

**MINUTES OF THE REGULAR SCHEDULED MEETING  
OF THE EMERALD ISLE BOARD OF COMMISSIONERS  
TUESDAY, MARCH 14, 2023 – 6:00 P.M.  
TOWN BOARD MEETING ROOM**

**1. Call to Order**

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

**2. Roll Call**

Present for the meeting: Mayor Jason Holland, Mayor Pro-Tem Floyd Messer, Commissioners Steve Finch, Jim Normile, Mark Taylor, and Jamie Vogel.

Also, present during the regular meeting: Town Manager Matt Zapp, Town Attorney Norwood Blanchard, Town Clerk Sarah Diehl, and Finance Director Laura Rotchford.

**3. Opening Prayer**

Dr. Curt Finch, pastor of the Emerald Isle Baptist Church and owner of EI Books, offered the Opening Prayer.

**4. Pledge of Allegiance**

Mayor Holland led the Pledge of Allegiance.

**5. Adoption of Agenda**

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

**6. Proclamations / Public Announcements**

Mayor Holland made the following announcements:

- Good Friday- April 7, 2023 Town Admin Offices Closed
- Story Time and Pre-K Play- Mondays, 9 a.m.- Community Center
- Golf Cart Advisory Committee Meeting - Tues. March 21 - 5:30 pm - Town Board Meeting Room
- PEP Program (Police Educating the Public) - Tues. March 21 - 10am - Town Board Meeting Room
- Coffee With a Cop - Thurs. March 23 - 9am -Town Board Room
- Planning Board Regular Meeting - Monday, March 27 - 6pm - Town Board Meeting Room

- Beach Driving Closed- April 1- April 10
- Neighborhood Watch Board Meeting - Tues. April 4 - 6 pm - Police Department
- Board of Commissioners Regular Meeting - Tuesday, April 11 - 6pm - Town Board Meeting Room

## **7. Public Comment**

### **Brief Summary:**

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

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

There were 6 (six) public comments.

Ronnie Watson, 9102 Coast Guard Rd, would like to see the gym renovated and for the Board of Commissioners to introduce and engage with the merchants of Emerald Isle.

Travis Burt, 8802 Sound View Ct, asked where Marina Village was in Emerald Isle. Planning Director Eitner said she would go over that during her presentation (with her zoning map).

Brad Altland, 201 Eagles Nest Dr, said he was concerned about the amount of trash that would be at the accesses if the carry in and carry out trash proposal went into effect.

Sarah Fullwood, 126 Ethel Dr, would like Emerald Isle to consider expanding the number of pickle ball courts on the island.

Lori Ahuna, 320 Loblolly St, represents 2 dozen community members who would like to see the Community Center get a new roof and make sure that it is structurally sound.

Shari King, 204 Live Oak St, would like to see the community center renovated and for the Board to consider creating a capital campaign fund for the center.

## **8. Consent Agenda**

1. February 14, 2023 Meeting Minutes
2. Referral Policy
3. Budget Amendment & Capital Project Ordinance Amendments
4. Sale of Surplus Items (Brush Truck)
5. Fee Schedule Amendment (Summer Day Camp)
6. Bid Approval for Street repairs

***Motion was made by Commissioner Finch to approve the items on the Consent Agenda on the condition that the Referral Policy was removed. The Board voted unanimously 5-0 in favor. Motion carried.***

**Clerks Note:** Consent agenda items as noted above are incorporated herein by reference and hereby made a part of these minutes.

### **9. Recognition and Introduction of New Employee(s)**

Mayor Holland welcomed Danielle Andelin to the organization as a full-time firefighter. Danielle had previously been with the department as a part-time firefighter.

### **10. Satellite Merchant Amendment**

Planning Director Eitner reviewed the proposed Phase II Amendments and the Food Truck Ordinance Amendments, along with the current ordinance. Her presentation is incorporated herein by reference and attached to these minutes.

Commissioner Vogel said it had been brought to her attention that there was discussion in the community that there may be a potential conflict of interest in regard to the Satellite Merchant Amendment and her vote. She said had been asked directly if she would be recusing herself from voting on the ordinance. Having run her campaign on transparency and performing her role as a Commissioner with transparency, she wanted to disclose 3 things:

- 1- When asked directly if she would recuse herself from voting on the Satellite Merchant ordinance, her response is that she will always do the ethical thing and consult the Town Attorney on the right path forward, She has had two separate conversations with the Town Attorney on the issue.
- 2- Her husband Calvin Vogel partnered with Paul Musco to open Bar 1957 in Emerald Isle. A speak-easy like establishment in Emerald Plantation.
- 3- Paul Musco is a lease holder of the former El Zarape space on Reed Dr. It is rumored that he would like to have food trucks at that location. She and her husband have no direct financial ties to that business, its location, or any food truck.

Therefore, she believes she can be objective on the issue and the vote. She said she looked forward to hearing public comments from the community, friends, and business owners on the topic.

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

Town Clerk Diehl reported to the Board for the record that an email had been received from Mr. John Radabaugh, owner of Fish Hut Grill, who was unable to attend the meeting due to the birth of his baby. Each Board member had a hard copy and his email would be entered into the record.

Randy Hanford, owner of Snapperz, 401 Wild Cherry Ln, said that the profit margin for restaurants was 3-5% and entered into the record a printout from a google search Q&A showing those numbers. He said that businesses were already struggling post- Covid and that food trucks would place an undue burden on his business.

Travis Burt, owner of Caribsea, 8802 Sound View Ct, said that he agreed with Randy. Covid had hurt his business and he would like one good season post-Covid. He would like to be part of the conversation on food trucks and would like to follow up on enforcement and how it is handled.

Brynn Shoffner, part-owner of Flipperz and Trading Post, 8612 Reed Dr, did not feel like area restaurant owners were consulted enough. She asked the Board to pause on making any decisions and involve restaurant owners in the conversation. Restaurant owners are in the process of gearing up for the summer season. This discussion involves more time and industry people involved.

Josh Sawyer, owner of The Village Market, 7802 Emerald Dr, would like restaurant owners and food truck owners to look at the UDO together and be a part of the conversation. He questioned how town staff and the Board could make decisions pertaining to an industry that they were not educated in. He suggested a committee made up of food truck owners and restaurant owners sit down with the Planning Director to discuss what's best for everyone.

Rick Capone, owner of Taste of Philly (food truck) 9102 Coast Guard Rd, said that he provided a choice to vacationers. He does not want too many food trucks, but he thinks there could be more spots and locations for food trucks. Food trucks are another option. He said he is a property owner in Emerald Isle.

Elizabeth Shepard, owner of Shepard BBQ, 7801 Emerald Dr, feels that people are used to waiting for a table during peak season. She saw an issue of where brick and mortars close during the off season and a new variable like food trucks, enters the mix. They have accurate numbers of what their Saturday's look like. She would like to set a number for how many food trucks are allowed and how many are allowed at the same location. She thinks there should be a set fee to register and a daily service pass and if they do not obtain their daily pass, there should be a heavy penalty.

Chris Johns, owner of Rucker Johns, 8700 Emerald Dr, feels that success and growth of the island has come through strong leadership and the Board being aligned with small business

owners. He thinks that there is a significant difference between the current and the proposed satellite merchant ordinance. He would like to see the island preserved as a small-town, family beach. He would like to see restaurant owners and food truck owners form a committee to sit down and work through the processes to find the best way forward for Emerald Isle and its guests.

Julian Johns, of Rucker Johns, 8700 Emerald Dr, would like to evaluate the current satellite merchants ordinance. He felt like the proposed new ordinance did not consider restaurant owners.

Caitlin Johns, of Rucker Johns, 8700 Emerald Dr, would like the town to consider the delicate eco system (of the tourist seasons) on the island. It is important to see all restaurants succeed and she hoped that the commissioners would consider the ideas that had been brought forth and consider the restaurants when making decisions.

Michael Russell, 8106 Emerald Dr, operator of Snapperz of Emerald Isle and Morehead City. He reported that the Snapperz in Emerald Isle served over 66,000 over the course of the summer season in 2022 and no one was turned away—everyone was served. He would like the Board to consider the impact that food trucks would have on employees (waiters, dishwashers, etc.) whose paychecks are cut by a 1/3 after the summer season.

Jordan Watson (no address given), owner of Garden of Eaten food truck. He would like to see a way to allow local food trucks (as he is local and trying to grow his business). Would like to see restaurant owners and food truck owners work together and would appreciate it if there were more spots for food trucks.

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

Commissioner Taylor thanked everyone for coming and said he thought that the coming together of the restaurant and food truck people was important. He was interested in bringing the groups together to discuss the rules.

#### **11. Comments from Town Clerk, Town Attorney and Town Manager**

Town Manager Zapp said that on the St. Patrick's Festival, 37,000 additional cars moved through the Coast Guard Rd. intersection. He thanked the Emerald Isle Police Department, the Emerald Isle Business Association, and the sponsors for bringing it together.

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

Commissioner Taylor thanked everyone for coming and for speaking and said great job at the St. Patrick's Festival.

Commissioner Finch thanked everyone for coming out and for their service throughout the years to Emerald Isle and that everyone would work together moving forward.

Commissioner Messer appreciated everyone coming out and said that their comments were heard and thanked them for their service.

Commissioner Vogel thanked everyone for coming out and that their comments would be taken into consideration and thanked everyone for their time and preparation at the St. Patrick's Festival. It took the town a year to plan. The Beer Tent, sponsored by the Emerald Isle Business Association, grossed over \$40,000 and the golf cart raffled raised over \$20,000. Those funds would go back to the town and would help with improvements.

Commissioner Normile thanked everyone for coming out and said that there was more work to be done. No one was in a rush to make a decision and that everyone would work together. He reviewed numbers/ data from the town and gave a "shout-out" to the Public Works team. The ponds were flowing at Cape Emerald and 3rd St drainage was being worked on. He also thanked Tom Rule with the Neighborhood Watch Committee, along with the Police Department and said that burglaries and larceny were both down.

Mayor Holland thanked the sponsors, organizers and volunteers for helping with the St. Patrick's Festival. He said he appreciated the staff, Board and the public for their comments on the proposed amendments. He enjoyed learning and speaking with the public and encouraged them to keep engaging with the Board.

**13. Adjourn**

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

***The meeting was adjourned at 7:16 pm.***

Respectfully Submitted:

Sarah Diehl  
Town Clerk