

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room September 5th, 2007 at 7:30 p.m.

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

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 Trebisacci
Martha Wickre-Public Relations
Attorney-Daniel Khoury

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

SUBJECT Adoption of Agenda- Mayor Wilson would like to add a second closed session for another personnel matter NCGS 143.318.11 (a) 6

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

SUBJECT: Adoption of Consent Agenda-Commissioner Tugwell wanted an explanation of budget amendment #1 and if we received the open space grant; Mayor Wilson commented that we have; and the amount in the budget amendment is wrong and should be \$255,000. Commissioner Tugwell also asked about the cemetery budget amendment and Finance Officer Shannon Twiddy commented that it was funding from last fiscal year for an expenditure that was not spent last year and was returned to fund balance this fiscal year.

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve the consent agenda as amended changing budget amendment #1 amount to \$255,000 was

approved by the following vote: Ayes: Commissioners Farrow, Collins, Tugwell, Fry, Etheridge, and Creef. Noes: none. Absent: none

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve the minutes of the regular meeting of July 11th, 2007 with reference to certified copy of CD recording was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Collins, Fry, Etheridge, and Creef. Noes: none. Absent: none

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve the minutes of the closed session July 11th, 2007 with reference to certified copy of CD recording was approved by the following vote: Ayes: Commissioners Tugwell, Farrow, Collins, Fry, Etheridge, and Creef. Noes: none. Absent: none

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve the minutes of the special meeting of August 10th 2007 was approved by the following vote: Ayes: Commissioners Farrow, Collins, Tugwell, Fry, Etheridge, and Creef. Noes: none. Absent: none

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve dues and subscriptions School of Government \$119.00 was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none Absent: none

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve dues and subscriptions NC Association of Municipal Clerk \$90.00 was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none Absent: none

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve dues and subscriptions NC Mechanical Inspector's Assoc. \$50.00 was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none Absent: none

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve dues and subscriptions NC Fire Marshal's Association \$15.00 was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none Absent: none

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve dues and subscriptions NC Building Inspector Assoc. \$45.00 was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none Absent: none

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve dues and subscriptions NC City & County Management Assoc. \$121.50 was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none Absent: none

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve dues and subscriptions League of Women Voters Citizen Guide \$100.00 was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none Absent: none

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

PUBLIC COMMENTS –Manager Kermit Skinner asked anyone wishing to speak to the Board to please come forward at this time.

Michael Steiner-lives at 313 Fernando Street and would like to bring two things to the Boards attention and consideration; first he would like the Board to slow down traffic; speeding in this town is out of control particularly on Fernando Street, “by the time they hit my front porch they are doing 35-50 miles an hour.” We should take into consideration the safety and welfare of our citizens and would like more signs, warnings and more enforcement. During his walks he also foresees a plethora of golf carts in the future around Marshes Light development and where are they going to park; would like the Board to consider this if it is not already addressed somewhere.

Mickey Hayes-Corolla and President Kitty Hawk Land Company-wanted to thank the Board for the special meeting they called in August for Roanoke Marshes Light to grant a certificate of occupancy for one of their buildings. They are almost done with the items that were bonded; they realize that they have not had good communication with town staff, but they have met and agreed to meet more often to hopefully avoid misunderstandings; they are proud to be in Manteo and proud of Marshes Light .

(TOWN MANAGER AGENDA)

SUBJECT: Discussion and consideration of bids received for the Bowsertown Lift station improvements and resolution 2007-10 awarding the contract to T.A. Loving Company, the lowest bidder.

MOTION: Commissioner Tugwell seconded by Commissioner Farrow to accept the recommendation by the Engineer and adopt Resolution 2007-10 was approved by the

following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef.
Noes: none Absent: none

SUBJECT: Discussion of Town Light fixtures-staff met with representatives from Festival Park to discuss the need to find a new light fixture to replace those that are failing in Town and at the Park. Staff has found an acceptable light fixture and is requesting some specifics from Cooper Lighting. The lighting source must meet the requirements of the Zoning Ordinance. It would be easier to have a recommended fixture for use throughout Town. Staff hopes to have the photometric map and fixture available for review and approval for the Board's mid month meeting.

OLD BUSINESSES

Report Public Relations-Martha Wickre gave the Board an update of the things that are going on in the Town, the newsletter has been distributed and will be a quarterly report going out 4 times a year; we now have a bulletin board at the comfort station at the waterfront for the boaters; she is responsible for press releases; the kiosk is updated; she is updating the website, working on updating Channel 20; she is the liaison with Dare County Emergency and what ever is going on in Manteo will be sent to them; she has online access now to EOC for emergencies.

Report Special Events-Martha Wickre liaison for the Town and gave the Board an update on the 4th of July event; the farmers market; and the Christmas program.

Mayor Wilson has a public information item and if the item is not in the local paper he would like Mrs. Wickre to do a press release on the following: "We have had a terrible violation of our ordinances today, we have had 2 thirty foot tall river birch that were required as buffers in front of the Shell station cut down flat to the ground and in addition to that one of the States crepe myrtles, planted in 1982, cut off to 4 feet above the ground." It is a violation of the Roanoke Voyages Corridor and it is a violation of the Town of Manteo zoning ordinance. They have been cited today, it is a misdemeanor, they have 7 days to plant two 30 foot trees to satisfy the Town and they will have to do much more remediation to satisfy the Corridor. Mayor Wilson commented that he has found in the past with corridor violations, if we don't keep it open and discuss it, it is difficult for everyone to know how serious the State and the Town are about maintaining those trees.

Report Collins Park-Commissioner Collins commented after three months of meeting the steering committee for the Pea Island cook house museum at Collins Park has reached a compromise that will allow the Town to move forward for the completion of the cook house. During the last meeting they discussed two items; one a Resolution requesting NCDOT to provide funding for lighting, paved parking and landscaping at Collins Park; and the second request is to ask the Board of Commissioners for an amendment to the

budget for \$15,000 for the completion of the restoration project. Commissioner Collins is asking this Board to approve these two items so they can move forward. Commissioner Tugwell asked how much money have we budgeted and where are we in the process. Mayor Wilson commented that we budgeted the exterior renovations which was completed and with our mutual use agreement we were under the understanding that the non profit partner was going to finish the inside; and by mutual consent of the steering committee and the non profit partner they amicably dissolved their relationship; there is very little left to do and we can finish the project with \$15,000. Commissioner Tugwell asked if we have a new plan of who will be in charge and Mayor Wilson commented we do not know. Commissioner Tugwell asked if they anticipate coming to the Board for more funds and Commissioner Collins commented no this would be the last one.

MOTION: Commissioner Etheridge seconded by Commissioner Fry to approve Resolution 2007-08 was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none Absent: none

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

Report Skateboard Park-they are making progress and are within budget.

Report Marshes Lighthouse Bell-We received a certificate of insurance and it has been forwarded and we are awaiting a response.

Report Cemetery Committee-Commissioner Farrow commented that the arch is up and is looking good.

Report kayak launch-Festival Park has received a \$40,000 grant to build a kayak launch and repairs to their boardwalk they anticipate construction later this fall.

Crosswalk markings and intersection bulb outs-staff met with John Delucia with Albemarle Engineering and they are awaiting some sketches for the Board to review and that will need to be approved by NCDOT; also the materials should be consistent.

Buck's Water Garden Park-Mayor Wilson commented we have purchased the property, and our partnership with the NC Coastal Federation seems to be working; we have \$147,000 left in a clean water grant and the Coastal Federation has supported our request to extend that grant for another 12 months and the Coastal Federation have offered to enter into a memorandum of agreement with the Town by which they would supervise and work with NC State University to plan the storm water garden and bio-retention part up to the point of construction and also to work with a private firm Withers and Ravenell who have

been doing storm water work in Brunswick and New Hanover Counties to give us some options for small retro fit opportunities throughout the Town. Mayor Wilson is asking the Board to enter into a Memorandum of Agreement with them.

MOTION: Commissioner Creef seconded by Commissioner Farrow to authorize the Town to enter into Memorandum of Agreement with the Coastal Federation to let them administer the planning and design of that project up to the point of construction was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none Absent: none

Report Grants:

Clean Water Trust Fund grant Storm water-we have asked for an extension to the grant and have not heard anything yet.

Clean Water trust Fund Grant Nutrient Reduction-Finance Officer Shannon Twiddy commented that she has done the last written report and is ready to submit for final reimbursement.

CAMA grant for waterfront pump out station-We do not have the money in hand and staff has discussed the Pump out grant with Carl Jordan and he is in contact with one of the review officers for the Grant Program.

Land Use Plan Grant-remove from agenda

Visitors Bureau grant for Christmas promotion-remove from agenda

COMMISSIONER AGENDA

Commissioner Etheridge has been asked why we can't have a moment of silence before we start our meetings and sees nothing wrong with going back to that. He also discussed the speeding on the streets in Manteo and asked why we can't put speed bumps in. Mayor Wilson commented that NCDOT does not allow speed bumps on public streets and hopefully we will have installed the cross-walk material and Budleigh Street bulb out. The only other way is special legislation being approved by the State

SUBJECT: Unsealing of minutes from closed session of July 11, 2007. Town Attorney Daniel Khoury is recommending to unseal the portion of the closed session minutes dealing with Buck's Seafood property acquisition. A correction was noted that Commissioner Tugwell's name was missing from the last 3 motions of those minutes and the Board would like this corrected.

MAYOR'S AGENDA-

Mayor Wilson gave the Board a draft historic district ordinance for them to review to discuss at their workshop session next week.

A 5 minute recess was taken at 8:20 pm

CLOSED SESSION NCGS 143.318.11 (a) 6 two Personnel matters the first one with the Town Manager, Assistant Town Manager and Town Clerk present and the second one only the Commissioner's and Town attorney will be present.

MOTION: Commissioner Creef seconded by Commissioner Tugwell to enter into a closed session was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none Absent: none

CLOSED SESSION NCGS 143.318.11 (a) 6 Personnel

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

At 9:10 pm the Board excused Town Manager Kermit Skinner, Assistant Town Manager Shannon Twiddy and Town Clerk Becky Breiholz from the next closed session meeting.

MOTION: Commissioner Tugwell seconded by Commissioner Creef to enter into a closed session was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none Absent: none

CLOSED SESSION NCGS 143.318.11 (a) 6 Personnel

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

MOTION by Commissioner Fry seconded by Commissioner Collins the meeting was recessed until Wednesday, September 12, 2007 at 4:00 pm was approved by the following vote: Ayes: Commissioner Fry, Collins, Etheridge, Tugwell, Farrow, and Creef. Noes: None. Absent: none

This the 5th day of September 2007

Mayor John Wilson

ATTEST:

Town Clerk Becky Breiholz