft voted no.*

*Commissioner Emily Farmer moved, Commissioner Emory Trainham seconded and the Board voted, with a vote of 4-1, that all active members of the Planning Board be removed at this time. Commissioner McElraft voted no.*

#### **DISCUSSION AND APPONTMENT OF PLANNING BOARD MEMBERS**

Mayor Harris asked for nominees for the new Planning Board appointments.

**Commissioner McElraft** - Bob Smith, Frank Vance, Ceil Saunders, Roy Brownlow, Cary Harrison, David Schock and Phil Almeida.

**Commissioner Murphy** – Phil Almeida, George McLaughlin, Frank Vance, David Schock, Roy Brownlow, Ceil Saunders, Cary Harrison.

**Commissioner Wootten** – Roy Brownlow, Ceil Saunders, Cary Harrison, Phil Almeida, Winton Smithwick, David Schock, George McLaughlin.

**Commissioner Trainham** – Roy Brownlow, Ceil Saunders, Cary Harrison, Phil Almeida, Frank Vance, George McLaughlin, David Schock.

**Commissioner Farmer** – Phil Almeida, Roy Brownlow, Cary Harrison, George McLaughlin, Ceil Saunders, Frank Vance, David Schock.

**Mayor Harris** tallied and announced the results of the votes which were: Ceil Saunders – 5, Roy Brownlow – 5, Cary Harrison – 5, David Schock – 5, Phil Almeida – 5, George McLaughlin – 4, Frank Vance – 4, Bob Smith – 1, and Winton Smithwick – 1.

*Commissioner tWooten moved, Commissioner Murphy seconded and the Board voted with a vote of 5-0 to appoint the seven who received the highest votes to the Planning Board.*

*Commissioner Trainham moved, Commissioner Murphy seconded and the Board voted, with a vote of 5-0, that the people with the most experience be, either currently or previously on the Planning Board, be given the two year terms, they being Roy Brownlow, Ceil Saunders and Cary Harrison which will expire in March of the year 2002.*

*Commissioner Farmer moved, Commissioner Trainham seconded and the Board voted, with a vote of 5-0, to appoint Phil Almeida, George McLaughlin and David Schock to 1 year terms which will expire in March of the year of 2001.*

**Commissioner Farmer** asked for clarification that these appointments take effect immediately. Mayor Harris answered "yes".

#### **DISCUSSION AND NOMINATION OF A TOWN REPRESENTATIVE TO FILL A VACANCY ON THE COASTAL RESOURCES ADVISORY COUNCIL (CRAC)**

**Commissioner Farmer** nominated Mr. Art Schools as the representative from Emerald Isle on the Coastal Resources Advisory council.

*Commissioner Trainham moved, Commissioner Murphy 2<sup>nd</sup> and the Board voted unanimously to close the nominations.*

*Commissioner Farmer moved, Commissioner Murphy seconded and the Board voted unanimously to send the nomination of Art Schools to the Coastal Resources Advisory Council.*

#### **APPOINTMENT OF A 2<sup>ND</sup> ALTERNATE TO THE BOARD OF ADJUSTMENTS**

*Commissioner Wootten moved, Commissioner Murphy seconded and the Board voted unanimously to appoint Joseph Quigley to serve as 2<sup>nd</sup> alternate on the Board of Adjustments.*

### **DEPARTMENT REPORTS**

Police Chief Mark D. Wilson, Public Works Director Robert Conrad, Town Clerk Carolyn Custy, Fire Chief William Walker, Parks & Recreation Director Alesia Sanderson, Building Inspector John Yost all gave short oral reports on functions within their departments for December 1999.

### **ROUTINE TAX REFUNDS AND RELEASES**

*Commissioner Wootten moved, Commissioner Trainham seconded and the Board voted unanimously to approved the routine tax refunds and releases.*

### **COMMENTS**

There were no comments from the Town Clerk, Town Manager, Commissioners Murphy, Commissioner Trainham, Town Attorney or Commissioner Wootten.

**Commissioner McElraft** reminded the citizens that a sign up sheet was placed in the back for reforestation and revegetation. There are landscapers who are willing to plant trees for us and Weyerhaeuser, National Forestry and Urban Forestry who are willing to give them to us. If anyone is interested she encouraged them to sign up.

**Commissioner Farmer** made a note that at the February meeting there will also be a sign up sheet for driving on the beach. She encouraged anyone interested to sign up at that time.

**Mayor Harris** commented about this being a difficult year for her. She was excited and came in with high hopes. She makes mistakes but she is new sitting in the Mayor's chair. She replied that the decision this Board has had to make has not been a "done deal". She asked for the support of the citizens and encouraged them to come talk to her or the Board. She said the Board needs help, they are going to do the very best they can and there will be more challenges to come up. Everyone cannot be pleased but the Board is trying to do their very best for this beautiful island.

### **ADJOURN**

*Commissioner Wootten moved, Commissioner Murphy seconded and the Board voted unanimously to adjourn.*

The meeting was adjourned at 10:08 P.M.

Respectfully submitted,



Carolyn K. Custy  
Town Clerk