

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room October 5, 2005 at 7:30 p.m.

The following members were present: Mayor John Wilson, IV
Commissioner Dellerva Collins
Commissioner David Farrow
Commissioner Edward Etheridge
Commissioner H.A. Creef, Jr.
Commissioner Lee Tugwell

The following member(s) were absent:

Also present at the meeting were: Town Manager Kermit Skinner
Finance Officer- Shannon Twiddy
Town Clerk-Becky Breiholz
Planner- Erin Burke
IT-Steve Jozik
Building Inspector-Johnny Boniface.

Mayor Wilson called the meeting to order at 7:30 p.m. followed by the Pledge of Allegiance.

SUBJECT: Adoption of Agenda as presented or amended. Mayor Wilson would like to delete Item 6B Public Records Policy and send to attorney for his review and replace with Planners report.

MOTION: Commissioner Collins seconded by Commissioner Etheridge to adopt the agenda as amended was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: None

SUBJECT: Adoption of the items on the Consent Agenda.

MOTION: Commissioner Tugwell seconded by Commissioner Farrow to adopt the consent agenda as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: none. Absent: None

SUBJECT: Approval of Minutes from Regular September 7, 2005 meeting

MOTION: Commissioner Tugwell seconded by Commissioner Farrow to approve the minutes of September 7, 2005 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: none Absent: None

SUBJECT: Approval of Minutes from recessed September 14, 2005

MOTION: Commissioner Tugwell seconded by Commissioner Farrow to approve

the September 14, 2005 minutes was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: none. Absent: None

SUBJECT: Budget Amendment #1 Street repair-Green Engineering has prepared a cost estimate for repairs to Sir Walter Raleigh, Old Tom, Ananias Dare, John Borden, Croatan, Devon, Fernando, Budleigh, Uppowoc and Wingina.

MOTION: Commissioner Tugwell seconded by Commissioner Farrow to Budget Amendment #1 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: none. Absent: None

PUBLIC COMMENTS –

Malcolm Fearing from Manteo and lives in Sunnyside. He wanted to speak about the agenda item that was removed Public Records policy and he thinks it was written because of him. He explained to the Board the information he requested and why he requested it. He requested a transportation plan document that has been worked on and thought it was important to get this document out to the public; he had written a letter August 30th citing the General Statute that allows his access to this document and he still has not received the document he has requested. He commented that there was some question about this document about draft form and ownership of the engineer as a public document. Mr. Fearing read what was written by David Lawrence about Public Records. He thinks it is important that the public knows what the government does so they can participate. He also commented “that making public records available for inspection is an important legal duty of clerks and other custodians of records.” Mr. Fearing continued to read what Mr. Lawrence wrote about public records which can be found in Mr. Lawrence’s book “Public Records Law for North Carolina.” One of the records he requested was a building permit that was issue on October 21, 2003 for \$40,000. He had an estimate on October 15 for \$125,000 and the permit was pulled for \$40,000. It was required to build that addition at 9 foot, and the elevation certificate says 6.6 feet, he is concerned because that affects the Community Flood Rating risk. He wanted to see the document and examine it to see if it was accurate, and he owns several properties in town and if he loses the community rating because of such actions I deem it my duty to know. He thanked the Board for allowing him to participate in the government.

Jennifer Frost-talked to the Board about a proposed landfill coming to Camden County. Waste Management Industries wants to put a dump that will service 31 eastern states. She also opposes the opening of a chicken farm in Hyde County, both of which can affect the water quality of the Town of Manteo.

?Yvonne Simpson- old North Carolina Highway and she wants a petition for a speed bump. They go so fast on that road. She described the location 621 325 Old North Carolina Highway and would like a speed bump on that road. Mayor Wilson commented that they would investigate and get back to her.

Sybil Ross-Manteo, she has two traffic concerns-one is the dangerous intersection at Midway and would like that speed limit reduced. She also keeps hearing they are going to do something great at Grenville Street, but the old green boxes sitting on the corner has

almost caused her to hit someone and is dangerous and wants to know when help is coming for that. Mayor told her that we have contacted NCDOT several times to have the speed limit reduced at Midway and been denied each time; Greenville Street will be widened and that should take care of the green box and will have staff pay attention to the relocation of the green box at that street. She also told the Board that the light at Budleigh Street takes 12 minutes to turn green.

Mayor Wilson commented that it is not now or has ever been our intention to deny access of public records to the public.

(TOWN MANAGER AGENDA)

SUBJECT: Presentation on the inaugural OBX marathon-Web Fuller representing the marathon which will be held on November 12, 2006 starting at Kitty Hawk and hopefully ending in Manteo. They have a committee to organize the logistics; fundraising; marketing; hospitality and human resources. They plan to do a full marathon, half marathon and a family run. A power point presentation was given to the Board of Commissioners with the details of the marathon. They are not asking for money they are asking for the Boards support with the course, public safety, volunteers and public works. The funds raised will be donated to the Outer Banks Relief Foundation and Dare Education Foundation.

SUBJECT: Discussion of establishing a Public Records Policy-this item was removed from the agenda until the town attorney has had a chance to review this.

SUBJECT: Report from Planner Erin Burke. When the new zoning ordinance was passed it was brought to her attention that multi family dwellings had been left off. In R-5. This deals mainly with Pirates Cove. She is requesting that Board hold a public hearing to amend the zoning ordinance to include this change in Article VI Section 6.4 Permitted uses approved by the Planning and Zoning Board. Commissioner Tugwell asked if it shouldn't it be stated as a multi family use previously permitted. Ms. Burke will speak with the Town Attorney to have the mistake corrected by tomorrow so it can be advertised. Mayor Wilson asked that Ms. Burke also notify the owners in Pirates Cove of the Public Hearing who are affected by this ordinance.

MOTION: Commissioner Farrow seconded by Commissioner Collins to accept Ms. Burke's recommendation to correct the ordinance and set a Public Hearing for Wednesday, November 19th at 7:30 pm was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: None.

SUBJECT: Amend effective date of ordinance 2004-02 which separates the zoning ordinance from the codified ordinance. On March 4, 2004 the Board adopted an ordinance that separated Appendix A Zoning of the Town Code from the Town's codified ordinances and at the time it was adopted the new zoning ordinance had not yet been written. Now that the new zoning ordinance has been adopted this is a request to amend the effective date of the ordinance to separate the two.

MOTION: Commissioner Farrow seconded by Commissioner Creef to amend the

effective date of the separation of the zoning ordinance and the codified ordinance was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: None.

SUBJECT: Government Access Channel 20 request to use \$3,000 from their existing fund balance to buy new equipment. This is not a request for additional funding.

MOTION: Commissioner Creef seconded by Commissioner Collins to approve Channel 20 request to use \$3,000 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: None.

Mayor Wilson informed the Board that the Clean Water Management Trust Fund has given us \$65,000 to protect and restore the surface water quality at Shallowbag Bay. The Town had asked Shallowbag Bay classification be changed from SC to SA. He also brought to the Boards attention that the American Chamber of Commerce Research Association released figures that the housing costs here are at 143% of the national average and thinks that the Board can be proud that they have done something about affordable housing. Also the East Carolina Pathway to Freedom Coalition have heard from the restoration specialist with the NC Dept. of Cultural Resources that the historic Pea Island Cook house is in good restorable condition. The building has been given to the Coalition and they are interested in exploring a partnership with the Town of Manteo, like the ones we have with the boat house and Maritime History Museum, to possibly locate the cook house at Lucy's corner and they are getting estimates to move the building. Commissioner Collins provided the Board with information about the East Carolina Pathway to Freedom Coalition and they have been given the 1930 Lifesaving cook house. It is their desire to have it moved to Manteo where so many of its crewmen were from and restored to its original condition. They hope the Town will become partners with them. They would like to convert the cook house into an Afro American Culture Center featuring the accomplishments of the men of Pea Island as well as the residents of Roanoke Island who were descendents from the Freedman Colony including those who were descendents from the crew of the Pea Island Life Saving Station. Mayor Wilson appointed Commissioner Collins and Farrow to work with the East Carolina Pathway to Freedom Coalition and to bring a proposal back to the Board.

Mayor Wilson-informed the Board that the underground project on Ananias Dare Street should be starting soon. He also informed the Board that Steve Basnight is working with IBM and Vital Source for a project at Manteo High School using the remaining laptops that are here in the Town Hall. IBM remains committed to giving laptops to the upcoming sixth graders in the Town of Manteo this year.

(OLD BUSINESS)

SUBJECT: Cemetery Report- Plats approved by the cemetery committee and given to Town Attorney and once he has finished his review they will be ready to sell.

SUBJECT; Report Lucy's Corner/4 corners-Report Cook House Pea Island – previously reported.

SUBJECT: Report Roanoke Transportation Plan and Way Finding-continues to meet and the draft will be distributed to the five stakeholders.

SUBJECT: Report Green Engineering on various Town projects

SUBJECT: Report Wireless internet- Charter still continues to have some problems with Wi-Fi and remains committed to the project.

SUBJECT: Report Special Events-There will be meeting on Monday and she sent out a letter to businesses, churches and schools asking them to participate in our Christmas Parade.

SUBJECT: Report on grants: Clean Water Trust Fund Grant- Tourist Bureau grant-Boat ramp enhancement -

SUBJECT: Report Cartwright Park signage- Signs have been ordered and hopefully will be in place before they meet next Wednesday.

Town Manager Kermit Skinner gave the Board a report on the weather tower has been installed and has received a lot of positive feedback. We have received another generous donation from the Booth Family which is the two other original lenses for the tower so that we now have a complete set. There are two other towers being used in North Carolina and we will be the only one with a complete set of lenses for it. He would like to have a dedication ceremony for the tower on the first Saturday in November if the Board would like to have that done. No one on the Board objected to having the ceremony.

COMMISSIONERS' AGENDA

Commissioner Tugwell commented about the letter mailed out to the water and sewer customers explaining the zoning ordinance. He has received a lot of calls and thinks it has caused more confusion than clarification and most people didn't even know we had passed a new ordinance. Another situation was that a hard copy of the zoning ordinance was not available. Planner Erin Burke commented that it was available in the Town Hall for inspection but we could not make copies because the copier was being overloaded so we had sent the ordinance out to be copied. He has also had people question him using the water and sewer list which is proprietary list for non water and sewer issues. He also thanked Commissioner Farrow and appreciates the effort put into getting the weather tower established.

Commissioner Farrow-all aware of the damage done to the Gulf Coast from Hurricane Katrina and would like to request that the members of this Board donate their monthly check to the relief fund at East Carolina Bank and would like to challenge all the other municipalities and the county to do the same thing.

Commissioner Creef-300 Sir Walter Raleigh, the Davis home to the corner of Essex is only two lanes, there is a no parking sign on the west end but people are parking and thinks we need a no parking sign on the east end to align with Essex Street. He also keeps hearing about more development in the Town and thinks the sewer capacity that is left should be monitored so that we don't get to the point that it is mandated by the state

that we have to enlarge.

Commissioner Etheridge-commented on the wonderful time at the Freedman's Colony celebration and thanked Commissioner Collins for her hard work.

Commissioner Collins-thanked the Town for helping making the Freedman's Colony celebration a success. She is still receiving complaints about the ditches, weeds growing in them and not flowing. She also received complaints from the employees at the schools when the water went off, they didn't know anything about it and when they went in to cook they had no water and they wanted to know who is responsible for calling the schools in these situations and she would like this looked into in case in happens again.

A motion by Commissioner Etheridge seconded by Commissioner Collins the meeting was recessed at 8:30 pm until next Wednesday, October 12, 2005 at 4:00 p.m. for the workshop session and department head reports was approved by the following vote: Ayes: Commissioner Collins, Farrow, Etheridge, Tugwell and Creef. Noes: None. Absent: None.

This 5th day of October 2005.

Mayor John Wilson

ATTEST:

Town Clerk Becky Breiholz