

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room, June 2, 2010 at 6:30 pm.

The following members were present: Mayor Jamie Daniels
Commissioner David Farrow
Commissioner Richie Burke (late)
Commissioner Darrell Collins
Commissioner Christine Walker
Commissioner H. A. Creef

The following member(s) were absent: Commissioner Hannon Fry

Also present at the meeting were: Town Attorney Daniel Khoury
Town Manager Kermit Skinner
Asst. Town Mgr/Finance Shannon Twiddy
Planner Erin Trebisacci
Town Clerk Becky Breiholz

Mayor Daniels called the meeting to order at 6:40 pm with a moment of silence followed by the pledge of allegiance.

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

SUBJECT: Adoption of Agenda as presented or amended - add May 26th workshop minutes to the consent agenda which were in the packet but not on the agenda list. Remove from the Commissioners agenda discussion of parking on Uppowoc Street and place on the July agenda to allow for notification of property owners who live on that street.

MOTION: Commissioner Walker seconded by Commissioner Collins to adopt the agenda as amended was approved by the following vote: Ayes: Commissioners Creef, Farrow, Walker, Burke and Collins. Noes: none. Absent: Fry

SUBJECT: Adoption of the items on the Consent Agenda –

MOTION: Commissioner Creef seconded by Commissioner Walker to approve the consent agenda as amended was approved by the following vote: Ayes: Commissioners Walker, Creef, Farrow, Burke, Collins. Noes: None. Absent: Fry

SUBJECT: Approval of minute's budget workshop session April 30, 2010.

MOTION: Commissioner Creef seconded by Commissioner Walker to approve the minutes as presented was approved by the following vote: Ayes: Commissioners Walker, Creef, Farrow, Burke, Collins. Noes: None. Absent: Fry

SUBJECT: Approval of minute's regular meeting May 5, 2010 with CD recording.

MOTION: Commissioner Creef seconded by Commissioner Walker to approve the minutes as presented was approved by the following vote: Ayes: Commissioners Walker, Creef, Farrow, Burke and Collins. Noes: None. Absent: Fry

SUBJECT: Approval of minutes Recessed workshop May 19, 2010 with CD recording.

MOTION: Commissioner Creef seconded by Commissioner Walker to approve the minutes as presented was approved by the following vote: Ayes: Commissioners Walker, Farrow, Creef, Burke and Collins. Noes: None. Absent: Fry

SUBJECT: Approval of minutes recessed budget workshop May 26, 2010

MOTION: Commissioner Creef seconded by Commissioner Walker to approve the minutes as presented was approved by the following vote: Ayes: Commissioners Walker, Farrow, Creef, Burke and Collins. Noes: None. Absent: Fry

SUBJECT: Budget amendment #7

MOTION: Commissioner Creef seconded by Commissioner Walker to approve budget amendment #7 as presented was approved by the following vote: Ayes: Commissioners Walker, Fry, Farrow, Creef, Burke and Collins. Noes: None. Absent: Fry

PUBLIC COMMENTS – Town Manager Kermit Skinner asked for any one to speak on items not on the agenda to come forward and if you want to speak on an item on the agenda please come forward so that the clerk can enter it into the record.

TOWN MANAGER'S AGENDA

SUBJECT: Request from Surf Rider Organization for Resolution opposing off shore drilling John Wznowski resident of KDH and co chair of the Outer Banks Surf Rider Association-gave the Board a brief history of himself and what the organization is about and how he became involved. They have been talking about opening up off shore drilling and their goal is to go to all the Towns and gather as many resolutions as they can to oppose opening up our waters to off shore drilling and present them to the Dare County Commissioners. We have been led to believe that off shore drilling is safe and has no impact on the environment and the Organization does not think it is environmentally safe, bad for business. We believe the value of the coast does not rely on petroleum production.

Matt Walker lives in KDH and writer for surfing magazine and is also involved with the Surf Rider and if we say no now we will have a shot at controlling it; and we are trying to protect and preserve. We consume 25percent of the earth's oil and produce 3 percent and the oil spilled today in the Gulf would power the United States for 1 hour. Asks the Board for support in opposing off shore drilling.

Michael McOwen-Sir Walter Raleigh Street Manteo-20 years ago Exxon showed up and wanted to drill and all the Towns passed resolution opposing off shore drilling and stopped them from drilling and asks the Board to support the resolution to oppose off shore drilling. Our economy is based on tourism and they will stop coming if we allow off shore drilling.

Mayor Daniels commented that this might look like a reactionary measure for what has happened in the Gulf but they have been meeting for several months to get this on the agenda. Commissioner Farrow is for drilling; he has been around oil rigs and all that time he never recalls a serious spill anywhere and thinks they are safe. From what he read there were signs that this was going to happen and was not taken care of before the spill happened; we need the fuel, our ships need fuel, airplanes need it and people are making things sound worse than they are. Commissioner Creef is also for drilling he commented oil is used for other products beside transportation; the Gulf accident was human error; with the technology and safe guards that are in place he has no problem with it. Commissioner Collins commented that the rig that blew up was built by Hyundai and that what we get from Alaska is exported. Commissioner Walker commented that you cannot take back the damage that has been done.

MOTION: Commissioner Collins seconded by Commissioner Burke to approve Resolution 2010-06 opposing off shore drilling was approved by the following vote: Ayes: Commissioners Walker, Burke and Collins. Noes: Creef and Farrow None. Absent: Fry

SUBJECT: Resolution 2010-07 Commitment to local match and adoption of project budget for Planning grants program; the Board passed a resolution last month for authorization to apply for a grant and we also need to adopt this resolution before we can apply. The grant would allow us to bring an engineering firm to do a comprehensive capital improvement plan for the water and sewer department. They will evaluate our operation and affix a cost for each capital improvement; we are applying for \$40,000 from the state and our match would be \$23,000 and this is money that we would have to spend anyway in the future.

MOTION: Commissioner Farrow seconded by Commissioner Creef to approve the resolution was approved by the following vote: Ayes: Commissioners Walker, Farrow, Creef, Burke and Collins. Noes: None. Absent: Fry

PLANNER'S AGENDA

SUBJECT: Affordable housing ordinance as requested, staff presented this ordinance to the Planning and Zoning Board at their May Meeting. They discussed the 20 year sales period and

the option to have the CDC administer this ordinance. Some of the Planning Board members expressed the same concerns that Commissioners Walker and Collins had at the meeting in May about the rental of the affordable housing units. After some discussion they were not able to come up with any recommendations regarding the rental of the property. They also did not have any recommendations for other changes but noted they were glad to see the tiers were still in place for the applicants to the program. Set a Public Hearing for July 7, 2010. Commissioner Walkers thinks that if someone ends up renting it out they should not be able to make a profit from it. The Board asked that the Planner research the issue so we can find a way that the owner cannot rent it out for a profit and add that language to the ordinance. We can still schedule the public hearing.

MOTION: Commissioner Burke seconded by Commissioner Creef to set a public hearing for July 7th meeting was approved by the following vote: Ayes: Commissioners Walker, Farrow, Creef, Burke and Collins. Noes: None. Absent: Fry

FINANCE OFFICER AGENDA

SUBJECT: Budget Amendment #8-this is for the purchase of the Trainor property located next to the Town Hall that the Board authorized the attorney to make an offer and the owner accepted and Mrs. Twiddy is requesting a \$142,000 transfer from the undesignated fund balance to capital outlay land. Daniel Khoury commented that Mrs. Trainor accepted the offer; and he has done a title examination and recommended to the Town Manager that the property be surveyed before we close and the seller is fine with that arrangement. The amount of \$142,000 includes closing costs, attorney fees, survey and other miscellaneous items that might occur.

MOTION: Commissioner Walker seconded by Commissioner Burke to approve budget amendment #8 was approved by the following vote: Ayes: Commissioners Walker, Farrow, Burke and Collins. Noes: Creef. Absent: Fry

SUBJECT: Request for refund of dock rent- Mrs. Twiddy has a request from Dave Stormont to refund dock fees; his boat has been sold and he always paid his rent a year in advance. He has prepaid the month of June, July, August, September and ½ of October. Mrs. Twiddy is requesting the Board's consideration of authorizing her to create a new line item called refund of dock fees and will require a budget amendment to fund the refund in the amount of \$1800. She will make the budget amendment for the Board's approval at their June workshop.

MOTION: Commissioner Farrow seconded by Commissioner Creef to create line item and to allow for refund was approved by the following vote: Ayes: Commissioners Walker, Farrow, Fry, Burke and Collins. Noes: Creef. Absent: Fry

SUBJECT: Presentation of Budget FY 2010-2011 and schedule of public hearing=Mrs. Twiddy presented the Board with the budget and schedule public hearing for workshop meeting June 16th. It would have to be re-advertised for a public hearing if the Board decides to

increase the budget and even though they have a public hearing they do not have to adopt the budget during that meeting.

MOTION: Commissioner Walker seconded by Commissioner Collins to schedule a public hearing for June 16th at workshop meeting 4:00 pm was approved by the following vote: Ayes: Commissioners Walker, Farrow, Burke and Collins. Noes: Creef. Absent: Fry

OLD BUSINESS

Mayor Daniels went over the old business – Manteo Water Garden Park- Mr. Skinner reported the electrical work has been completed and the planting should begin next week; we have put together a bid packet for the dredging, walkway and bulk-heading for them at their workshop meeting. We had an emergency repair done at the boardwalk behind Poor Richards and John Delucia will develop specifications for the dock replacement and hopefully be able to apply for CAMA grant in August. Mr. Khoury reported on the Fisherman's landing. Commissioner Farrow asked what this consisted of and Mr. Khoury commented that it is basically historical exhibits and plaques on a trail and talked about the Asheville urban trail and ours would be a maritime trail with different sites along the trail which would include a site called Fisherman's landing.

MAYOR'S AGENDA

SUBJECT: Report Water and Waste Water Committee meeting- did not meet.

SUBJECT: Report Shoreline Committee- nothing to report

SUBJECT: Report Outer Banks Tourist Bureau meeting- the hotel motel association is working on the state level to get a law passed about how discount programs are charging the tax at the full amount and only paying the state the tax on the discounted rate.

COMMISSIONERS AGENDA

SUBJECT: Commissioner Collins-Collins Park committee report-nothing to report; a few school children have visited. Mr. Khoury reported on the status of the 501C3 we are still waiting to hear from Pat Herman who filed the paperwork.

SUBJECT: Commissioner Farrow/Creef-no parking on Uppowoc Street this is postponed until the July meeting.

SUBJECT: Use of George Washington Creef Park and boat house building does not meet the standards of the Memorandum of Agreement with the Festival Park or the restrictions that were placed on the property by the deed of gift to the Town. Mayor Daniels would like the Town Attorney to write a letter to Roanoke Island Festival Park. Mayor Daniels commented that it was supposed to be run by the Roanoke Island Commission or Friends of the Elizabeth II and

Scott Stroh who used to be with Festival Park contracted the sailing program out to Frank Silver who is a for profit business and is using our building for his office. Daniel Khoury gave the board an overview of how the sailing program came to be which came to be run by the NC Maritime Museum and were a part of the Tri-party agreement. When the Maritime Museum left the tri party agreement the sailing program Mr. Stroh contracted to Mr. Silver and the Commissioner's objection is that a for profit business is using our facility and the boats that were donated to the program. Mr. Khoury suggested we review the memorandum of understanding; the agreement with the sailing company and also review the Lighthouse agreement and get them straightened out and back on track.

Melody Cannady here to ask that the Town help her with the drainage problems she is having on her property on Sir Walter Raleigh Street; the ditch behind her property does not drain properly and there is a lot of water on her property that does not drain and she would like the Town to help her protect her property. Kermit Skinner commented that we tried to camera the line under Manteo Furniture which has an old terra cotta pipe that has collapsed. The Town has tried on several occasions to get easements from the property owners but some of them have not responded.

MOTION: Commissioner Creef seconded by Commissioner Walker the meeting was recessed at 8:30 pm until workshop meeting at 4pm was approved by the following vote: Ayes: Commissioners Farrow, Creef, Burke, Walker Collins. Noes: none. Absent: Fry

This the 2nd day of June 2010

Jamie Daniels, Mayor

ATTEST:

Becky Breiholz, Town Clerk