

## MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room, January 5, 2005 at 7:30 p.m.

The following members were present: Mayor John Wilson, IV  
Commissioner Dellerva Collins  
Commissioner Lee Tugwell  
Commissioner David Farrow  
Commissioner Edward Etheridge  
Commissioner H.A. Creef, Jr.  
Commissioner Larry Belli

The following member(s) were absent:

Also present at the meeting were: Town Manager-Kermit Skinner  
Finance Officer- Shannon Twiddy  
Town Clerk-Becky Breiholz

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

**SUBJECT:** Adoption of Agenda as presented or amended. Mayor Wilson would like to add a closed session to discuss acquisition of property.

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

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

**MOTION:** Commissioner Collins seconded by Commissioner Belli to approve the Consent Agenda as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

**SUBJECT:** Approval of Minutes from December 1, 2004 closed meeting

**MOTION:** Commissioner Collins seconded by Commissioner Belli to approve the December 1, 2004 minutes as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

**SUBJECT:** Approval of Minutes from recessed workshop December 8 2004

**MOTION:** Commissioner Collins seconded by Commissioner Belli to approve the December 8, 2004 minutes as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

**SUBJECT:** Approval of dues and subscription NC Association of Zoning Officials \$40.00 for Fred Featherstone.

**MOTION:** Commissioner Collins seconded by Commissioner Belli to approve dues and subscription NC Zoning Officials 40.00 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

**PUBLIC COMMENTS** – None

(TOWN MANAGER AGENDA)

**SUBJECT:** Special Presentation to Chief D’Ambra from the NC Civil Patrol- Lt. Colonel Arron Harper presented Chief D’Ambra with a Commission as Major in the North Carolina Civil Air Patrol. This Honorary presentation is made as a result of Chief D’Ambra’s Service on the North Carolina Governor’s Crime Commission and his support of the North Carolina Civil Air Patrol. Chief D’Ambra serves as an appointee of Governor Michael F. Easley on that Commission. Colonel Harper gave a presentation of the Civil Air Patrol Division.

**SUBJECT:** Chief D’Ambra is requesting BOC approval to apply for grant funding for FY 2004-2005. The Governor’s Crime Commission Pre-Applications must be submitted by January 31, 2005. They are for Project OPEN (Overtime Project Enforcement Need); Regional Forensic Video Grant and GIS Technology Grant for the Town. The matches for the grants will come from the 2005-2006 General Fund. Town Manager recommends that the Board authorize applications for all three grants.

**MOTION:** Commissioner Farrow seconded by Commissioner Belli to authorize the application for the grant Project Open was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

**MOTION:** Commissioner Farrow seconded by Commissioner Creef to authorize the application for the grant Regional Forensic Video Grant was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

**MOTION:** Commissioner Belli seconded by Commissioner Collins to authorize the application for the GIS grant was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

**SUBJECT:** Discussion and consideration of proposed text amendment to Section 46-119- Text amendment to Section 46-119 to add language; the proposed text amendment would read as follows:

Sec. 46-119. Parking prohibited at specified times at specific locations.

No person shall park or leave standing any vehicle whether attended or unattended at the northeast corner of Sir Walter Raleigh Street and Bideford Street, easterly 220 feet

between 9:00 p.m. and 6:00 a.m. or the east side of Bideford Street, 178 feet south of the south curb-line of Sir Walter Raleigh Street between 9:00 p.m. and 6:00 a.m.

**MOTION:** Commissioner Collins seconded by Commissioner Belli to approve text amendment 46-119 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

**SUBJECT:** Report on information requested regarding Atlantic Sewage and Bowsertown Lift station cost estimates. Finance Officer Shannon Twiddy supplied the Board with a revenue history of the contractual agreement with A&A Atlantic, Inc./Stuart Wescott. In the memo provided to the Board, Mr. Wescott paid his \$100.00 per year permit fee on May 24, 2004 and that there is a charge of \$126.35 every month and those monthly charges were not addressed in the contract and the sewer bills have been the same since 1999. Town Manager commented that the permit application had been executed but the disposal agreement had never been executed which he has since had signed by Mr. Wescott on January 4, 2005 and the finances have been brought up to date on that account in accordance with the contract. Discussion took place on having samples of the waste tested before it is dumped. Commissioner Farrow commented that he thought that in previous discussions it was supposed to come before the Board what had been paid for that year for comparison purposes to the previous years and wants to see the contract. Mr. Skinner commented that it was the document drawn up by Town Attorney Daniel Khoury and approved by this Board. Commissioner Farrow asked if he was dumping at the plant and was told yes. It was asked if a sample is taken prior to the dump and the Board was informed no it is random. Mr. Skinner commented that it is in the contract that we can take random samples. Mr. Skinner also commented that since Mr. Wescott's dumping there hasn't been any change in our normal inflow sample that would indicate that there is anything present. Commissioner Farrow commented we don't want to wait until after it is done but before it comes from the truck and he would like the waste to be tested every time before it is dumped. Mayor Wilson suggested that staff find out what it cost for the testing and time it takes of every load and then discuss this at the workshop meeting. Commissioner Belli would like to get what the requirements are and what kinds of tests are done from the EPA and the state for this kind of testing. Mr. Skinner did not have the estimates yet for the cost of Bowsertown Lift station and will try to have those at the workshop meeting.

**SUBJECT:** Appointment to Planning and Zoning Board-two terms expire January 2005, Member Bebe Woody and Member Christine Walker. Mayor Wilson commented both have expressed an interest in being reappointed.

**MOTION:** Commissioner Creef seconded by Commissioner Collins to re-appoint Members Bebe Woody and Members Christine Walker to P&Z Board for (2) two years was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

**SUBJECT:** Appointment to Board of Adjustment-two terms expire February 2005, Members Jack Gregory and Member Michael McOwen. Mayor Wilson commented both have expressed an interest in being reappointed.

**MOTION:** Commissioner Collins seconded by Commissioner Etheridge to re-appoint Members Jack Gregory and Member Michael Owen to Board of Adjustment for three (3) years was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

**SUBJECT:** Town Manager report with Department Head reports will be on file for one year. The Board discussed the wireless and computer gift given to the Town at Christmas by IBM and Vital Soft which should be finished in March. Mayor Wilson gave an update on the computer gift; Seamark has ordered the computers for the Head Start Building and wireless has been provided for that area. The School Board has furnished us with a list of the school children in Manteo and staff is comparing the addresses with water bills and tax bills. The computers will be given to the juniors (seniors will be graduating in June) and down to a level of age appropriate to be determined by the computer company, Software Company and the Town Attorney. Once the parents accept the gift of the computer and software they will be assume responsibility of the computer.

**SUBJECT:** Report Town Attorney-pending projects- The Town Attorney is out of Town due to wife illness.

(OLD BUSINESS)

**SUBJECT:** Report Cemetery Project- Mr. Skinner commented that the grading at the cemetery site has been done and plans to meet with Roy Riddick from the funeral home about the location of the grave sites. Some fill needs to be moved off site since it was incompatible and the Board needs to decide if they want top soil brought in. Mr. Skinner has not received price quotes regarding the urns discussed at last month meetings and with the exception of the back brick wall the cemetery is done. The Board has requested that they be provided with the size of the property, the cost of and how much top soil is needed and the cost to seed and sod at next weeks workshop session. Commissioner Farrow would like the Cemetery Board to meet with the Town Manager regarding the trees planted on various grave sites they would like removed to discuss it further.

**SUBJECT:** Report Sidewalks – missing one 4 feet section across Fernando Street. Staff to pursue the easement agreement needed with Mr. Fearing for this section.

**SUBJECT:** Report Arborist-Manager to use the report to find someone to trim the trees at the waterfront.

**SUBJECT:** Report Dredging – this has been postponed for the year and Mayor Wilson asked that this be taken off the Old Business list.

**SUBJECT:** Report Regional Transportation Plan and Way-finding committee-both committees to meet next Wednesday.

**SUBJECT:** Report Facility Fee Study- Mr. Skinner is hoping to receive a quote from the Wooten Company.

**SUBJECT:** Report Wireless internet- discussed previously

**SUBJECT:** Report Special Events –nothing to report

**SUBJECT:** Report relining waste water pipes-which also ties into Inflow and Infiltration grant report. Mr. Skinner is waiting to hear from Mr. Green. Some of the streets that have been relined are still having problems with depressions in the street and around the manholes and staff needs to find out what is still causing the holes in the street. The Board would like to know what needs to be done and fixed so that the Town can repave the streets. Ms. Twiddy commented that the results from the I&I study should give the Board the information they are requesting about the streets. Mayor Wilson commented that if the problem continues someone needs to dig down and find out what is causing the leaking.

**SUBJECT:** Report on grants: CAMA waterfront grant Boardwalk Replacement-on schedule; Rural Center- Replacement and stabilization of Waterfront Rip Rap; Rural Center-Waste Water Inflow and Infiltration Study; Clean Water Trust Fund Grant the word application can be removed since we have received the grant.

#### COMMISSIONERS' AGENDA

Commissioner Farrow commented the Town has received \$49,625 grant for the Queen Elizabeth Street Boat Ramp Enhancement project from the Tourist Bureau and the project will start after tourist season.

Commissioner Creef-would like a weather pole down at the waterfront and Carl Jordan has agreed to keep it up. The location should be on the south side of the cut to the boat house area and close to the area where the old pole used to be. The Board discussed what type of pole and whether it should be wooden or fiberglass? The Board was polled and they would like a wooden pole. Commissioner Creef is to work with Town Manager to locate a wooden pole of about 50 feet and weather flags to be put up on the waterfront in sixty days. If they are unable to find a wooden pole then they can find another type.

Mayor Wilson commented that the lease contract expired with Environment Chemist to do the testing at the water plant and would like the Board to authorize the Manager to renew the contract.

**MOTION:** Commissioner Tugwell seconded by Commissioner Farrow to authorize the Town Manager to renew the contract with Environment Chemical was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

Mayor Wilson commented that the Community Development Corporation has asked that we appoint one of the Commissioners to serve on the Government of Affairs Public Relations committee of the Outer Banks Community Development Corporation which develops programs and solutions for affordable housing and asked for a Commissioner - no one volunteered.

Commissioner Belli-the Christmas program was great. Commissioner Belli commented that the Board had previously talked about having meetings in different parts of Town and one them being Pirates Cove and he would like for the Board to have either a workshop meeting or a gathering out at Pirates Cove to meet with the citizens out there to get them to participate in our meetings. Commissioner Tugwell suggested it would be nice if one of the Commissioners could attend one of the homeowners meeting. Mayor Wilson asked Commissioner Tugwell, since he works out there, to ask the Homeowners if all the Board could attend a meeting or did he think it would be better to have a casual gathering involving the year round residents and asked Commissioner Tugwell to help organize something.

**MOTION:** Commissioner Tugwell seconded by Commissioner Belli to take a 5 minute break at 9:05 pm was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

CLOSED SESSION

**MOTION:** Commissioner Tugwell seconded by Commissioner Belli to enter into closed session NCGS 143.318.11 (a) 5 land acquisition and no action to be taken was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Belli, Tugwell, Collins and Creef. Noes: None. Absent: none

**SUBJECT:** Discussion of acquisition of Real Property –No action taken.

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

A motion by Commissioner Creef seconded by Commissioner Farrow the meeting was recessed at 10:15 pm until Wednesday, January 12, 2005 at 3 p.m. was approved by the following vote: Ayes: Commissioner Tugwell, Collins, Belli, Farrow, Etheridge, and Creef. Noes: None. Absent: none

This 5<sup>th</sup> day of January 2005.

---

Mayor John Wilson

ATTEST:

---

Town Clerk Becky Breiholz