

MINUTES

The Town of Manteo Board of Commissioners held their Workshop session in the Manteo Town Hall meeting room, November 19, 2003 at 7:00 p.m. Only agenda items with * are for action no other action will be taken at this meeting.

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

The following member(s) were absent: Commissioner Dellerva Collins

Also present at the meeting were: Town Manager-Kermit Skinner
Finance Officer- Shannon Twiddy
Town Clerk –Becky Breiholz
Planner Fred Featherstone
Police Chief-F. T. D'Ambra
Planning Chair-Bill Parker

Mayor Tugwell called the Workshop meeting to order at 7:05 p.m.

SUBJECT: Adoption of agenda

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

SUBJECT: Budget amendment #6. This budget amendment for \$91,111.24 appropriates funds to be used to pay Crowder-Gulf for Hurricane Isabel debris removal. The Federal Emergency Management Agency has authorized the reimbursement of \$84,107.93 to the Town of Manteo for debris removal. Finance Officer Ms. Twiddy has contacted NCDOT and requesting assistance from the District Office to seek reimbursement from the Federal Highway Fund for the remaining \$7,003.31

MOTION: Commissioner Wilson seconded by Commissioner Farrow to approve budget amendment #6 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Wescott, Wilson and Creef. Noes: None. Absent: None

SUBJECT: Discussion and consideration of site plan review for Pirates Cove Sales Office. At the Planning Board November 11, 2003 meeting they unanimously approved recommendation of proposed addition to the Sales Center at Pirates Cove with the following condition: That an updated master plan be provided to the Commissioner's before their approval. The master plan was included in the Boards packets. Commissioner Wilson commented if he is reading the

master plan correctly we have permitted 580 single family dwelling/units the agreed upon maximum of a 623 and Planner Mr. Featherstone commented that is right. Commissioner Wilson commented then there are 43 dwelling units left for full build out at Pirates Cove, and so that the record shows “179,680 gallons per day for the residential units combined with the others my totaling 185,980 g.p.d. and they approaching the total amount of 195,000 that was allotted.”

MOTION: Commissioner Wilson seconded by Commissioner Farrow to adopt revision to the master plan as well as approve the conditional use for the expansion of the Sales Office was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Wescott, Wilson and Creef. Noes: None. Absent: Commissioner Collins

SUBJECT: Discussion of lease agreement of the Wastewater Treatment Plant. Town Manager Kermit Skinner commented that the Town’s laboratory tech Terry Creef had resigned several months ago and he and Butch Luke, the Water and Sewer Superintendent had discussed replacing her or sub out the Towns water and sewer testing. Mr. Skinner commented that during that time he was contacted by Environmental Chemists, Inc. a North Carolina Corporation who is interested in leasing the wastewater treatment plant laboratory. Town Attorney Daniel Khoury has put together a draft lease for the lab portion at the plant. What we estimate is revenue to the Town of \$9,600 with an estimated net savings to the Town of \$20,000 by not filling the lab tech position. Mr. Skinner commented some drawbacks would be that the Town would lose some flexibility. Mr. Skinner commented that it is staff’s position and he concurs that it would be in the best interest of the Town to enter into a lease. There has been no competitive process for this lease because the terms of the lease, it is not required by statute. What Mr. Skinner is asking is that the Board for is permission for him and Town Attorney Daniel Khoury to finalize the lease. The Town’s lab would be used for testing for others besides the Town of Manteo. Mayor Tugwell commented they are basically going to rent the lab from the Town for \$9600 a year, and Mr. Skinner commented yes. Mayor Tugwell asked if we have a contract for them to provide services for us and Mr. Skinner commented no. Mayor Tugwell asked if we have the right to use our own lab if we rent it and Mr. Skinner commented no. Mayor Tugwell commented that we need to secure a contract to do our testing before we lease our lab, and probably should solicit proposals for that. Mayor Tugwell commented that we need to know what our prescribed testing is for our permitted parameters, how often we have to do those tests and get a unit cost for each test. Consensus of the Board is to delay action until we receive proposals from others for our lab testing.

SUBJECT: Discussion and consideration of water and sewer disposal contract with A&A Atlantic which is a company owned by Commissioner Wescott. Commissioner Farrow had brought this matter to the Board at a previous meeting and staff was to get figures from other Towns as to what they charge for disposal of porta potties and where they allow it to be dumped. Staff also contacted the Town Engineer Leo Green for his opinion regarding the matter and he stated with controls it should not be a problem for the Town of Manteo and can help formulate a brief set of “Rules and Regulations” with a sample Agreement to be executed by the haulers. Mayor Tugwell reminded Commissioner Wescott of the conflict of interest statute. Mr. Skinner commented that Mr. Green had some recommendations which were: that waste not be accepted at the plant but away from the plant possibly the Bowsertown lift station for the reason of having it have time to blend; recommends that the Town do an initial test of the first load and then spot

checks throughout the contract period; the town not accept septage since the plant is designed for domestic waste; and charge by bulk. Commissioner Wilson commented that the ordinance needs to be fair and equitable to allow this business to continue and others who might want to apply, and to have some kind of annual renewal, and asked if it would be possible to have proposals by the next workshop for the Board to adopt. Mr. Skinner commented yes. Mayor Tugwell asked if time was of the essence and Commissioner Wilson asked Commissioner Wescott if December 17th would work for him and Commissioner Wescott commented he needed to have his permit in place with the State by December 31st. Commissioner Wilson suggested allowing extending the present services until the Board could adopt an ordinance. Commissioner Wescott commented about the dump station at the Visitor Center at midway and stated anyone can go to that dumping station and dump all day and all night without paying and that someone needs to supervise that facility. The Board discussed what the conditions were on the dump station. Commissioner Wilson asked to add that and find out what our current obligation is if any and address the correction of the problem brought up by Commissioner Wescott.

MOTION: Commissioner Wilson seconded by Commissioner Farrow to extend the services as the Town has done in the past years until the Town adopts an ordinance and that we have an ordinance as soon as possible was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Wilson, Wescott, and Creef. Noes: None. Absent: Commissioner Collins

SUBJECT: Approval of the October 15, 2003 workshop minutes. This was postponed from the November 4th regular meeting since not all Board members had received a copy of changes to the minutes per the request of Commissioner Farrow.

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

SUBJECT: Discussion and consideration of Resolution 2003-13 and execution of contract for Grant the Town received for the Waterfront rehabilitation project. The Town received a \$194,257 grant through the NC Public Beach and Coastal Waterfront Access Program and for the grant award to become final the Town must submit a resolution authorizing the Town to enter into the grant agreement along with a signed contract.

MOTION: Commissioner Farrow seconded by Commissioner Wilson to approve Resolution 2003-13 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: None

SUBJECT: Report on sidewalk construction- Mr. Featherstone, Planner is gathering additional information for construction of sidewalks that the Board requested. After researching the N.C. State Building Code to meet the requirements of handicapped accessibility the minimum width is four feet; and in reference to the requirements of the Zoning Ordinance it is Mr. Featherstone's interpretation the minimum width of five feet would not apply and the section addressing these standards also allows the Board to approve different materials and widths. He has written a letter to Mr. Jerry Jennings with NCDOT for assistance to move forward with these projects and has not received a response yet; the amount of Powell Bill funding that can be used

for sidewalks that fall within the NCDOT right of ways is \$132,569.93. Mr. Featherstone is still in the process of contacting other firms for price quotes on installation. Mr. Featherstone asked the Board for some help by talking to NCDOT Officials and the possibility of partnering with them to help on the curb and guttering. The Board asked that Mr. Featherstone to explore both options with curb and gutters and without.

SUBJECT: Discussion of Manteo Twenty Year Plan Update done by the NC University School of Design and presented by Mr. and Mrs. Stein. The plan was introduced and the Board and public discussed the plan. Comments and suggestions were received from those in attendance.

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Wilson seconded by Commissioner Creef meeting was adjourned at 9:50 p.m. and approved by the following vote: Ayes: Commissioner Wilson, Wescott, Farrow, Etheridge, and Creef. Noes: None. Absent: Commissioner Collins.

This 19th, day of November 2003.

Mayor John Wilson, IV

ATTEST:

Town Clerk Becky Breiholz