

MINUTES

The Town of Manteo Board of Commissioners held their November 5, 2008 Recessed Session November 19th, 2008 at 4:00 pm at the Manteo Town Hall meeting room.

The following members were present:

- Mayor Jamie Daniels
- Commissioner H.A. Creef, Jr.
- Commissioner Hannon Fry
- Commissioner Richie Burke
- Commissioner David Farrow
- Commissioner Darrell Collins
- Commissioner Christine Walker

The following member(s) were absent:

Also present at the meeting were:

- Town Manager Kermit Skinner
- Assistant Town Manager/Planner- Shannon Twiddy
- Town Clerk-Becky Breiholz; Department Heads

Mayor Daniels called the recessed meeting to order at 4:05 pm and moved some items on the agenda: moving item 9 after Item #3 and Item #4 to the end of the agenda

Employee Recognition-Mayor Daniels awarded a ten year plaque to Tony Farrow, with the Water and Sewer Department and Town Clerk Becky Breiholz also was given a plaque for 10 years.

MOTION: Commissioner Burke seconded by Commissioner Creef to re-instate Commissioner Fry who was absent from the regular meeting was approved by the following vote: Ayes: Commissioners Farrow, Fry, Creef, Burke, Walker, and Collins. Noes: None. Absent: none

Department Head Reports- were given to the Board at their regular meeting for review and will be on file for one year. Finance Officer Shannon Twiddy went over her report and gave an update on the solid waste tax and that it will not be a revenue source; Police Chief Haskett went over his report; gave a report on the OBX marathon and stolen vehicles; Nathan Pharr went over his report and commented that it has been a NOV free month and informed the Board that he and two other staff members have passed their required tests for their licenses; the remission for our penalties and fines was reduced by over \$9,000 and those problems have been corrected; Steve Jozik, IT went over his report; James McCleave went over his report and that they are getting ready for Christmas; Carl Jordan, waterfront went over his report and we have 5 large vessels that plan on staying all winter; Erin Trebisacci, Planner went over her report-the contract for the recycling pickup has been signed and postcards have been mailed out to all water customers. Commissioner Fry asked we can find out how much the recycling will save and if we can cut back on solid waste pickup. Staff is to research that.

SUBJECT: Presentation from Angel Khoury on the Maritime Trail- Mrs. Khoury commented that this is in partnership with the Town, Maritime Museum and Roanoke Island Commission to work on a maritime village and one of the component of the project is the maritime trail. As part of the new two party agreement with the Town and the Roanoke Island Commission there is a statement in that agreement that with the Town's permission we may propose locations on the Town's boardwalk, sidewalks and right of ways to complete the trail. They would like the Board to be active in this and they have added another partner the Dare County Arts Council, because the North Carolina Arts Council has something called public art and they will help implement this. The idea behind this is across the country people are doing a urban trail or heritage trail and is like a walking tour but you don't have to take a formal tour if you don't want to. One of the components will be public art such as a sculpture, plaque in the sidewalk or map that you can follow depicting the history of the area. They would like to include a self guided tour using an I-pod and using Google maps to put the trail on line with a link from our websites with points of interest. They are going to work with the Arts Council to look for funding. They will need the BOC approval to place these plaques/sculptures and they would like the Commissioners to participate and without them they can't do it.

SUBJECT: Discussion of Roanoke Island Festival Park Indian village-This was discussed two weeks ago and there were issues with items that are located outside the buffer line. Some items are already outside the buffer line and Mayor Daniels commented about moving the buffer line so that the items would be compliant and any buildings that can be seen we can require additional plantings. They could amend the agreement to permanently reference the site plan with the new buffer line. Commissioner Creef commented that there is enough room on the northwest corner of the property to do what they want to do. Commissioner Farrow commented that the main thing is that nothing can be seen from the town side. They plan on resubmitting the plan at the December meeting and Mayor Daniels asked the Board for the comments. Commissioner Fry commented that the materials they will be using will make it look real, there has been a lot of thought and money put into this and they are trying to help the Town. Commissioner Farrow commented he thought they would make it as original as they can and we can't ask for anything more than that. Commissioner Collins would like to see a plan with additional plantings and reduce the height of the building from 12 to 10; Commissioner Walker appreciates them trying to work with the Town; Commissioner Creef-does not think we should allow it there; there are other places on the property and if you make a change now what other changes will they ask for next; he also commented that the dugout canoe could be placed on the canal going around festival park. Commissioner Burke-likes the revised plans and thinks it will bring a lot of revenue to the Town and would hate to see it stopped before it has a chance to grow; Commissioner Farrow-commented that under these conditions it can't grow and his main concern is how much will be visible from the Town side; as for the dugout canoe going where Commissioner Creef suggested it may be able to go there but they need to take into consideration that the canal is deep water and a lot of boats have to go through there that can't go under the bridge.

SUBJECT: Appointment to Dare County Tourism Board-currently held by Commissioner Farrow and his term is expiring. The Board needs to submit two names and identify who our first choice is.

MOTION: Commissioner Collins seconded by Commissioner Burke to submit Commissioner Farrow as our appointee and Commissioner Walker as our alternate for the Tourist Bureau was approved by the following vote: Ayes: Commissioners Farrow, Fry, Creef, Burke, Walker, and Collins. Noes: None. Absent: none

SUBJECT: Discussion of Text amendment recommendations from the Planning and Zoning Board (each text amendment will be made a part of these minutes with changes highlighted in blue. These are amendments that the Planning Board has been working on:

Change of Use-this is a result of the Board of Adjustment meeting regarding the change of use for the Coastal Federation and clarifies the process they have to go through and clarifies the length of time a building can stay unoccupied.

Definition Accessory dwelling unit-the ones that are presently in the Town are one story or one story and half and what they don't want to happen is that they would be allow a duplex or two residences on lots. It was suggested in doing this by zoning districts. A lengthy discussion took place on the sentence "to encourage the preservation of the town's historic outbuildings." Planner Trebisacci commented she thought the intent was that owners are not leveling their older structures but taking the older building and making an addition or modification to it making it a habitable space.

Definition system built home-the ordinance that the Board adopted to allow them in all the districts as long as they meet the Manteo Way of Building has been in some instances very difficult to enforce, particularly in the historic area to make sure it meets the requirements of the Manteo Way of Building; it can be done but a lot of the manufacturers are reluctant to do that and they are requesting that these not be allowed in the historic district. Commissioner Burke asked how you can allow someone to have one and then change the rule and the neighbor is not allowed to have one. Planner Trebisacci commented that in the old ordinance the only place you could have a system built home was in R-2 and the ordinance was amended to allow for a system built home in any of the districts. It was suggested this be done by zoning districts and the Planning Board will work on this and this also includes the 4 below.

Article IV R-2 General Residential District Section 4-3 (1) This pertains to system built homes

Article VI R-5 Historic Residential Section 6-3 (1) This pertains to system built homes

Article VII B-1 Village business District Section 7-3 (1) This pertains to system built homes

Article VIII B-2 General business district Section 8-3- (1) This pertains to system built homes

Section 8-4 and Section 7-4 permitted uses approved by Planning Board-This is to fix an error in the zoning ordinance to allow for some items to be approved by the BOC beside the Planning Board.

Murals-this is to allow for murals and to embrace our arts community and is specific and so that it is not construed as signage it should embrace Manteo's heritage and will need to be approved by the Planning Board and the BOC.

A recess was taken at 5:35 pm

Old Business-

The Board went over the list the tree for the cemetery landscape have been ordered; they have received a price quote from Ray Meekins but it does not state actual data input; Magnolia Market leases have been written by the Town Attorney; the recycling franchise can be removed from the list; still waiting to hear from NCDOT; we have received Requests for Qualifications from some engineers on the stormwater project and the Board will need to review these; sidewalk and street repair bids have been re-advertised.

SUBJECT: Water and Sewer funds-Finance Officer Shannon Twiddy handed out a statement of revenues; expenses and changes in fund net assets that included a comparison for fiscal years ending June 30, 2006, June 30, 2007 and June 30, 2008. She reported that Operating Expenses exceeded Operating Revenues by \$429,178 in fiscal year ending June 30, 2008. But that we had received \$310,549 in Non-Operating Revenues that were not recurring therefore ending the fiscal year with a deficit of \$118,549. She did point out that depreciation expenses totaled \$226,761 and that was funds that should be set a side each year for capital repairs and replacement of equipment for the Water and Sewer Fund. Attached to the minutes you will find the handout for the record. The hand out included a list of repairs and upgrades from the WWTP Evaluation and Nutrient Reduction study that identified the four priority repairs/replacements that needed to be completed in order to keep the WWTP running efficiently. Staff is recommending a one time transfer of \$400,000 from General Fund to Water and Sewer Fund to be used to complete the repairs/replacements and a 15% rate increase that would generate an estimated \$93,239.78 for the remainder of the fiscal year or a 20% rate increase that would generate an estimated \$124,319.71 for the remainder of the fiscal year to be effective January 1, 2008. Ms. Twiddy reported to the BOC that in order for the Water and Sewer Fund to break even we would have to increase our rates by 70%. She reported that our General Fund Undesignated Fund Balance is currently estimated at over 80% and if we transfer the \$400,000 we will be reduced to and estimated 70% which is the recommended allowance from the Local Government Commission for a resort town that depends on tourism as a large percentage of their revenues. Ms. Twiddy stated that the Water and Sewer Fund is an Enterprise Fund and should be self supporting but in Budget and Fiscal Control Act there is a statement that allows the transfer of non advalorem revenues to be transferred from one fund to another but her recommendation was to do a one time transfer and not use General Fund money to support the Water and Sewer Fund on a recurring annual basis. Ms. Twiddy also reported other than the one time transfer from General Fund to Water and Sewer Fund that she had found a source to loan money to the Town at 3.75% but did not recommend a loan at this time because of the uncertainty of the Water and Sewer Fund having the ability to pay the loan back on time. She also stated there were only several ways to reduce the operating deficit, one to increase rates and fees, and the second to increase rate and fees and reduce expenditures. Commissioner Burke asked Nathan Parr, Manteo's Utilities Superintendent who was on hand to answer any questions from the Board about the priority projects how long it would take to complete the four projects. Mr. Pharr responded that depending upon whether or not NCDNR treated the projects as repair or maintenance or upgrades in equipment and changes to the plant, it could mean the difference of six months if we have to go through the full permitting process. The Board discussed other ways to get revenues possibly from the sale of property. Town Manager Kermit Skinner commented that the repairs

could not wait until we sold a piece of property. The Board would like the rate increase of both 15% and 20% be placed on the December agenda for discussion and a budget amendment on the consent agenda to move \$400,000 from the General Fund into the Water and Sewer Fund.

Commissioner Fry and Commissioner Walker left at 6:20 pm

MOTION: By Commissioner Collins seconded by Commissioner Burke to excuse Commissioner Walker and Commissioner Fry from the meeting was approved by the following vote: Ayes: Commissioners Farrow, Fry, Creef, Burke, Walker, and Collins. Noes: None. Absent: none

SUBJECT: Closed Session NCGS 143.318.11 (a) 5-real estate acquisition

MOTION: Commissioner Burke seconded by Commissioner Farrow to enter into closed session was approved by the following vote: Ayes: Commissioners Farrow, Creef, Burke, Collins. Noes: None. Absent: none. Excused: Walker and Fry

NCGS 143.318.11 (a) 5 Acquisition of real property.

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

Board Member Concerns:

Commissioner Creef does not think this Board should change the Festival Park agreement with the State and they have a nice area on the northeast corner that they can use.

Commissioner Burke was approached by some citizens and asked if we could put up the old Christmas decorations.

MOTION: Commissioner Creef seconded by Commissioner Collins to adjourn at 7:00 pm was approved by the following vote: Ayes: Commissioners Farrow, Collins, Burke and Creef Noes: None. Absent: none. Excused: Fry and Walker

This the 19th day of November 2008

ATTEST:

Mayor Jamie Daniels

Town Clerk Becky Breiholz