

**MINUTES OF THE REGULAR MONTHLY MEETING
OF THE EMERALD ISLE BOARD OF COMMISSIONERS**

TUESDAY, DECEMBER 14, 1999 – 7:00 P.M. – TOWN HALL

The meeting was called to order by Mayor Vera C. Gaskins at 7:00 P.M. The Invocation was given by Commissioner Richard Ale. Present for the meeting were:

Mayor Vera C. Gaskins, Commissioner and Mayor Elect Barbara Harris, Commissioner Robert Isenhour, Commissioner Gordon McAdams, Commissioner Thomas Hoover, Jr., Commissioner Richard Ale, Commissioner Elect Emily Farmer, Commissioner Elect John F. Wootten, Commissioner Elect W. Emory Trainham, Commissioner Elect Jay Murphy, Commissioner Elect Patricia McElraft, Town Attorney Richard Stanley, Town Manager Pete Allen, Town Clerk Carolyn Custy, Public Works Director Robert Conrad, Building Inspector John Yost, Fire Chief William Walker, Police Chief Mark Wilson and Parks and Recreation Director Alesia Sanderson.

4. APPROVAL OF MINUTES OF THE REGULAR MEETING OF NOVEMBER 9, 1999.

Commissioner Hoover moved, Commissioner McAdams seconded and the Board voted unanimously to approve the Minutes of the Regular Meeting of November 9, 1999 as written.

5. MAYOR AND BOARD COMMENTS.

Mayor Gaskins announced that Mr. Robert Isenhour has been appointed to the Carteret County Hospital Board last night. This should make Emerald Isle very proud and is good news for the citizens of this town.

6. COMMENTS FROM THE PUBLIC.

Mrs. Cynthia Barrow who resides at 8808 Sound View Court spoke to the Board regarding Communication on Emerald Isle. Mrs. Barrow commented "I want to express my hope that the old Board of Commissioners and the Mayor leave with dignity and grace believing they have put forth their best efforts on behalf of Emerald Isle. It is also my hope that the old Board and the new Board can work together for any transition issues that may arise. Unfortunately, it appears from the journalism put forth by Channel 49 that there are efforts underway already to undermine the new Board and the Mayor and the objectives that they have set forth. It is not clear to me what is to be gained for Emerald Isle by making negative statements and providing false information about the new Town Board and the very people of Emerald Isle who have elected them. It seems to me that the disrespect for the Town citizens and their voice has continued through weeks of untruth to the eager voice of controversial and irresponsible reporting in this area. Please remember that the people of Emerald Isle have elected a Mayor and a Board with the faith that these folks will work together in the best interest of Emerald Isle. Anyone, who is consciously undermining the efforts of the new Board at this very early stage is truly undermining the voice of the Emerald Isle citizens who voted on November 2, 1999."

Mr. Bob Smith who resides at 2208 Emerald Drive spoke on appreciation of the Board. Mr. Smith commented, " I would like to thank the current Board and Mayor. I do appreciate your efforts in everything that you have done. All of the efforts you have put forth in the community. I am a current member of the Planning Board and I appreciate your efforts in working with us and hope that we can continue to represent Emerald Isle the best way we can."

Mr. Don Henry passed his turn to speak.

Mr. John McLean who resides in Cape Carteret and has property on Emerald Isle congratulated Emerald Isle on the eve of the year 2000. He said "Emerald Isle scores well in many areas. The Town has effective government. We have professional staff members who are well trained, helpful and responsive. This extends from the Town Manager to the Town Board, the Planning Board and down through the entire staff. These people are interested, polite and helpful. The Planning Board conducts professional meetings regularly. They have developed the regulations, they have studied them and they know them. They do not allow personal opinions to impede their judgment. We are following these rules to help us develop a great place to live. In fact, we have become so popular here in Emerald Isle we are almost out of residential building lots. There are no more large undeveloped areas. Neither the Town Board nor Planning Board has allowed personal whims to influence their personal decisions in regard to town development. The Town of Emerald Isle has elected a new slate of Commissioners. They have entrusted the cares, hopes and future of the Town to these Commissioners for the next 2 years. To the new Commissioners and new Mayor, please be very careful with your newfound powers. Don't mistreat this trust. Public service is a huge responsibility. One of the strongest needs of any local government is continuity.

Mr. David Barefield of 7601-A Emerald Drive spoke on lot clearing. Mr. Barefield said "I have received, over the last several weeks, that there is some discussion requiring deposits on the clearing of land for building lots. In being in the mortgage business since 1985, there is an impact that could possibly have on the lending business as well as the ability to finance homes for homeowners especially those in the medium income range as well as the military. When you get to that point, I would like to offer some comments in that regard."

Mr. Robert Gordon who resides at 110 Azure Drive said "I don't see Council here tonight". Mr. Stanley was sitting at his regular spot at the Board table. Mr. Gordon continued, "I want to talk about construction but it also comes down to the umbrella of legal council and contracts. I am just concerned that we have had the same legal council for 10 or 11 years or maybe longer and maybe I am misinformed that the outgoing Board has given Mr. Stanley a new contract. I wonder if that is binding on the incoming Board? I would be very concerned that the new Board would be indebted to carry on with things that were done by the old Board. The other thing is, on construction, I think, it sounds like I am a Board to vote and pull up the ladders and don't let anyone else aboard but I think we are getting near the saturation point as far as construction and I am concerned about buildings like Pacific and Bert's Surf Shop. It is getting to look to me like Myrtle Beach. I am just worried that the next step will be fast food all along Emerald Drive. I am just expressing my concerns and that the new Board will consider that and if possible clear the deck of some contracts and not be concerned about somebody's mortgage business and what's good for all of us residents here on the island."

Mr. Stanley responded to Mr. Gordon with "I have been Town Attorney since 1978 and have never had a contract nor do I have a contract now."

Mr. Gordon asked if the Board would be free to hire someone else?

Mr. Stanley said, " I serve at the pleasure of the Town and I have enjoyed it."

Mr. Pat Patteson of 8706 Emerald Plantation Drive thanked the present Board for their hard work over the past years and making this Town the Town it is. He charged the incoming Board to continue to try to make this town a nice place to live and don't forget that all vote and try to represent everyone.

7. OLD BUSINESS.

DISCUSSION AND POSSIBLE FINAL PLAT APPROVAL FOR THE SANDS SUBDIVISION, A NINE LOT SUBDIVISION LOCATED ON THE SOUTH SIDE OF BLOCK 15.

Mr. Allen asked that this item be tabled again. It has been tabled before because the information needed has not been received yet. This information has still not been received.

Commissioner Ale moved, Commissioner McAdams seconded and the Board voted unanimously to table this item at this time.

DISCUSSION RELATIVE TO LOCATION OF THE WESTERN CARTERET COUNTY LIBRARY (Emerald Isle Library).

This item was pulled from the Agenda.

8. PRESENTATIONS TO OUTGOING AND FORMER MEMBERS OF THE EMERALD ISLE TOWN BOARD OF COMMISSIONERS AND COMMENTS FROM MEMBERS.

Gaskins – to McAdams, Hoover, Ale & Isenhour

McAdams – to Gaskins

Custy – to Harris

Mayor Gaskins made a presentation of a Plaque and a Certificate of Appreciation to Board members Gordon McAdams, Thomas Hoover, Jr., Richard Ale and Robert Isenhour.

Commissioner McAdams made a presentation of a Plaque, Certificate of Appreciation and the Mayor's Gavel to outgoing Mayor Vera C. Gaskins.

Town Clerk Carolyn Custy made a presentation of a Plaque and Certificate of Appreciation to Commissioner Barbara M. Harris.

A copy of the plaques and Certificate's of Appreciation has been incorporated into these minutes.

9. BREAK to congratulate old members and welcome new members of the Town Board.

10. OATHS OF OFFICE.

Oaths of Office to newly elected members of the Town Board of Commissioners by Judge Paul Quinn.

Judge Paul Quinn administered the Oath of Office to newly elected Commissioners Emily Farmer, John Wootten, W. Emory Trainham, Jay Murphy and Patricia McElraft.

b. Oath of Office to newly elected Mayor by Judge Quinn.

Judge Paul Quinn administered the Oath of Office to newly elected Mayor Barbara M. Harris.

c. Nominations and election of a new Mayor Pro-Tem by members of the newly elected Board.

Commissioner Emory Trainham commented that he would like to return to the time honored practice of honoring the highest vote getter in a given election. Because of that and based on that practice, Commissioner Trainham nominated Commissioner Emily Farmer as Mayor Pro-Tem for a two year term of office.

Commissioner Jay Murphy seconded the nomination and the Board voted unanimously to appoint Commissioner Emily Farmer as Mayor Pro-Tem.

Oath of Office to the new Mayor Pro-Tem by members of the newly elected Board.

Judge Paul Quinn administered the Oath of Office of Mayor Pro-Tem to Commissioner Emily Farmer.

11. NEW BUSINESS.

Mayor Harris commented that the Board would like to add items Ef. Discussion of Building Heights, Eg. Discussion of Cellular Towers and Eh. Workshop.

Commissioner Emory Trainham moved, Commissioner Patricia McElraft seconded and the Board voted unanimously to add Items Ef., Eg., and Eh. to the Agenda.

Discussion and possible preliminary plat approval for Lots 1, 2 and 4 of Sunset Harbor.

Mayor Harris asked if this request has been cleared by the Planning Board and all permits issued? Mr. Ricky Farrington told the Board that the Major CAMA Permit Application is still under process. Other than that he feels that everything is in.

Commissioner Jay Murphy moved and Commissioner Pat McElraft seconded the Motion to approve the preliminary Plat for Lots 1, 2 and 4 of Sunset Harbor Condominiums.

Commissioner Emily Farmer commented that the plat shows a minimum square footage for a total built upon area. She asked if that should be maximum instead? Mr. Farrington said that by request of the Planning Board, this was corrected on the Sepia. Commissioner Farmer said that at one point for lot 3 there was an indication of a pool. She asked if there was going to be a pool? Mr. Farrington answered "no".

Commissioner McElraft asked a question concerning the setbacks. She commented that on the setback between the buildings there is a required 30 foot setback and it is her understanding that there is going to be a 45 foot setback and the trees that are now lining that setback, are those going to be left there? Mr. Farrington said they were going to try their best to work around these trees. They are going to come up with a landscaping plan that will have some small trees in this area. Commissioner McElraft commented "so you are leaving 45 feet of natural vegetation rather than the required 30? Mr. Farrington said with the 30 foot setback between buildings "yes".

Commissioner Trainham questioned the wetlands behind. He commented that it looks like the high water mark on one of the maps is in a different place. He asked if one of them was an old high water mark indicator. Mr. Farrington said the wetlands are right at the water. Mr. Farrington said there is very minimal wetlands on this property that was lineated by the Corps of Engineers at the edge of the water and at the pond area. Commissioner Trainham asked about the length of the docks. Mr. Farrington said

they would be between 100 and 110 feet.

Mayor Harris asked if the Board wanted to send this to the Planning Board for final approval. She was reminded by the other Commissioners that a Motion had been made.

Mayor Harris called for a vote. The Board voted unanimously to approve the preliminary plat for Lots 1, 2, and 3 of Sunset Condominiums contingent upon the receipt of the Major CAMA Permit.

b. Discussion and possible approval of a Resolution of Support for Carteret County Transportation Improvement Program Priorities.

Mayor Harris commented that a few years ago the Department of Transportation came and asked that each Town do their priority list. The five (5) that the Carteret County Transportation Committee had prioritized for inclusion in the 2002-2008 TIP is as follows as read for the benefit of the public by Commissioner McElraft.

- Replacement of the Gallants Channel Bridge (R-2207).
- U.S. 70 Corridor between Raleigh and Carteret County including bypasses at Clayton (R-2552), Goldsboro (R-2553), Kinston (R-2554) and Havelock (R-1015).
- Carteret County "Northern Bypass" from Havelock Bypass to Beaufort/Port of Morehead City (controlled access highway on new location).
- Overpass at intersection of N.C. Highway 24 and N.C. Highway 58 .
- Widening and improvement of U.S.70 from Beaufort to East Carteret High School.

Commissioner McElraft made a Motion that this Resolution be tabled until the next meeting pending investigation and talking to some of the members of the Carteret County Transportation Committee.

Commissioner McElraft commented that looking at the list, there is no representation from Emerald Isle. There is representation from Indian Beach, Salter Path, Cedar Point and Swansboro. There is concern about what the bypass might look like. At present there are no engineering studies since this is just a "wish list". Commissioner McElraft pointed out there is a need to something at that corner and she would like to see if the Board could talk to some of the people on the Committee and try to find out what their feelings are since it is right there in their back yard.

Commissioner John Wooten seconded the Motion.

Mr. Allen said that the Committee needed the Resolution by the 17th which has been a real problem. The Carteret County proposal has already been submitted to the DOT. This Resolution will only be accepted by the 17th. The submission had to be made in order to be included in the approval.

Commissioner Farmer asked "as far and the County is concerned it has Emerald Isle's approval?" Mr. Allen said if the Resolution is not adopted, he guesses the Board would take a neutral position.

Commissioner Trainham asked for clarification that the report has been submitted without Emerald Isle being included. Mr. Allen said every town does not have a representative on this committee. We can request that the Town of Emerald Isle have someone on this committee. Mr. Allen said it really is not going to serve any purpose if there is a question about whether these are or are not priorities. The five suggestions are going through, they already have.

Commissioner Wooten suggested that tabling this Resolution for another 30 days, if the report has

already gone, is really not significant one way or another. Mr. Allen indicated that the Resolution was needed for a file.

Commissioner Farmer asked if the Board would consider writing a letter to Mr. Mattocks stating what its concerns are? Mayor Harris answered "yes". We can leave it as it is, table it, or write a letter.

Commissioner McElraft made the point that in talking with the members of the Committee, they are probably affected more than Emerald Isle is since it is right in their back yard. Attorney Stanley said the County has come with the top five priorities as they see the overall County needs and if one gets fulfilled another one moves on and it can be changed from year to year. This is just a list of needs that as the County see it. It doesn't have anything to do with funding and it doesn't have anything to do with construction which is probably light years away.

Commissioner Farmer expressed her concern that people are pretty unhappy with the few alternatives that has been provided for the Gallops Channel Bridge. She doesn't feel if she is comfortable with Emerald Isle supporting that. She confirmed that Beaufort has not done a Resolution of Support this year.

Commissioner Wootten said he is not concerned about Beaufort. Emerald Isle needs to deal with its own problems in its own back yard.. He does not think there is a problem in terms of something being done at that intersection. Commissioner Wootten feels that the Board can go ahead and approve this Resolution now since it has been presented already and then make the point of representation separately. He does not feel that this has to be linked with this Resolution.

Mayor Harris reminded the Board that she has a Motion to table this issue with a second. She asked if there was an amendment?

Commissioner McElraft said since the people who are most affected by it made a Motion that the Board accept the Resolution and send it on through. Commissioner Wootten seconded the Motion.

Commissioner Farmer commented that this is setting Emerald Isle up for some other changes. If you look at the construction at the Bridge now and you get an overpass/underpass there, the next thing that will be talked about is adding another Bridge which is on a Crystal Coast Transportation Thoroughfare Plan. Also on that Plan is widening Hwy 58 from the Bridge through the center of Town to Town Hall to 5 lanes. Commissioner Farmer is not sure that is what the Board wants.

Mayor Harris said they are asking the Board to support only the five.

The Board voted, with a vote of 4-1 to approve the Resolution Supporting The 2002-2008 Transportation Improvement Program Priorities for Carteret County. Commissioner Emily Farmer voted NO.

Mr. Allen clarified that this is for the period of 2002 to 2008.

c. Appointment of Board Member to serve on Countywide Comprehensive Plan Steering Committee.

Mayor Harris said Mr. Ale was appointed this past year as an elected official to serve on this committee. He is no longer a Commissioner so a new representative needs to be appointed.

Commissioner Jay Murphy nominated and moved for Emily Farmer to serve on the Countywide

Comprehensive Plan Steering Committee. Commissioner Trainham seconded the motion. The Board voted unanimously, vote 4-0, and approved Commissioner Farmer to serve on this committee.

Presentation of New Board objectives for year 2000.

Commissioner Trainham said the objectives are something that will be looked at for some time ahead and yet it forms the objectives for the new Board for the year 2000. He read the Objectives for the year 2000. They are as follows:

1. COMMUNICATIONS:

- Publish a monthly newsletter
- Expand the use of Town Website to inform citizens
- Advanced publication of all Town and Planning Board meeting agendas in local newspaper
- Establish Town Council/Mayor's office for public liaison

Commissioner Trainham commented that this office will be staffed by members of the Board as well as the Mayor. This is a part of her presentation when she was campaigning for Mayor.

- Hold special town meetings (including non-residents) strictly for airing public concerns.
- Revise the format of Board meetings to include:
 - - Public comments as part of agenda discussion
 - - Department head reports
 - - Occasional guest specialists on pertinent topics
- Establish several citizen committees
 - - re-vegetation
 - - Bogue Field operations
 - - Driving on the beach

Commissioner Trainham related that it is hoped that citizens will come forward who are interested in working on committees and let the Board know which ones they would like to be assigned to. He also reported that Commissioner Emily Farmer has been appointed, by Senator Marc Basnight, to the General Assembly's Legislative Research Committee on Beach Renourishment. He feel that this is a wonderful opportunity for Emerald Isle to have a voice in the efforts and whatever the hope may be for this in the future. She is going to need the citizens support, she is going to need suggestions and comments on this subject.

2. DEVELOPMENT/STORMWATER

- Enforcement of ordinances with instruction to Inspections Dept that all Development will be in strict conformance with ordinances
 - - implement conformance bond and/or permit revocation

Commissioner Farmer related that the Board is considering permit revocation and some sort of impact fee on the 45% natural requirement in the Dunes and Vegetation Permit. This is already in the Ordinance and she quoted from Article X. Dunes and Vegetation Protection, Section 19-334 Compliance with provisions required, (d) Revocation of Permits. "In the event of noncompliance with the requirements of this article, the town will have the authority to revoke any and all permits issued and also to issue stop work orders on the real property on which the offense occurred until such time as the offender has either restored or replaced the dune and/or vegetation thereon, or until such time as the offender has posted a

surety bond with the town in an amount double the estimated cost of restoration as determined by the town." Commissioner Farmer related that the Board is now instructing the Building Inspections to enforce the ordinance and to rope off, on site, the 45% that will remain natural and instruct the builders that the roping is to remain in its place until a certificate of occupancy is granted. It is the responsibility of the Inspections Department to inspect as frequently as necessary to make sure the builder remains in compliance or that the penalty is enforced. The Board will also be visiting the Ordinance to see if it needs any strengthening.

- Review and possibly amend Land Use Plan & revise ordinances to fit plan

Commissioner Farmer commented that the Land Use Plan is a road map of how and where the town grows and what is valued as a community. She stated that not only are we not using it, portions of it support things that she feels the town does not want. Example is it support off shore drilling in Carteret County.

- Actively pursue Clear Water Management Trust Fund (CWMTF) grant
- Move forward on Moffatt & Nichol recommendations on storm water drainage
- Review Residential motel Hotel zoning in Coast Guard Road area.

3. BEACH PRESERVATION

- Full support with Federal and State funding
- Pursue a plan with least impact on Emerald Isle taxpayers

Commissioner Trainham asked that the word Full in Full support with Federal and State funding should be changed to qualified. He informed the citizens that later on they would be hearing more about what the County is doing. The citizens may not hear anything about what the State is doing because at the present time, they are holding off on everything due to problems of using funds for the flood victims and etc. The Board wants to be sure they handle this properly and want to get some feedback and are hoping for a Referendum before anything is decided.

4. ORDINANCES

- Public involvement and board study of all ordinances with emphasis on:
 - - Commercial architectural and lighting control
 - - Building heights
 - - Bulldozing on the beach
 - - Bulkheading at waters edge
 - - Nuisances

Commissioner Trainham commented that the way the Board came up with these objectives is that they have been listening to the public and they do not want to stop listening to the public. The Board wants the public to have input. He asked that as the objectives are studied, to please let the Board hear from the public.

Discussion of Planning Board vacancies.

Mayor Harris commented presently there are two vacancies on the Planning Board, there is one vacancy on the Board of Adjustment. These vacancies will not be filled at this meeting.

Commissioner Trainham read a statement " just as the voters felt that it was time for a change in the Town Board, we feel it is in the best interest of the Town for a change in the Planning Board. We have asked for the resignations of all of the Planning Board members with the understanding that they could reapply along with other interested residents. But because a few members have refused, it has now become necessary to go to the trouble and expense of amending the Ordinance of which the Planning Board members serve. Therefore, I am going to make a motion that an Amendment be considered at a Public Hearing on January 11th to consider amending the Ordinance and consider applications for all Planning Board vacancies."

Commissioner Trainham moved, Commissioner Murphy seconded the Motion.

Commissioner Pat McElraft said she would like to tell everyone why she is against this Amendment. " There are seven members of the Planning Board. The Board has two resignations and as of March two members' terms will expire. If one member of the Planning Board that all Commissioners agree is kept on, four positions will need to be appointed. That is five members of the seven members of the Planning Board that will be appointed or chosen by this Town Board. The two remaining members will have 1 year remaining on their time. Five out of seven is certainly a majority and I do feel like there are some citizens out there that would love for the Planning Board to stay like it is. Leaving two members on and let their terms expire is certainly a good thing to do but this Amendment will not do that. There are presently three ways with the Ordinance to remove a Planning Board Member." Commissioner McElraft referred to Chapter 13, Planning and Development, Section 13-22. She stated that none of the members have violated any of the three ways for removal. She said "we couldn't remove these members for any of these three things so now we are going to amend the Ordinance to remove them. I think we are setting a bad precedence, I think we are taking citizens who have served, many of them, I know of one who has served 11 years and has expertise, and these citizens have done nothing wrong. They have not violated any rules or any of the Ordinances. I hate to mention names, but when Ceil Saunders was removed from the Planning Board, some of the members of this Town Board were outraged by the previous Board's decision to replace Ceil. May I remind you that at least they gave Ceil the courtesy of allowing her to finish her term. I believe we should give the same courtesy to the present Planning Board members who are dedicated citizens of Emerald Isle who have done nothing wrong."

Commissioner Wootten commented, "As the Resolution sits right now calling for a Public Hearing, he is in favor of that. The whole issue of the Town Board and Planning Board were the core to why he got involved in politics in this town to start with. I do not want to go repeating campaign things but I was after a balance of representation on both the Town Board and Planning Board that would balance all interests of the Town in bringing residential concerns into that equation. I wanted to open up the process of government so that the people would understand what is happening and change environments in which the Board operates. I think the results of the election have delivered that message. It has to me at least. The vote of the election, in my mind, has been reinforced in reference to the Planning Board, I think we have 10 or 11 applicants for positions on the Planning Board. I think this is probably a record in this Town. I think we have the interest of the people, first expressed in the election and now in applications for the Planning Board. I really believe that with the objectives you have just heard Commissioner Trainham read, we are going to need an aggressive, a futuristic thinking Board, people who are willing to think big, but also have the experience of dealing in this Town. We have talked about a substantial Ordinance review, we have talked about issues coming up before the Planning Board which is the chief key Board and manager of this Town. I look at what the responsibility of the Planning Board is in this process, three things come to my mind. One is to modify the representation of the Board. Another is to maintain continuity. We cannot just take everybody off the Planning Board and start brand new. You cannot do that because it is a complex board. There is a lot of work involved so we have to maintain continuity. We have to maintain staggered terms. I think it is critical. The terms of the Planning Board is now three years and they roll over every March. As I sit here, the modification of By-Laws will

achieve those variables that I am trying to outline for you but it does have a precedence that Commissioner McElraft mentioned that I do not like and that is setting the precedence of a Board coming into power changing the Planning Board because of whatever reason. I do not like that aspect of the proposed change in By-Laws."

Commissioner Wootten continued, "there is an alternative that I would like to talk about. I am talking for myself, not the Board. I think with some courageous and humble decisions and compromise on the part of the Board, we can possibly reach a compromised position on this, which would not be a change in the By-Laws. The plan is simple. Commissioner McElraft told you that two members of the present Board are in office until March of 2001, three are in office until March of 2000 and there are two vacant positions. If we can convince the two members of the Planning Board who are in office until the year 2001 to offer a resignation and reapplication, if desired, and if we can maintain the existing people who are on the Board now through their terms through March 2000, the result is that the Town Board is given the possibility of 16 to 17 people, Eleven new applicants plus the 5 now on the Planning Board can be looked at in the public forum and make a decision as to what is the best mix for the Planning Board.

This compromising suggestion shortens the process and I do believe we do need to rule on the subject of the Planning Board. I do not want the subject or the changes to drag out for a year and a half. This is the only difference I see between what Commissioner McElraft and I are talking about. I am not willing to wait one and a half years, I want to get this process done between now and the end of March. We have a lot of bad feelings. This suggestion, I think, affords the Town Board the flexibility it needs to do the things I was talking about. Restructure it, maintain continuity and maintain staggered terms."

Commissioner Wootten said " the question comes to the resignation of any of the members of the Planning Board. " Why should I resign? I have done nothing wrong." That is exactly right, nobody on the Planning Board has done anything wrong. Nothing illegal, nothing immoral, and nothing but a lot of hard work. Yet, it is time for a change and I want to ask the individuals that we are talking about, without calling any names, to look at, internally within themselves recognizing the hard work that has been given on the part of these individuals, hopefully that a resignation and reapplication is no personal reflection. I am concerned that people will think their integrity is being challenged in the process that I am asking for and that is not the case. One of the fellows has 600 plus hours in flying A 6's off aircraft carriers. You do not challenge the integrity of an individual like that. I would like this to be looked at if the individuals can look down in their hearts and do this. I would like it to be looked at as a compromise. I would like it to be looked at as a positive step for the Town through which I think the objectives of the election told me."

Commissioner Trainham commented, "I appreciate Commissioners Wootten and McElraft's positions but I have made the motion and I stick with it on the basis that all the things John and Pat have indicated will be discussed fully and completely in an open meeting on January 4th which is going to be a stated meeting in which we will formally discuss all of these. And indeed, in that discussion, we may find a way to modify, change, or express our point of opinions as regards to how to handle the Planning Board vacancies. We are asking people who are interested in serving on the Planning Board to submit letters and we have gotten letters. We are also asking that all the people who are already on the Planning Board submit and that this be done no later than December 31st. We will then have an opportunity to look at the applications, determine whether there is continuity or whether there is strengthening of the persons who have knowledge of what ought to be on this and at that at a particular time a decision will be made by the Board as to who these seven people should be. This is the reason why the Amendment is being presented. The Amendment is a change in the Ordinance. Believe me, some of our Ordinances do need to be change. I am not fearful of changing Ordinances if it is going to be for the betterment of our community and for your Town. This is the way I feel about this particular matter."

Mayor Harris clarified that the workshop for reviewing the applications will be on January 4th ,but right now there is a motion of the floor for an Amendment to Section 13-22 of the Codification. There is a second to the motion and discussion has followed.

Attorney Stanley reminded the Board that the motion is to call for a Public Hearing, not to change the Ordinance at this time.

Commissioner Trainham read the proposed Amendment to Section 13-22 regarding Membership, Terms and Vacancies of the Emerald Isle Planning Board for the benefit of the public. A copy of this proposed Amendment has been incorporated into these minutes.

The Board voted, with a vote of 4-1, to call for a Public Hearing on the proposed Amendment to Section 13-22 of the Ordinance and consider applications for all Planning Board. Commissioner McElraft voted no.

f. Discussion of Building Heights

Commissioner Farmer motioned, Commissioner Murphy seconded and the Board voted unanimously for a 90-day moratorium on buildings greater than 40 feet tall so that the Ordinance can be reviewed and get input from the public.

Commissioner Farmer motioned, Commissioner Murphy seconded and the Board voted unanimously to send the Ordinance on Building Heights to the Planning Board for discussion and review.

Cellular Towers

Commissioner McElraft commented that most towns have Ordinances concerning Cellular Towers. The FCC will not allow you to totally prohibit Cellular Towers. Most Towns have Ordinances that restrict them. This is what the Town Board is going to try to do here.

Commissioner McElraft motioned, Commissioner Wootten seconded and the Board voted unanimously to ask the Planning Board to study and make recommendations for a Zoning Ordinance that will prohibit Cellular Towers in residential areas and that will restrict Cellular Towers in other areas and put a 90-day moratorium on Cellular Towers until the Planning Board has time to do a study and give the Board time to write the Ordinance.

Workshop January 4, 2000

A workshop will be held on January 4th at 5:00 P.M. at Town Hall to review the applications for the Planning Board, Possible Ordinance Revisions and other items of interest. The Town Clerk was instructed to notify the press. Commissioner McElraft asked and if there were any applications to please turn them in to the Town Manager and encouraged the public to do so.

TAX REFUNDS AND RELEASES

Commissioner Wootten explained the Tax Refunds and Releases to the public. There is also a movement of some funds from Capital Reserve into Beach Renourishment

Fund, \$250,000, establishment of another Fund named Disaster Recover Fund, \$505,000, with the expectation that this amount will come in from FEMA.

Commissioner Wootten moved, Commissioner McElraft seconded and the Board voted unanimously to approve Resolution 99-12-01,02,03,04 and 05 for Budget Line Item Transfers.

Commissioner Trainham moved, Commissioner Murphy seconded and the Board voted unanimously to approve the Routine Tax Refunds and Releases.

COMMENTS

There were no comments from the Town Attorney and Town Manager.

The Town Clerk reminded the new Board about turning in their Board packet notebooks for use at the next meeting.

Commissioner Jay Murphy thanked everyone who voted for him and he pledged to do the very best he possibly can for all the residents of Emerald Isle. He commented that he thinks we have an excellent Board and an excellent group of Department Heads. He feels that all we need to do now is communicate and get things done.

Commissioner Wootten also thanked all who voted for him. He commented that the Board needs help and he hopes that everyone will seriously consider what they can do to help the process. He told the public that he is open for people to talk to him and he relies on direct communications. He asked that if anyone had anything to say to him, to please say it straight at him so that he will know what they are talking about. He encouraged the public to help.

Commissioner Farmer noted that there is a lot of work to do and the Board needs the public's help. The Board is representing the citizens and they cannot do that well if they do not know what the citizens are thinking. She encouraged the public to keep coming to Board meetings. Any comments on beach renourishment, etc., please call one of the Board to let them know.

Commissioner Trainham thanked those who supported them and especially those who took time out to support an unknown like him. He related that he was very much surprised to be elected but he is hopeful of being able to serve the citizens and the Board is certainly going to do that. The public will notice that tonight in conducting the business, the Board was not all harmonious in their judgment and thinking and that is the way they are. He is happy to be a part of the process and the citizens are going to help make that successful.

Commissioner McElraft said she hates to be last because all the good stuff has been said. She did thank those who voted for her and she will do the very best she can to represent all.

Mayor Harris commented that she thinks the public has heard how much this Board wants to please and do the right thing. She also commented that she did not realize how much voting goes on. She encouraged the public to come back and thanked them for staying so long.

Alesia Sanderson, Parks and Recreation Director, made an announcement for the Emerald Isle Business Association. They will be sponsoring a fireworks celebration to be held at the Western Regional Access at midnight on December 31st. It should be a good show.

Commissioner McElraft moved, Commissioner Farmer seconded and the Board voted unanimously to adjourn.

The meeting was adjourned at 9:00 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Carolyn K. Custy".

Carolyn K. Custy
Town Clerk