

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room February 7th, 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
Town Attorney-Daniel Khoury

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

SUBJECT: Adoption of agenda as presented or amended

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

SUBJECT: Consent Agenda

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

MOTION: Commissioner Creef seconded by Commissioner Farrow to approve the minutes of the regular workshop meeting of January 10th, 2007 with reference to

certified copy of CD recording was approved by the following vote: Ayes: Commissioners Farrow, Collins, Fry, Etheridge, and Creef. Noes: Tugwell Absent: none

MOTION: Commissioner Creef seconded by Commissioner Farrow to approve dues and subscriptions International Association Chief of Police \$42.00 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Fry and Creef. Noes: Tugwell. Absent: none

MOTION: Commissioner Creef seconded by Commissioner Farrow to approve Dues and Subscription NC Association of Zoning Officials \$40.00 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Fry and Creef. Noes: Tugwell. Absent: none

MOTION: Commissioner Creef seconded by Commissioner Farrow to re-appoint Planning Board Members Bebe Woody and Member Christine Walker to the Planning and Zoning Board for a 2 year term to expire January 2009 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Fry and Creef. Noes: Tugwell. Absent: none

MOTION: Commissioner Creef seconded by Commissioner Farrow to re-appoint Board of Adjustment Member Talmadge Jones and Alternate Members June Neri and Edward Mann to the Board of Adjustment for 3 year term to expire February 2010 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Fry and Creef. Noes: Tugwell. Absent: none

MOTION: Commissioner Creef seconded by Commissioner Farrow to approve Budget Amendment #5 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Fry and Creef. Noes: Tugwell. Absent: none

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

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

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

Nancy Birindelli –Southern Shores and co-president of League of Women’s Voters presented the Board with their copies of the new 2007 Citizens Guide and thanked the Board for helping fund the printing of the Citizens Guide.

Jerry Rascavich-resides at 129 Pirates Way commented that under old business he wanted to discuss the wireless internet. He would like to address the wireless internet as it relates to Pirates Cove and will be meeting with the Homeowners Association to discuss the opportunities of wireless. He knew the Town had been having problems getting the wireless up and running and he wanted to know whether or not the problem, at Pirates Cove in particular, would have to do with the location of the elements of the system or was it a matter of money in terms of getting the job done; and if it is the latter he would be very much interested in talking to the Association to help pay for the service. Mayor Wilson commented this would be discussed under old business.

(TOWN MANAGER AGENDA)

SUBJECT: Presentation of Memorial Resolution to the Family of Melvin Jackson-at their annual meeting the NC League of Municipalities adopted a resolution in recognition of former Commissioner Melvin Jackson’s six years of service as a Town of Manteo Commissioner. Town Manager Kermit Skinner presented family members with the resolution.

SUBJECT: Presentation from Outer Banks Community Foundation-Bobby Harrell wanted to bring the Board up to date what they are doing. Mr. Harrell gave the Board an update of the Foundation that was established in 1982 and the different programs they help fund.

SUBJECT: Discussion and consideration of fee schedule for waterfront docks-the Board of Commissioner’s had requested staff to present them with a fee schedule in an effort to bring Manteo’s docks in line with the price structure of privately run marinas in the area. A copy of the adopted fee schedule will be made a part of these minutes.

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve the fee schedule as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Collins, Fry and Creef. Noes: none Absent: none

OLD BUSINSESS

SUBJECT: Report Wireless internet – Mayor Wilson commented that the first

problem was we could not get Dominion to install Charter Cable's equipment on their poles; and they finally agreed that we could install Charter's equipment onto those poles but Charter has either merged or restructured and the home office is now in Atlanta and they have told us that they are working on our project and will get back to us.

SUBJECT: Report Cemetery- Chair Betty Blanchard gave the Board a report on the cemetery and the committee is very active. They are working on the new part of the cemetery which they are calling the burial gardens and presented the Board a plan showing the new section. They have designated areas that would be landscaped and use those areas for the placing of ashes in tubes. What she needs is the Board to support the removing of designated areas for coffins to use for the landscape areas and burial of cremated ashes in tubes. Commissioner Farrow asked how many trees and what kind and was told 10 oaks and they will not be close to property lines or other grave vaults. The Commissioners had previously discussed placing a wall along the back but it was cost prohibitive. Commissioner Farrow asked why oaks since they have big roots and lose their leaves. The Cemetery Board picked oak because it was indigenous to our area and represented this area.

MOTION: Commissioner Farrow seconded by Commissioner Etheridge to adopt the cemetery master plan as presented was approved by the following vote: Ayes: Commissioners Farrow, Tugwell, Etheridge, Collins, Fry and Creef. Noes: none
Absent: none

SUBJECT: Report/Discussion Cook House Pea Island – The windows and doors had to be ordered and being installed and estimates they will be finished by the end of the month.

SUBJECT: Report Skateboard Park-Micah Shapiro of Grindline Skate parks in Seattle was contacted to give a quote on the skate park. Price for skate parks is between \$30.00 and \$35.00 per square foot costing about \$105,000-122,500; this cost does not include the proposed wall to surround the skate park. Mayor Wilson commented that this was more than they were anticipating and there will be plenty of time to discuss this as well as other ideas.

SUBJECT: Lighthouse Bell- Mr. Skinner commented that the USCG was considering our request and they have since asked for a display and interpretation plan for the bell and has asked Scott Stroh at Roanoke Island Festival Park and Barry Wicker at NC Maritime History Museum to help with that and hopes to have it back to the USCG by the end of the week.

Boat Ramp Tourist Bureau Enhancement grant- this is finished and they are working on the possibility of a kayak launch beside one of the finger piers.

COMMISSIONER AGENDA

Commissioner Fry-asked about Spears Diving report on what was found at the bay bottom along the bridge to Festival Park and the removal of the pilings that were found. The Board would like staff to ask how many pilings there are and how much to remove them. Commissioner Fry asked about the Manteo Way of Building Committee and if the plan applies to conditional uses or single family residences. Mayor Wilson commented that it never applies to single family dwellings except Marshes Light since it is one of the conditions in the conditional use. Commissioner Fry asked if they are just giving suggestions and Mayor Wilson commented that is all that committee does and has no authority other than to advise. Mayor Wilson commented that the only hard fast rule of the Manteo Way of Building is if you can find it elsewhere in Town and find a precedent in one of the older buildings your welcome to do it on the new buildings, if you can't then they are going to ask you and hope that you will make it more in keeping with the older buildings in Town. The review committee asked for a document showing photographs and drawings of architectural elements that the older house in town have and they have been working on that and will be ready to hand out next Tuesday and will help to show that there are hundreds of window, doors and eaves that are in the town and so many patterns and elements to chose from. Commissioner Fry asked when they meet and if their meetings needed to be advertised. Town Attorney Khoury commented that it is just a committee meeting of the Planning Board and thinks it is a scheduled meeting. Mayor Wilson commented that we should post it on the door and advertise even though they have no authority.

Commissioner Etheridge-couple of citizens asked if the water in Shallow Bag Bay is cleaner now than it was 5 years ago and he does not think we have been analyzing it for the last 5 years and if we have we don't have any figures to support it. Mayor Wilson commented that over the last several months we have been taking water samples and those samples are being analyzed and they are going to result in an engineers report of the water quality and what they are finding in the bay and that will be a baseline that we will be able to compare testing with in the following years. Commissioner Etheridge asked about the boat the town has and are they going to use that to get the samples from the end of the pipe. Mayor Wilson said yes and Finance Officer Shannon Twiddy commented that we had been doing it monthly, then went to doing it in the summer months weekly and now we are down to every month for three months but it is more than just at the outfall pipe; we have twelve (12) locations of longitude and latitude. Town Manager Kermit Skinner commented that it was two different issues; we have

sampled at the point of waste water outfall since 1993 as a condition of our permit. It has only been fairly recently that the study that Mrs. Twiddy was referring to is being done. We are satisfied with the baseline data from our waste water outfall but that wasn't giving us anything to compare storm water data by, so what we have done is we are looking at other points in the bay.

Commissioner Farrow-would like to know about the lights at Twiford Road and CVS-Mayor Wilson commented that they agreed to place the light and staff will contact them one more time and then staff will also find out what it would cost to place a light there. Commissioner Farrow wanted to discuss the blue license plates with the new logo and he showed it to Carolyn McCormick at the Tourist Bureau and she commented that it needed North Carolina placed on them. He passed around a picture of the revised plate with North Carolina on it and possibly sell them. Mr. Skinner is to find out the price of the revised plate and let the Board know possibly at the workshop meeting.

Commissioner Tugwell-commented that every time we have a project we need to solicit other bids from other contractors besides Renaissance. He also commented about the last Planning Board meeting minutes regarding review of Lot 5 Marshes Light where it states: they have also used both the new and old ordinance for setbacks and they can only use one or the other since the plan was reviewed before the passing of the new ordinance they have a choice to use the new or the old but can only use one not both of the them combined. He is not sure but does not think that is the proper application of the ordinance; the subdivision could be reviewed under the old or new ordinance because it was submitted prior but he thinks after you have individually platted lots they have to be judged solely by the new ordinance. If you didn't you could go back and judge any lot that is platted on the ordinance it came in under if it were 50 years old, and thinks individual lots have to be judged on the new ordinance. Mayor Wilson commented that it would make life simpler and the first two already permitted complies with the new ordinance and what needs to be reviewed to see if it is okay is that we approved the subdivision prior to the September 14th, 2005 ordinance and on that plan it shows setbacks on single family lots that are different from the setbacks in the new ordinance. So do they have the right to use the setbacks on the master plan approved under the old ordinance and the choice to use the new ones or only one or other. If you applied the new setbacks at Pirates Cove some of the lots could not even be built on and are treated as a Planned Unit Development of the past rather than single family lot today. Mayor Wilson commented we will ask for help from the Planner and Town Attorney to research and report back to the Board.

MAYOR'S AGENDA

Reported that the Kiosks grant fifty percent match has been accepted from the Visitors Bureau and other entities have found their match; the match is \$3,620 per kiosk, the Town applied to purchase 3 of them our total is \$10,860 which was in the budget and if there is no objections we will order the kiosks as soon as the other entities pay their portions, there were no objections. Mayor Wilson also reported that Mr. Redmon who lives on Roanoke Island and involved with the Maritime History Museum has purchased a Warren O'Neal historic boat called the Pee-wee Jr. and the tri party agreement between the Maritime History Museum, Festival Park and the Town allows the west side of the light house pier to be used for historic boats as part of the goal to have a floating maritime museum and asked if there were any objections to seeing the boat docked to that pier with a tablet interpreting and explaining Mr. O'Neal and his boats; there were no objections. We received the grant for the final phase of the Land Use Plan. Cable TV rates are going up.

Mayor Wilson asked for a motion to adjourn until next week for our workshop to include a Closed Personnel session and we will answer questions on the Land Use Plan and asked the Board to review that between now and next week.

A motion by Commissioner Creef seconded by Commissioner Etheridge the meeting was recessed at 8:45 pm until Wednesday, February 14th, 2007 at 4:00 p.m. was approved by the following vote: Ayes: Commissioner Fry, Collins, Etheridge, Tugwell, Farrow, and Creef. Noes: None. Absent: none

This the 7th day of February 2007

Mayor John Wilson

ATTEST:

Town Clerk Becky Breiholz