

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room March 6, 2002.

The following members were present:

- Mayor Lee Tugwell
- Commissioner Curtis Creech
- Commissioner Dellerva Collins
- Commissioner David Farrow
- Commissioner Edward Etheridge
- Commissioner Stuart Wescott
- Commissioner H.A. Creef, Jr.

The following member(s) were absent: None

Also present at the meeting were:

- Town Manager-Kermit Skinner, Jr.
- Assistant Town Manager/Planner- Shannon Twiddy
- Town Clerk-Becky Breiholz
- Interim Town Attorney-Jeff Malarney
- Police Chief-F. T. D'Ambra

Mayor Tugwell called the Regular meeting to order at 7:35 p.m.-followed by a moment of silent meditation and the Pledge of Allegiance.

The agenda was amended to add under the Planner's agenda Resolution 2002-04 as item #e.

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

SUBJECT: Approval of Minutes Regular Session February 6, 2002-Commissioner Creech requested clarification on page 3 third row down "good water throughout the system. That they are center....." the word "and" needs to be placed after system, remove the period to connect both sentences as one.

MOTION: Commissioner Creech seconded by Commissioner Collins to approve the minutes as corrected was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

SUBJECT: Approval of Minutes Joint BOC & P&Z workshop Session February 12, 2002. Commissioner Creech stated on page 2, third paragraph 4th row down remove the words "need to" after the word "areas" and change the word after possibly "limit" in the last sentence to the word "allow."

MOTION: Commissioner Creech seconded by Commissioner Collins to approve the minutes as corrected was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

SUBJECT: Approval of Minutes Special Session February 13, 2002

MOTION: Commissioner Creech seconded by Commissioner Collins to approve the minutes as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

SUBJECT: Approval of Minutes workshop Session February 20, 2002

MOTION: Commissioner Creech seconded by Commissioner Farrow to approve the minutes as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

SUBJECT: Approval of Minutes BOC retreats of April 30, 1999, April 7, 2000, April 6, 2001 and January 18, 2002. Commissioner Creech, January 18, 2002 minutes page 6, 5th sentence eliminate the \$500, 000 amount.

MOTION: Commissioner Creech seconded by Commissioner Farrow to approve the minutes as corrected on the January 18, 2002 set of minutes and the April 30, 1999, April 7, 2000, April 6, 2001 as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

(PUBLIC COMMENT)

Bob Oakes, resident of Nags Head and owner of Graywater Trader in Manteo-commented that he is involved in a water and sewer calculation law suit against the Town with others and he would like the board to consider dropping the lawsuit.

Paul Shearin-President of Roanoke Island Business association wanted to express RIBA's thanks to Chief D'Ambra for a presentation he made to the Association and to thank the Police Department for the night checks done at each business.

Terry McDowell-Agona Street. Manteo-Don't give Manteo's sewer away.

Malcolm Fearing-Budleigh Street-Thanked the board for the action that they took regarding the condition of schools and stated there is a lot of work left to be done. He has a letter that states that two of the modulars do not meet wind code and asked that if they do approve the conditional use permits for the modulars to approve the request with the understanding that they meet the wind code and urged the board to engage in this issue again.

Angel Khoury-Manteo and Mother Vineyard asked the Board to change policy and let people from the audience be allowed to ask questions of staff and others during agenda items Ms. Khoury also requested that the lawsuit be dropped tonight.

Joanne Baum Clift native of RI and Skyco not trying to stop the Collins from developing their property but is against annexation. Presently the 17 acre tract can be developed under county regulations into twenty five ½ acre lots and these could net them up to two million dollars. They have already received three million dollars for the courthouse land and bridge. A section of wetlands have been gifted to the county to off set the taxes. The State of North Carolina has also filled these 17 acres and this has saved them from one to two million dollars. For twenty years Manteo has had land use plans funded by CAMA, Manteo's plans has never addressed the land south of the bridge of the Skyco community, they have always acknowledged Skyco as residential community. It will be a New Pirates Cove. She also commented that according to the Sentinel there are state funds of 4.9 million dollars to purchase and preserve this tract and this could be a win- win situation for the Collins heirs, Skyco and the citizens of North Carolina and the long term Manteo residents. Please vote no to annexation.

(PLANNER'S AGENDA) THIS WAS MOVED TO THE BEGINNING OF MEETING

SUBJECT: Resolution 2002-04 this was added to the agenda. This resolution will accompany a grant application that is going to be submitted to the NC Department of water Resources in the amount of \$120,000.00 for improvements to the waterfront. This resolution does not obligate the town for any expenditure and if the Town receives the grant the town would be required to match in the amount of \$25,000 with the receipt of the \$95,000.00 from the state grant program. The grant is requesting funding for the first of three phases. Phase I consists of the stabilization and clean up of 360' of shoreline along the Manteo Waterfront.

MOTION: Commissioner Creech seconded by Commissioner Farrow to approve resolution 2002-04 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent

Mayor Lee Tugwell introduced the interim Town Attorney Jeff Malarney from the Manteo Firm of Aldridge, Seawell, Felthousen and Malarney to the Board and audience.

SUBJECT: Discussion and consideration of bids received for the Dough's Creek Landing Pier addition and renovations and recommendations. This project meets the conditions of the informal bid process with cost estimates below the former \$100,000 cost limit. John DeLucia with Albemarle Engineering, is the project engineer, received two bids on February 28, 2002. Base Bid from Lyn Small Marine Construction for wood deck is \$19,370.00 and a composite deck \$20,970.00 and base bid from Jay L. Morris construction was \$35,063.46 for a wood deck and \$38,501.46 for a composite deck. There were also two alternatives which included renovations of the existing decking on the side landings, total for that was Small Marine Construction \$24,990.00 and Composite Deck \$29,245.00. Morris Construction \$53,397.19 and composite deck \$59,635.19. After evaluating both bids Mr. DeLucia recommends that the Town consider hiring Lyn Small Marine Construction Services for this work and accepting the bid as presented. Mr. DeLucia says the composite deck was done at the Dunes Restaurant and it seems to be holding up very well, does not crack or split but does not have a specific recommendation of the product.

MOTION: Commissioner Creech seconded by Commissioner Farrow to accept the contract from Lyn Small for the composite deck for \$29,245.00 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

SUBJECT: Discussion and consideration of renewal of conditional use permit applications for sixteen modular facilities by the Dare County Board of Education. There are currently twelve units at Manteo High, two units at Manteo Middle and two units at Manteo Elementary. Ms. Twiddy commented that during the review process last year several conditions were placed on the approval of the conditional use permits that required the installation of buffers at all three schools. Ms. Twiddy and Mr. Featherstone inspected the sites and the plantings installed appear to be in compliance with the Zoning Ordinance. The Planning and Zoning Board reviewed the request at their February 12, 2002 meeting and recommend approval of this request for the renewal of sixteen conditional use permits for modular classrooms for a period of twelve months. Ms. Twiddy is also requesting that the performance bond on deposit for landscaping at each of the three school locations that was submitted as a condition of conditional use permit approval be returned. Commissioner Farrow would like the Town to revive the school committee. Discussion took place whether the school board has met all requirements especially the wind speeds for the modulars and Commissioner Creech requested that a list of the wind speeds for all the modulars be supplied before we consider approving the conditional use permits and be discussed at the workshop agenda. Ms. Twiddy commented that to the best of her knowledge this issue was raised by Mr. Fearing, reported by staff to the BOC and the BOC was satisfied the issue was resolved last year but she will have Mr. Featherstone research the issue again and a report will be given at the March 20th workshop. Commissioner Etheridge stated he thinks the Board should go ahead and approve it since the Planning and Zoning Board recommended approval.

MOTION: Commissioner Creech seconded by Commissioner Collins to release the landscaping bond was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: Commissioner Wescott. Absent: None

MOTION: Commissioner Creech seconded by Commissioner Wescott to defer for consideration the sixteen modular classrooms conditional use permit applications requested by the Dare County Board of Education was approved by the following vote: Ayes: Commissioners Farrow, Collins, Creech, Wescott, and Creef. Noes: Commissioner Etheridge. Absent: None

SUBJECT: Discussion and consideration of conditional use permit application for a bed and breakfast for Pam Malec. Ms. Malec currently resides at 407 Uppowoc Avenue in a five bedroom house and is requesting a permit to operate her home as a bed and breakfast inn with two guest rooms. Ms. Twiddy, Planner stated that bed and breakfast inns have been granted permits as a conditional use with onsite parking calculated at one space per guest room. On Ms. Malec's site plan there is adequate room for six cars parking side by side along the width of the driveway three cars deep. Ms. Malec has been advised that if the permit is granted, two parking bumpers along the beginning edge of the parking area will be required to delineate and define the parking spaces and a dust free parking surface will need to be installed prior to receiving her operating permit. Planning and Zoning Board recommend approval.

MOTION: Commissioner Wescott seconded by Commissioner Etheridge to approve the conditional use permit application for Pam Malec at 407 Uppowoc Avenue for bed and breakfast was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

SUBJECT: Discussion and consideration of satellite annexation petition/utility extension received from Naomi Hester for a parcel of property with a total area of 43.91 acres located adjacent to the new highway 64 bridge approach fronting the Croatan Sound. Access to the property is from Toler Road via Skyco Road. Staff has reviewed the documentation supplied and has determined the metes and bounds description to be in order with the submitted annexation boundary survey. The applicant has chosen not to submit a site plan at this time. Ms. Twiddy commented that historically, the Town has had two parcels in the past annexed without designation of development, but the NC General Statutes require that a Zoning district be identified on the Annexation petition and the applicant has requested B-2 Zoning. The Planning and Zoning board reviewed the documentation at their February 12th meeting and a motion was made by Member Daniels seconded by Member Scarborough to delay any action until the North Carolina School of Design Study is completed, and to request that the Board of Commissioners not entertain any requests for annexation until the North Carolina School of Design Study is completed and was approved by all members and this is their recommendation to the Board of Commissioners. Mayor Tugwell gave a brief history of the annexation process and commented that they were only here to consider a Resolution directing clerk to investigate the petition and a Resolution fixing date of Public Hearing for April 3, 2002.

Mayor Tugwell allowed Public Comments:

Naomi Collins Hester-outside Manteo-requesting approval that her property be annexed into the Town of Manteo. At the Planning Board she requested the B2 zoning and by the time Mr. Parker described the hundreds of dwellings and kinds of businesses “he was certain we envisioned for our property I was convinced that the sky was to certainly to fall.” “let me assure you in his vision is not our vision.” She also stated that the P&Z Board recommended to not consider any annexations until after the design study is done of the Town which could take up to 3 years, you are asked to “slow us to death, stall long enough, make the process difficult hoping we will give up.” “Please move our request forward, and support us, we have been good stewards of our land.” She also commented that with over 100 acres already in the hands of others “we believe we deserve the opportunity to develop the remaining acreage sound-front tract.” As to the question of access, these are public roads and they do access our property, we have the right to use public roads to access our property because we also pay taxes. Ms. Hester also stated “that the R5 zoning classification would allow them to achieve their dreams on this property and if that is preferable to B2 in the Boards thinking it would be acceptable to us.”

Nancy Griffin-Skyco Road, urge the Board to delay the scheduling of PH until the Board has adopted a long range plan. She stated she is not against development but is concerned with the effect on her neighborhood.

Charles Davis-Toler Road in Skyco- put this annexation completely out of the boards thoughts and no public hearing.

Melody Leckie –Sir Walter Raleigh-against satellite annexation and extension of utilities and requested that the Board vote no.

Shannon Filigrin-Toler Road-Skyco-commented that it will ruin everyone’s quality of life and please vote no.

William Clifton-Toler Road-Skyco-it’s a great community for kids to grow up in, give them 20,000 feet for each house.

Ben Wright - Skyco Rd.-Should be put off until the bridge and approaches to the bridge are complete. The traffic right now is very congested.

Trish Midgette-Skyco Road-traffic is very congested now, vote no.

Lewis Midgette-63 Skyco Road-stated this will impact my life style and to annex Skyco is not what he wants. Planted live oaks that are 55 years old and those would be taken away.

Chuck Hester-outside Manteo-stated that they should have a chance to do something with that property. We have given and sacrificed and no one has approached them with an offer of \$4 million dollars.

Sharon Rowe-Toler Road, Talked with Johnny Robbins years ago and stated he told her that she would be a dead end road and now that there will be another access to the Hester property now she will not be and she is very upset about being mislead.

Johnny Robbins-Skyco- explained to the Board the history of the Collins tract and how he got involved and the job he was hired to do. He stated that he did assure Ms. Rowe that it would be a dead end and that is what he thought. The state is now saying there is going to be one access to the North and one to South, and they wanted to put the access at the old road and the state at first seemed to cooperate and then decided they didn’t want access and entered into a lawsuit to take the access, they failed to recognize agreements made to the Collins family on the South side. He stated “we do not want to access this project via Toler Road but that is the only access NC State is allowing,” he also commented that access can still be done through the tract of the OB visitor center but to use the access would require approval from the State of NC. He stated they are not asking for anything that is out of the ordinary or unreasonable and asked the Board to set a date for a public hearing and in the mean-time let them explore other means of access. Mr. Robbins said if the right people want them to have that access they would have it. All he is asking that they receive the same treatment others receive and similar considerations.

Terri McDowell-Agona Street, no one is denying them the right to develop their property and she does not want to give away Manteo sewer and without no site plan submitted anything can go out there and expects it to last no one is denying your right for development. do not give it away Manteo sewer

Gary Wisman Toler Road-Brand new house they can divide there acres according to the county plan and asking the board to hold a public hearing,

Mr. Parker, Planning Board Chairman - stated there were a lot of questions raised and at the meeting the Planning Board identified more questions than answers, the plat does not state what is planned on being built and once a property is annexed B2 it would allow for them to do almost anything, and recommended to the BOC not to consider any annexation request until long range study is completed. Commissioner Creef discussed the NC School of Design and explained why they cannot compete in the RFP's because they are a government agency. **MOTION by Commissioner Creef** to recommend to the Board of Commissioners to delay any action on this item until the NC State University Graduate School of Design was hired to study this situation complete and to recommend to the Board of Commissioner's not to entertain any requests for annexation or water and sewer extensions until the N.C. State School of Design study is completed and to reaffirm this Boards request for the planning assistance of the NC State University College of Design. **Mayor Tugwell ruled this motion out of order** because item # D under the Planners agenda is under consideration and the agenda item was whether or not to schedule a public hearing and that item # E under the Commissioner's agenda was going to be discussed and considered later on the agenda. Commissioner Farrow then seconded the motion after the Mayor ruled the motion out of order. Chairman Bill Parker commented that a motion was made and seconded, Mayor Tugwell stated he ruled that motion out of order and commented that Commissioner Creef should refer to item 18 (b) in the adopted rules and procedures book. Commissioner Creech commented that he was confused, he thought we were discussing a petition to have a Public Hearing then all of a sudden we moved to item #d, a report from Planning and Zoning Chair and a motion is made on # e and he is confused about the motion. Commissioner Creech commented that the motion was ruled out of order and he would like to continue with the appropriate agenda item by reading an excerpt regarding Annexation of non contiguous areas from the North Carolina General Statutes. Commissioner Creech read NCGS 160A-58 which states upon receipt of a petition of annexation received under this part the city council shall call to the clerk to investigate the petition and certify her results of that investigation, and if the clerk certifies that the petition appears to be valid the council shall fix a date for a public hearing on the annexation. The Mayor commented that the motion was beyond the scope of the original agenda item. Discussion took place on if the original petition could be amended verbally by the applicant to change the zoning from B2 to R5 and Ms. Twiddy commented she would require for review purposes that it actually be changed on the original document and initialed by all parties involved. Chairman Parker stated that it would have to be reviewed again by the Planning Board that if the zoning was changed it was a different application. Commissioner Creech asked if there was something in the ordinance that requires the Planning Board to review this, Ms. Twiddy commented that Section 13.03 says every proposed amendment, supplement, change, modification to the ordinance shall be referred to the Planning and Zoning Board within 5 days from the filing of the proposal with the zoning administrator or town clerk. All petitions for a change in the zoning map shall put a legal description of the property involved and the names addresses of current abutting property owners, to the best of her knowledge a zoning designation amendment was not required to be sent back to the Planning and Zoning Board prior to BOC consideration because it was not

specifically required by the zoning ordinance and after a lengthy discussion it was commented that it only applied to the ordinance changes.

MOTION: By Commissioner Creech seconded by Commissioner Wescott to approve a resolution 2002-06 directing clerk to investigate the petition for satellite annexation and resolution 2002-05 to set public hearing date for April 3, 2002 at Manteo Town Hall at 7:30 p.m. with the condition that the applicant resubmit petition changing the zoning request from B2 to R5 prior to the advertising date deadline was approved by the following vote: Ayes: Commissioner Creech, Wescott, Collins, Etheridge, Farrow. Noes: Commissioner Creef. Absent: None.

Brief recess was taken.

(COMMISSIONER'S AGENDA)

SUBJECT: Discussion and consideration of estimates submitted for the proposed cemetery fence. Commissioner Farrow commented he received a fax from Finance Officer Ms. DeFosse that stated that there is not a sufficient amount of unrestricted cash available in the Cemetery Fund to cover the \$29,800 estimated cost for the cemetery wall and that another funding source will have to be identified should the Board desire to proceed with this project. Commissioner Farrow asked that a budget amendment be prepared for consideration at the workshop March 20th, 2002 as an action item.

SUBJECT: Discussion and consideration of the Marshes Lighthouse Budget ordinance. The fund raising committee presented the BOC with a \$20,500.00 budget for the Marshes Lighthouse project for the proposed May 18, 2002 "Kick off" fundraising event.

Jack Gregory-South Street Manteo-commented that it would be fiscally irresponsible of the town to use taxpayers money to fund the May 18, 2002 Kick off event.

Lynn Tugwell-Croatan Avenue Manteo-commented she has lived here for 23 years and attended a lot of events sponsored by the town and the county and except for Dare Days most of the time it is a disappointing turnout, and "when investing our money we would like to have some guarantee up front before that money is spent."

Michael McOwen-Member of the Roanoke Marshes Lighthouse Fund Raising Committee gave a report and update on Roanoke Marshes Lighthouse Fund Raising and he identified two primary goals for the committee: provide for construction of the lighthouse, repair and upgrade the docks that are adjacent to the docks, and to provide continuing funds for maintenance and education. The second goal is to raise awareness of the project and its importance locally, regionally, nationally and will be an asset to the community. He commented one of the specific things is to raise funds to help defer the cost so it would not burden the tax payers. They have planned four (4) specific items they hope will raise a lot of money. One, is what they are calling "Keepers of the Light" and they are "intending to have 101 individuals come forward, could be individuals, could be memorials to parents, leaders of the community, or organizations. The 101 contributors memorialized as Keepers of the Light would cost \$1,000 for that designation. Those individuals

or organizations will be placed on a permanent plaque near the lighthouse and through this they hope to raise \$101,000. Secondly, the gala event is expected to have 350 to 400 people with \$100.00 a ticket. The Committee will send out invitations to people on the eastern seaboard that are passionate about lighthouses, they will also probably be auctioning off some items and hope that it will be a self-funding project. The third way they are looking to raise money is the sale of memorabilia, John Silver has volunteered to do a painting of the Lighthouse and they will be putting that image on shirts, coffee mugs, license plates and other things that people will be buying in the future and it will be a fund raising source for years to come. The fourth item the committee has talked about is doing a book on Roanoke Marshes Light, it would be history and provide information on the light and on other lights regionally, it would talk about the construction and other lights on the sound and will memorialize the 101 Keepers of the Light. Mr. McOwen summarized that they are hoping to raise \$150,000 to \$200,000 and have that money go for construction and continuing maintenance for the docks and for education. Mr. McOwen commented that they have received \$4,000 or 5,000 to get them started and they are not requesting money tonight from the town. Discussion took place on the responsibility of the funds already received for the construction and the Friends of Elizabeth II has set up an account and the money that is already donated for the construction is not going to be used as seed money for these events, they will be using money that has been raised during their fund raising. It was commented that if anyone would like to make a donation they make the check out to the Friends of Elizabeth II and anyone that has made a donation may talk to Commissioner Farrow, who is the chair of the committee. Commissioner Farrow commented that Melody Leckie is the Secretary-Treasurer and she would be able to answer any questions anyone might have about the funds raised. Discussion took place on the serving of alcohol and Mr. McOwen commented that “they are not talking about serving whiskey and that kind of thing, but if they are going to charge them a hundred dollars a ticket for folks to have a nice evening somebody is going to want to drink a glass of wine.” Mr. McOwen stated that they are not serving or selling whiskey. The charge of \$100.00 for a ticket was discussed and Mr. McOwen stated that no it would be \$50.00 per person they are assuming that people will come as couples.

SUBJECT: Commissioner Farrow discussion and consideration of having town property appraised before we sell it. Commissioner Farrow commented that this will give the Town an idea of what it is worth. Commissioner Creech commented that he does not think it is necessary and that people are not going to let things sell for too cheap if it is auctioned off. Mayor Tugwell commented that we already have a policy that when the Town intends to buy property that it be appraised and asked Commissioner Farrow to include this in his motion.

MOTION: Commissioner Farrow seconded by Commissioner Etheridge to establish a policy when the Town intends to buy or sell a piece of property that it be appraised was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Wescott, and Creef. Noes: Creech. Absent: None

SUBJECT: Commissioner Creef-discussion and consideration of having the NC State School of Design to do the update of long range planning study for the town. He recommended that the Board not consider any other annexation requests or utility extensions until we have the study done and he would like to have the NC School of Design do that study. Discussion took place on waiting to make a decision after receiving RFP's, which the Board had requested that staff mail

out, those RFP's are due by March 28th. Town Manager Kermit Skinner commented that we have not received any RFP's yet. Mayor Tugwell commented that if Commissioner Creef made a motion to not consider any annexation requests or water and sewer extensions, it would affect our ordinance and that a public hearing would be required since you are doing away with a part of our code that allows for utility extension and that it would need to be written as an ordinance or moratorium to be presented to the Board for consideration in writing. Commissioner Creef commented that if we hire the NC State School of Design they will tell us how to write that motion. Mayor Tugwell commented that we have an obligation to accept the RFP's that we have solicited and he would like to see what comes back and what services they intend to provide. Commissioner Creech suggested we invite Mrs. White to the workshop meeting March 20th and explain the letter that was received from the School of Design with different price quotes. Discussion took place on contacting the other firms to discontinue the RFP process and it was commented that why do that since we have not actually voted to accept the School of Design and to wait until after the workshop meeting and the March 28 RFP deadline.

MOTION: Commissioner Creef seconded by Commissioner Etheridge to request the planning assistance of NC State University College of Design and have Commissioner Creech invite Dr. White and to bring the necessary paperwork for consideration to the March 20, workshop session as an action item was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, and Creef. Noes: Wescott. Absent: None

(TOWN MANAGER'S AGENDA)

SUBJECT: Town Manager Report and Department Head reports which will be made a part of these minutes.

SUBJECT: Discussion and consideration of Budget Amendment #12 to help fund TV commercial for the Roanoke Island Attractions Pass. The attractions on Roanoke Island plan to run a 4-minute commercial on TV 12 Outer Banks Panorama again this year and would again feature Roanoke Island's admission-based attractions and promote the discounts on admission prices available with the Roanoke Island Attractions Pass and Queen's Pass. The Town has contributed a \$1,000 toward the commercial for the last two years. The consensus of the discussion was supportive that the ad has a direct affect of informing people what Manteo has to offer our visitors.

MOTION: Commissioner Creech seconded by Commissioner Farrow to approve budget amendment #12 funding for TV commercial for the Roanoke Island Attraction Pass was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

(TOWN ATTORNEY'S AGENDA)

SUBJECT: Report on pending projects-No report

Commissioner Creef asked to be excused from the Closed Session regarding NCGS 143.318.11 (3) Square Et. Al. vs Town of Manteo since he is a party of the lawsuit and the Board of Commissioner's agreed to allow him to leave no motion was made.

MOTION: Commissioner Collins seconded by Commissioner Creech to enter into closed session was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech and Wescott, Noes: None. Absent: Commissioner Creef

CLOSED SESSION- Discussion and consideration of lawsuit Scarborough Square et. Al vs. Town of Manteo NCGS 143.318.11. Commissioner Creef did not participate in this portion of the meeting because he is a party to the law suit suing the Town and Commissioner Creef was excused from this portion of the meeting.

MOTION: Commissioner Creech seconded by Commissioner Farrow to exit the closed session was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, and Wescott Noes: None. Absent: Commissioner Creef.

Commissioner Creef returned to the meeting.

Motion: Commissioner Creech seconded by Commissioner Wescott to enter into closed session was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

CLOSED SESSION-Discussion acquisition of real property NCGS 143.318.5

MOTION: Commissioner Creech seconded by Commissioner Farrow to exit closed session was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

MOTION: Commissioner Creech seconded by Commissioner Etheridge to authorize Town Manager Kermit Skinner and Interim Town Attorney Jeff to Malarney to draw up a contract offer to purchase property from AME Zion Church on Sir Walter Raleigh Street for \$50,000.00 using the proceeds of the sale of the boat ditch property as the funding source was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

MOTION: Commissioner Creech seconded by Commissioner Collins to enter closed session NCGS 143.318.11 (1) was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

MOTION: Commissioner Creech seconded by Commissioner Farrow to exit closed session was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

MOTION: Commissioner Creech seconded by Commissioner Farrow to approve closed session sealed minutes of February 6, 2002 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Creech, Wescott, and Creef. Noes: None. Absent: None

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Creech seconded by Commissioner Farrow the meeting was adjourned at 12:15 a.m. and approved by the following vote: Ayes: Commissioner Creech, Wescott, Farrow, Etheridge, Collins, and Creef. Noes: None. Absent: None.

This the 6th day of March,2002.

Mayor Lee Tugwell

ATTEST:

Town Clerk Becky Breiholz