

MINUTES

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

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

The following member(s) were absent: None

Also present at the meeting were: Town Manager-Kermit Skinner  
Finance Officer- Shannon Twiddy  
Town Clerk-Becky Breiholz  
Town Attorney-Daniel Khoury  
Building Inspector Johnny Bonniface

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

**SUBJECT:** Approval of minutes Regular Meeting November 2, 2005

**MOTION:** Commissioner Farrow seconded by Commissioner Etheridge to approve the minutes of November 2, 2005 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell Noes: None. Absent: Creef

**SUBJECT:** Approval of minutes Regular Meeting November 9, 2005

**MOTION:** Commissioner Farrow seconded by Commissioner Etherdige to approve the minutes of November 9, 2005 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell Noes: None. Absent: Creef

Commissioner Creef arrived at 7:40 pm

**SUBJECT:** Reading of the abstract of votes from the regular election held on Tuesday, November 8, 2005 by Town Clerk Becky Breiholz:

Office of the Mayor (2 year)	John Wilson - 298 Bobby Owens (write in) – 202
Office of Commissioner (2 year) (To fill the unexpired term of Commissioner Belli)	Hannon Fry - 295 Gus Granitzki-174
Office of Commissioner (4 year)	Dellerva Collins – 293

Edward Etheridge – 277  
David Farrow, Sr. – 289  
Heather Maxwell – 211  
Martha Worrell - 178  
Raymond Pate -176

**SUBJECT:** Administer Oath of Office to Mayor and Commissioners. Town Clerk Becky Breholz administered the oath of office to Mayor-elect John Wilson and Commissioners Edward Etheridge, David Farrow and Hannon Fry. Mayor Wilson made a statement that he is honored to be able to serve as Mayor for another term and promises to do everything he can to carry out the wishes of the majority of the townspeople and promises to protect and preserve Manteo as a year round residential community always putting the resident needs first. Mayor Wilson also commented he is committed to long term planning, growth management, affordable housing and traffic management. He hopes to be able to refine the zoning ordinance to give a comfort level to all the businesses along the highway that have concerns making sure that everyone knows that it was the intent of this Board to grandfather as much of what exists today as possible.

**SUBJECT:** Since the untimely death of Commissioner Dell Collins the Board will need to appoint someone to fill her seat for a two year term. Mayor Wilson opened the floor for nominations. Commissioner Creef nominated Darrell Collins, (Commissioner Dell Collins son.) There were no other nominations.

**MOTION:** Commissioner Creef seconded by Commissioner Farrow to appoint Darrell Collins as Commissioner for a two year term and will be sworn in at the January meeting was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Fry and Creef. Noes: None. Absent: None

**SUBJECT:** Nomination of Mayor Pro Tempore Mayor Wilson opened floor for nominations and Commissioner Etheridge nominated Commissioner H.A. Creef. There were no other nominations and Mayor Wilson closed the nominations.

**MOTION:** Commissioner Etheridge seconded by Commissioner Farrow to appoint Commissioner Creef as Mayor Pro Tempore was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Fry and Creef. Noes: None. Absent: None

**SUBJECT:** Adoption of Agenda as presented or amended. A Closed session to discuss personnel NCGS 143.318.(a) 6 has been added to the end of the meeting.

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

**SUBJECT:** Adoption of the items on the Consent Agenda

**MOTION:** Commissioner Farrow seconded by Commissioner Etheridge adopt the consent agenda was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Fry and Creef. Noes: None. Absent: None

**MOTION:** Commissioner Farrow seconded by Commissioner Etheridge approve dues and subscriptions International Institute of Municipal Clerks \$100.00 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Fry and Creef. Noes: None. Absent: None

**MOTION:** Commissioner Farrow seconded by Commissioner Etheridge to approve dues and subscriptions International City/County Management Association \$512.84 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Fry and Creef. Noes: None. Absent: None

**MOTION:** Commissioner Farrow seconded by Commissioner Etheridge to approve dues and subscriptions American Association of Code Enforcement \$60.00 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Fry and Creef. Noes: None. Absent: None

**MOTION:** Commissioner Farrow seconded by Commissioner Etheridge to approve dues and subscriptions N.C. Association of Chiefs of Police \$100.00 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Fry and Creef. Noes: None. Absent: None

**MOTION:** Commissioner Farrow seconded by Commissioner Etheridge to approve dues and subscriptions N.C. Association of Zoning Officials \$80.00 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Fry and Creef. Noes: None. Absent: None

**MOTION:** Commissioner Farrow seconded by Commissioner Etheridge to approve budget amendment #4 mid year bonus was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Fry and Creef. Noes: None. Absent: None

**MOTION:** Commissioner Farrow seconded by Commissioner Etheridge to approve budget amendment #5 Underground Utility Project was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Fry and Creef. Noes: None. Absent: None

**MOTION:** Commissioner Farrow seconded by Commissioner Etheridge to approve Resolution 2005-19 for funding to finish the Ananias Dare Street project was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Fry and Creef. Noes: None. Absent: None

## PUBLIC COMMENTS

### (TOWN MANAGER AGENDA)

Betty Mann-Manteo Cemetery Committee and she understand the rule is that after 5 years a new committee needs to be appointed and she thanked the Board for allowing her to serve. She would like to say that they did a good job and gave the Board details of the upgrades made to the cemetery. She would like to bring before the Board things that are on going and things she would like to see done. She asked that they use round up around the graves and asked that the prisoners do the work during the summer. They have asked for survey markers at the new cemetery to be placed which has not been done. The brick columns still need to be done and also at the new cemetery to put a brick fence around the back and put the little crypts in it for cremation. She would like an ordinance passed to allow for collection of the internment fees. She has talked with 3 people who have great interest in sitting on this committee, one her son Edward Mann; Betty Blanchard and Joanne Williams.

Mayor Wilson commented that an ordinance had been passed for a permit to be filled out to collect internment fees. He also asked staff to get our quotes we received for the brick columns and compare with Ms. Mann's. Town Manager Kermit Skinner commented that we now have 4 prisoners on a weekly basis and when the weather warms up they will be maintaining the cemetery.

**SUBJECT:** Presentation of Audit by Pickrel, McGinnis and Dowdy-Teresa Pickrel gave the Board a summary of the audit. She also stated that in the course of the audit several conditions should be addressed: Grant Administration-from the NC Carolina Coastal Management Program-the scope of the project was changed therefore reducing the amount of the grant reimbursement; with all grants the Town should be sure that the proposed project meets the scope outlined and when it changes the scope of the project it should notify the granting agency in advance. Segregation of Duties-because the Finance Officer has been fulfilling other duties it takes away from finance related duties and in order to maintain optimal internal control the end of the month reconciliation and reconciliation of water accounts receivable are best assigned to the Finance Officer and not the accountant.

**MOTION:** Commissioner Tugwell seconded by Commissioner Etheridge to accept the audit presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell, and Creef. Noes: None. Absent: None

**SUBJECT:** Discussion of amending the Franchise Agreement with Charter Cable adding Cable TV Franchise Tax. Town Manager Kermit Skinner commented that the General Assembly will collect 7% user tax/fee after January 1, 2006 if this amendment is approved the Town would be able to retain 5% of the 7% collected. The user will have to pay a user tax/fee of 7% whether or not the Town approves the amendment. The proposed text amendment was read a second time by Shannon Twiddy, Finance Officer; the first reading was at the Boards November 2, 2005 meeting.

**MOTION:** Commissioner Tugwell seconded by Commissioner Farrow to approve the amendment to the Franchise Agreement with Charter Cable as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell, and Creef. Noes: None. Absent: None

**SUBJECT:** The Town Charter requires the appointment of Town Manager; Town Attorney and Town Clerk after each election.

**MOTION:** Commissioner Farrow seconded by Commissioner Creef to appoint Kermit Skinner as Town Manager, Daniel Khoury as Town Attorney, Becky Breiholz as Town Clerk was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None

**SUBJECT:** Discussion and appointment of Planning Board members (3 vacancies) and appointment of Chair. In January 2006 Chairman Bill Parker and Members Jamie Daniels and Phil Scarborough terms on the Planning Board expire.

**MOTION:** Commissioner Creef seconded by Commissioner Etheridge to re-appoint Bill Parker, Jamie Daniels and Phil Scarborough for the Planning Board was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None

**MOTION:** Commissioner Etheridge seconded by Commissioner Farrow to appoint Bill Parker as Chair of the Planning and Zoning Board was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None

**SUBJECT:** Appointment of Board of Adjustment 3 vacancies and appointment of Chair. Members John Bo Ross and Carl Jordan terms will expire in February 2006, the appointments will be for three years. Also Chairman Jack Gregory resigned and the Board will need to appoint someone to replace his unexpired term to February 2008. The Board will also need to appoint a chair and vice chair for a period of one year. After discussion if there was a possibility that Jack Gregory wanted to serve on the Board, the Commissioners will leave the third seat vacant until January.

**MOTION:** Commissioner Etheridge seconded by Commissioner Farrow to appoint Bo Ross, Carl Jordan to the Board of Adjustment was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None

**SUBJECT:** Appointment of a Commissioner to be on the Special Events Committee. Commissioner David Farrow was nominated.

**MOTION:** Commissioner Tugwell seconded by Commissioner Fry to appoint Commissioner Farrow to the Special Events Committee was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None

**SUBJECT:** Nominations to the Dare County Tourist Bureau.

**MOTION:** Commissioner Creef seconded by Commissioner Etheridge to nominate Commissioner Farrow to the Dare County Tourist Board was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None

Commissioner Tugwell commented that the Tourist Bureau usually wants two nominations.

**MOTION:** Commissioner Tugwell seconded by Commissioner Etheridge to nominate Commissioner Creef to the Dare County Tourist Board was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None

Special Events-Mayor Wilson gave a list of those who are interested in serving on the Special Events Committee: Connie Rose, Ann Creef, Edward Green, Richard Lacere, Vanessa Foreman, Yvonne Farmer, Buddy McCown, and Tom Boggs

**MOTION:** Commissioner Creef seconded by Commissioner Farrow to appoint the above named individuals to the Special Events Committee was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None

**SUBJECT:** Appointments to the Cemetery Board for 5 year terms: The Board nominated Luther Daniels, Betty Blanchard, Joanne Williams, Edward Mann, Angel Houry, Dottie Fry, and Della Basnight.

**MOTION:** Commissioner Tugwell seconded by Commissioner Farrow to appoint the first 5 names that were presented; Luther Daniels, Betty Blanchard, Joanne Williams, Edward Mann and

Angel Khoury was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None

(OLD BUSINESS)

**SUBJECT:** Cemetery Report- Given by Betty Mann during Public Comment. Mayor Wilson asked that Commissioner Farrow be appointed as a liaison to the Cemetery Board with no vote; to set up a regular schedule of meetings every other month; to convene this group as soon as the Manager can arrange it; have a member of staff available to take minutes.

Other Board appointments: Mayor Wilson designated Larry Belli as Manteo's representative on the Roanoke Island Commission for the next year; IT Administrator Steve Jozik to continue representing the Town on the Government Access. Mayor Wilson asked a Commissioner to represent the Town at the Roanoke Island Business Association, since there were none he asked to appoint Paul Shearin to be our liaison to RIBA.

**MOTION:** Commissioner Etheridge seconded by Commissioner Creef to appoint Paul Shearin as our liaison to RIBA was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None

Other Outside Boards-Albemarle Commission Town Manager Kermit Skinner will continue to represent the Town and will also continue to represent the Town on the Transportation Advisory Board. The Dare County Control Group the Mayor has a seat and he will do that this year. We have been sending Steve Jozik to the Dare County Control Group Media Relations and he will continue to do so. Police Advisory Board has been suspended and can come off the list.

**SUBJECT;** Report Lucy's Corner/4 corners-Report Cook House Pea Island – still working on

**SUBJECT:** Report Roanoke Transportation Plan and Way Finding- nothing has changed. There will be a meeting in January of the Way Finding with mock up signs be presented to the committee.

**SUBJECT:** Report Green Engineering on various Town projects-Finance Officer Shannon Twiddy gave the Board handouts from Mr. Green on the evaluation of the wastewater treatment plant and this will be put on Wednesday agenda.

**SUBJECT:** Report Wireless internet- the additional equipment that Charter has ordered should be here next week and ready to be installed, but Dominion Power has not granted them permission to attach to their poles.

**SUBJECT:** Report Special Events- the Christmas event was a success and the committee needs to be commended for all their hard work.

**SUBJECT:** Report on grants: Clean Water Trust Fund Grant- Mr. Skinner commented that he and Erin Burke met with Damon Tatem and application has been filed to implement the plan and they have scheduled the engineering firm to give the Board a detailed explanation at their mid month meeting in December. Tourist Bureau grant-Boat ramp enhancement – still waiting

on the CAMA permit

#### COMMISSIONERS' AGENDA

Commissioner Etheridge-commented on how much we will miss Dell Collins. He would also like some signs out at the cemetery no trespassing and or no parking and make contact to have the owners remove their personal/private possessions from the cemetery.

Commissioner Tugwell commented about his travels to Biloxi, Mississippi and helping out from Hurricane Katrina, there is a lot of need there and he has a list of children that need Christmas and he would like the press to do an article about this program and challenged the Board to support Mount Olivet UMC Christmas in Mississippi. Mayor Wilson offered to give his Board check toward this cause as did the other Commissioners.

Commissioner Fry-looks forward to working with Board

#### MAYOR'S AGENDA

Mayor Wilson commented that RIBA presented a certificate to the Town for its help to the business association. He also stated that the Board's nomination of Sybil Ross to the Coastal Resource Advisory Commission was not accepted and if we would like to be represented at CRC and CRAC meetings Ms. Ross could be designated as our representative but she would not be allowed to vote and report back to the Board on a quarterly basis. The meetings are 4 times a year with travel reimbursement to be paid to Ms. Ross for attending these meetings on our behalf.

**MOTION:** Commissioner Creef seconded by Commissioner Etheridge to designate Sybil Ross as our designee as our representative to the CRC and the CRAC meetings was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None.

**MOTION:** Commissioner Etheridge seconded by Commissioner Farrow to enter into closed session NCGS 143.318 (a) 6 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell and Creef. Noes: None. Absent: None

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

Discussion of Personnel. No action taken.

**SUBJECT:** Text amendment to codified ordinance. This is to correct Division 1, Section 2-66 (b) to change the effective date of the personnel policy adopted to correspond with the new date the Board adopted the new personnel plan to June 2, 2004

**MOTION:** Commissioner Creef seconded by Commissioner Etheridge to correct text amendment was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Fry, Tugwell 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 Tugwell seconded by Commissioner Fry the meeting was recessed 9:00 pm until Wednesday, December 14, 2005 at 4:00 p.m. and approved by the following vote: Ayes: Commissioner Fry, Tugwell, Farrow, Etheridge, and Creef. Noes: None. Absent: None.

This the 7<sup>th</sup> day of December, 2005

\_\_\_\_\_  
Mayor John Wilson

ATTEST:

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Town Clerk Becky Breiholz