

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room November 6, 2002.

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

The following member(s) were absent: Commissioner Etheridge

Also present at the meeting were: Assistant Town Manager/Finance- Shannon Twiddy
Town Clerk-Becky Breiholz
Town Attorney-Daniel Khoury
Public Works -James McCleave
Water & Sewer -Butch Luke
Planner -Fred Featherstone

Mayor Tugwell called the Regular meeting to order at 7:36 p.m. followed by a moment of silent meditation and the Pledge of Allegiance.

The agenda had been revised before the meeting to add a presentation from Larry Belli, National Park Service. Add a Closed Session per Town Attorney for clarification of contract. Move the satellite annexation proceedings, clerk reports and acceptance of petitions and ordinances together for ease of recordation and move Town Managers and Old Business before the Commissioner's agenda since department heads were requested to be at the meeting.

Commissioner Creef would like to add under Commissioner's agenda discussion of B2 density.

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

SUBJECT: Approval of Minutes Regular Session October 2, 2002

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

SUBJECT: Approval of Minutes Workshop Session October 16, 2002

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

Mr. Larry Belli with the National Park Service was unable to attend the meeting so Mr. Warren Wrenn, with the National Park Service presented the Board with the Town of Manteo flag that was flown to New York for the September 11, 2002 ground zero ceremonies. Mr. Wren read a letter on behalf of Mr. Charles Stites who represented the state of North Carolina to fly a state flag to ground zero. The journey started with a ceremony that was held at the First Flight airport on September 5th and along with Dare Counties other municipalities our flag was present at the ceremony held at Shanksville, PA on September 5th and at the ceremony at the Pentagon on September 6th. On the morning of September 8th the flag was on board his plane as they flew with aircraft representing all fifty states during a "Honor Flight" down the Hudson River as they passed the World Trade Center site and the Statute of Liberty. The Town flag was there during the presentation of the NC State Flag aboard the USS Intrepid that afternoon, and later the flag of Manteo was taken to "Ground Zero".

(PUBLIC COMMENT)

None

SUBJECT: PUBLIC HEARING on Voluntary Satellite Annexation petitions: (A) Caimen Gardens; (B) State Employees Credit Union (C) Island Grill; (D) Toler Property; (E) Roanoke Island Animal Hospital

MOTION: Commissioner Collins seconded by Commissioner Creef to enter into Public Hearing **Caimen Gardens** was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wescott, Wilson and Creef. Noes: None. Absent: Commissioner Etheridge.

No public comments.

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

SUBJECT: Investigation of Petition-Town Clerk Becky Breiholz has found that the Caimen Gardens satellite annexation petition is signed by all owners in accordance with GS 160A—58.1

SUBJECT: Discussion and consideration of satellite annexation petition received from Caimen Gardens.

MOTION: Commissioner Collins seconded by Commissioner Farrow to accept the petition for satellite annexation from Caimen Gardens was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Commissioner Etheridge.

Commissioner John Wilson stated that before he makes a motion he would like to make comments regarding the ordinance to satellite annexation properties at the midway area. We have problems at the midway intersection. He stated that in our land use plan and zoning ordinances we have planned our residential area, B-1 area and our Village Business District from Manteo Motel to the Christmas Shop. We have not planned the area from the Christmas Shop to Midway and it is the entrance to our Town. We cannot make the mistake of not planning that area properly and the Town should set high standards for that area and control growth. For over two years the planning board has worked on zoning for the midway area. He thinks the Board should set aside an hour at the next workshop meeting November 20th to discuss the Planning Board's proposal, schedule a Public Hearing for the new zone in case the Board wants to adopt it so that we do not hold up any of the development unnecessarily. Commissioner Wilson stated that there are seven lots that front on the 55 mph speed zone if we satellite annex them our current zoning for B2 would allow for two curb cuts, which would be 14 curb cuts on that short section of a 55 mph road. The Department of Transportation will only allow an additional two curb cuts so there is a conflict. We also need to be concerned with storm water retention, parking, density, building heights and pedestrian safety which all affect small town atmosphere. After Commissioner Wilson made his motion Mayor Tugwell asked Town Attorney Daniel Khoury if this was a reasonable and legal motion and Mr. Khoury commented that as he understands the motion Commissioner Wilson wants to approve the annexation, but wants the town to commit to set a Public Hearing to take action on a potential B 3 zoning that would apply to these areas that are coming into the Town tonight and Commissioner Wilson commented yes and it can be done within the 60 days statutory requirement and "by setting it tonight we could probably get it done in 30 days so we won't hold anyone up." Mr. Khoury stated that these properties will be annexed tonight regardless and Commissioner Wilson commented yes and these properties will remain under county zoning rules for sixty days. Mr. Khoury stated that it was his legal opinion that these are not conditional annexations. Commissioner Wescott commented that he is not comfortable with the length of the motion and asked if it could be separated. Commissioner Wilson stated he did not mind splitting the motion up if we could vote on the no new site plans for the 60 day period, set aside 1 hour in the workshop for the November 20 to consider the planning boards proposal, and set the public hearing for December 4th, and then another motion to accept the ordinance to extend the corporate limits with county rules to remain in effect for 60 days and that would simplify them and be the same for all of them, accept the petition for annexation with county rules remaining in effect for up to 60 days and he sees no reason why this can't be accomplished in 30 days. Mr. Khoury stated that Commissioner Wilson should withdraw his motion and make the latter 3 points in one motion and if that motion is defeated then someone else can make another motion on the annexation. Commissioner Wilson stated he will withdraw his motion and make two motions. Mayor Tugwell had a question for Town Attorney Mr. Khoury and asked "we addressed those issues when we did the extension agreement and if this new zoning classification were to be adopted would it be considered a down zoning of the use of the property and could the Town be liable in the contract we entered into to extend the utilities if the planning board actually gives it a designation. Mr. Khoury stated that we could do that as long as we didn't take away any vested rights and he is not sure what those vested rights are on those properties. Commissioner Wilson commented that I don't think anyone wants to take away anyone's vested rights or to down zone anyone's property and it is not his intention.

MOTION: By Commissioner Wilson seconded by Commissioner Collins to accept ordinance #28 from Caimen Gardens to extend the corporate limits of the Town of Manteo; that zoning designation be delayed for up to 60 days as allowed for in the statutes and that the current county rules remaining in effect up to 60 days; no new site plans be accepted or reviewed by the planning board until the Board of Commissioners adopts a zoning class for that area from the Christmas Shop to Midway, that one hour be set aside at the November 20th workshop to discuss the Planning Boards proposal and a Public Hearing be scheduled for December 4th BOC meeting, the acceptance of the ordinance simple and absolute and takes affect immediately **Commissioner Wilson withdrew** and will make two motions.

MOTION: By Commissioner Wilson seconded by Commissioner Farrow to set aside one hour at the November 20th workshop to discuss the Planning Board's proposal for the area between the Christmas Shop and Midway, set a Public Hearing for December 4th on this possible zoning and no new site plans be accepted or reviewed by the Planning Board until the Board of Commissioners adopts a zoning class for the area between the Christmas Shop to Midway, was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, and Creef. Noes: Commissioner Wescott Absent: Commissioner Etheridge

MOTION: By Commissioner Wilson seconded by Commissioner Farrow to accept ordinance #28 from Caimen Gardens to extend the corporate limits of the Town of Manteo was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wescott, Wilson and Creef. Noes: None. Absent: Commissioner Etheridge.

MOTION: Commissioner Collins seconded by Commissioner Farrow to enter into Public Hearing **State Employees Credit Union** was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wescott, Wilson and Creef. Noes: None. Absent: Commissioner Etheridge.

No Comments

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

SUBJECT: Investigation of Petition-Town Clerk Becky Breiholz has found that the State Employees Credit Union satellite annexation petition is signed by all owners in accordance with GS 160A—58.1

SUBJECT: Discussion and consideration of satellite annexation petition from the State Employees Credit Union

MOTION: Commissioner Collins seconded by Commissioner Wescott to accept the petition for satellite annexation from the State Employees Credit Union was approved by the following

vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Commissioner Etheridge.

MOTION: Commissioner Wilson seconded by Commissioner Farrow accept ordinance #29 to extend the Corporate limits of the Town of Manteo again without a zoning class designation was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Commissioner Etheridge.

MOTION: Commissioner Farrow seconded by Commissioner Wescott to enter into Public Hearing **Island Grill** was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wescott, Wilson and Creef. Noes: None. Absent: Commissioner Etheridge.

No Comments

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

SUBJECT: Investigation of Petition-Town Clerk Becky Breiholz has found that the Island Grill/Landreth satellite annexation petition is signed by all owners in accordance with GS 160A—58.1

SUBJECT: Discussion and consideration of satellite annexation petition from Island Grill/Landreth.

MOTION: Commissioner Farrow seconded by Commissioner Creef to accept the petition from Island Grill/Landreth was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Commissioner Etheridge.

MOTION: Commissioner Wilson seconded by Commissioner Farrow accept ordinance #30 designation to extend the Corporate limits of the Town of Manteo again without a zoning designation class was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Commissioner Etheridge.

MOTION: Commissioner Collins seconded by Commissioner Creef to enter into Public Hearing **Toler Property** was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wescott, Wilson and Creef. Noes: None. Absent: Commissioner Etheridge.

No Comments

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

SUBJECT: Investigation of Petition-Town Clerk Becky Breiholz has found that the Toler's satellite annexation petition is signed by all owners in accordance with GS 160A—58.1

SUBJECT: Discussion and consideration of satellite annexation petition from Gail and Sidney Toler property

MOTION: Commissioner Farrow seconded by Commissioner Collins to accept the petition for satellite annexation from Gail and Sidney Toler was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Commissioner Etheridge.

MOTION: Commissioner Wilson seconded by Commissioner Wescott accept ordinance #31 to extend the Corporate limits of the Town of Manteo without a zoning designation was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Commissioner Etheridge.

MOTION: Commissioner Collins seconded by Commissioner Farrow to enter into Public Hearing **Roanoke Island Animal Hospital** was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wescott, Wilson and Creef. Noes: None. Absent: Commissioner Etheridge.

Terry McDowell-Agona Street, confused and does not see the benefit, since they are paying double the sewer rates.

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

SUBJECT: Investigation of Petition-Town Clerk Becky Breiholz has found that the Roanoke Island Animal Hospital satellite annexation petition is signed by all owners in accordance with GS 160A—58.1

SUBJECT: Discussion and consideration of satellite annexation petition from Roanoke Island Animal Hospital/Grossman

MOTION: Commissioner Farrow seconded by Commissioner Wescott to accept the satellite annexation petition from Roanoke Island Animal Hospital/Grossman was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Commissioner Etheridge.

Commissioner Wilson asked that Commissioner Wescott amend his motion to make it equal to the others to include without a zoning designation. Commissioner Wescott commented No and Commissioner Wilson commented that it needs to be made clear to the board before they vote that this is not the same treatment that the other 4 received.

MOTION: Commissioner Wescott seconded by Commissioner Farrow accept ordinance #32 Roanoke Island Animal Hospital/Grossman to extend the Corporate limits of the Town of

Manteo was approved by the following vote: Ayes: Commissioners Farrow, Wescott, and Creef. Noes: Wilson, Collins Absent: Commissioner Etheridge.

(TOWN MANAGER'S AGENDA)

SUBJECT: Department reports which will be made a part of these minutes. Commissioner Wescott asked why the high reading for treated gallons, and Mr. Luke commented that due to the flow meter having a false reading which has been corrected.

(OLD BUSINESS)

Commissioner Collins asked about the justification of no longer putting door hangers for late water bills. Mr. Luke stated that the door hangers were started out as a courtesy, and when this was started there were only about 5 customers that they hung door hangers on. Now the customer list has grown. Mr. Luke also stated that the message is already printed on the back of the water bills. Evelyn Rollason Deputy Finance Officer has determined that they can utilize existing modules of the current software to process final notices using the existing bills or final notice bills in a bright color to differentiate them from regular bills. Mr. Luke commented that it takes 4 to 6 hours of man-hours to place these hangers whereas probably 30 minutes to generate another mailing which would be cheaper. This process would be handled administratively and operations would no longer be involved except during the final phase of disconnection.

MOTION: Commissioner Wescott seconded by Commissioner Creef to accept using a final bill in a bright color was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wescott, Wilson, and Creef. Noes: None. Absent: Etheridge

Department of Transportation rest area-Mr. Featherstone performed an on site inspection at the new rest area and the lights were permitted at a height of 35 feet, but in doing an estimate of the existing poles Mr. Featherstone believes they are set at 35 feet, however the arms that the lights are mounted on are angled upward putting the actual light at approximately 37 feet. For him to get an accurate height he will need to borrow a larger bucket truck from Dominion Power. The light intensity he checked at random locations throughout the parking area and along the perimeter and noted readings from 1.7 foot candles near the entrance to 13.2 foot candles on the drive aisle behind the Tourist Bureau. In all he took 17 readings with an average of 7.12 foot candles for the entire parking lot and the ordinance allows for a maximum of 4 foot candles for parking lots. Commissioner Wilson commented that the lights are not shielded which our ordinance requires; the light level is higher than what is allowed. Consensus of the Board was to have the Town Attorney to work with Mr. Featherstone to have this brought into compliance immediately and for staff to enforce our ordinances.

Funding for the water and sewer improvements loan application-Ms. Twiddy commented that until such time as we know what the bids are and what the shortfall is we cannot apply for additional loan funds, but once we know if there is a shortfall the Town will be able to apply for the amount that is needed to make up the shortfall.

Interstate type signage on the new corridor report Ms. Twiddy commented that she had a lengthy discussion with Angel Khoury regarding the signage issues and Ms. Khoury gave the board a verbal report. Ms. Khoury commented that the Roanoke Island Commission, County and State agencies are addressing this since it has been a concern for all agencies involved. The Roanoke Island Commission will be having a meeting in November with the School of Design and other agencies involved to address the concerns of all the signs on the island. Ms. Khoury asked that Mr. Featherstone and Mr. Parker to attend this meeting.

(PLANNER'S AGENDA)

SUBJECT: Discussion and consideration of site plan review from CVS

The planning and zoning board met on June 25 2002 to review this site plan and the Planning Board's recommendation was for approval provided these conditions are met: Proposed access to Russell Twiford Road must be constructed; lighting levels must conform to Sec. 6.05 Outdoor lighting and use a hip roof option from original elevations sheet submittal. Mayor Tugwell asked if they could get access from an adjacent parcel instead of limiting access to Russell Twiford Road only and P&Z Chair Bill Parker commented that he cannot speak for the whole Planning Board but he will say that the common thread is that there be an access and he would be happy to discuss it with them. Mr. Parker would like it to be placed on paper so they can see where another access would be. The CVS representatives of the site plan have been unsuccessful getting access to Russell Twiford Road and they are asking the Board for approval allowing for only one access. Commissioner Wilson commented that these conditions should not be waived. Lengthy discussion took place on the safety issues of this intersection and other possible accesses. Everyone agrees there needs to be another access.

MOTION: Commissioner Wilson seconded by Commissioner Collins to delay action until December 4th 2002 was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Commissioner Etheridge.

SUBJECT: Discussion and consideration of amended site plan from Shallowbag Bay.

The Planning Board reviewed the final site plan for Shallowbag Bay on October 8, 2002 and the applicant has requested to reconfigure the parking lot at building 11. The applicant also requested increasing the total number of units in building 11 by six while reducing the number of bedrooms by 16. In addition they requested adding parking spaces at the clubhouse. The Planning Board requested that the landscape plan be updated and 29 live oak trees be shown in the interspersed islands. In addition they requested two additional interspersed islands and a dumpster site at building 11. The meeting was recessed until October 10, 2002 and requested that the applicant make revisions to the landscape and site plan. The Planning Board requested a copy of an easement granted to Jack Burrus to be forwarded to the Town Attorney for review and also requested the note indicating the easement for parking and spaces provided for Mr. Burrus be removed from the site plan. The applicant provided the new site plan with the requested changes which was subject to the Town Attorney approving the easement. Staff recommends approval of the site plan as revised with the Town Attorneys approval of the easement. Town Attorney Daniel Khoury had not received the easement documentation before the meeting and has not had a chance to review it. Commissioner Wilson commented that this has just appeared on the plat it was not on the site plan that was approved. The parking easement granted to Mr. Burrus by Jim

Rose encroaches into the setback required of the Shallowbag Bay Club. It was brought up that there were two easements and only one is shown on the site plan which shows 9 parking spaces of this development are shown in the easement to go across the property of the other person. Mr. Wilson commented there are now two problems one an easement which they are counting on parking spaces that could not possibly function for both a parked car and access easement and an easement for parking that could never meet our ordinance. Commissioner Wilson commented that it is very difficult to approve a site plan that changes along the way, the site plans comes back with different compilations, new easements and surprises, you have to wonder what is going on.

MOTION: Commissioner Wilson seconded by Commissioner Creef to approve the amended site plan on the condition that the easement be removed, **MOTION AMENDED** by Commissioner Wilson seconded by Commissioner Creef to approve the amended site plan and that the easement in deed book 1289 page 722 be removed and the easement in deed book 1289 page 722 be relocated not to be in the parking was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Etheridge.

A 5 minute recess at 9:30 p.m.

SUBJECT: Discussion and consideration of proposed text amendment to Section 34-32 of the Codified Ordinance Commercial roll out. This ordinance has been discussed on several occasions and the amendment would add at the end of first sentence on page CD 34:4 the following: except on collection day roll out containers for commercial use shall be stored in a location not visible from any street right of way or shall be screened on all sides with latched gates. Enclosure shall be screened from ground level to a height of four feet with adequate size to accommodate containers.

MOTION: Commissioner Farrow seconded by Commissioner Wilson to add proposed text amendment to Section 34-32 to the codified ordinance regarding commercial rollout was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Commissioner Etheridge

SUBJECT: Water improvements to the Town of Manteo-Several questions were raised that Mr. Green responded to the Board in a letter which will be made a part of these minutes. Mayor Tugwell commented that it could possibly affect our Fire rating and he has asked that the State Fire Marshall investigate this. Commissioner Wilson commented that this has already been discussed and DENR commented that it would not affect it if the water pressure does not go down.

MOTION: Commissioner Farrow seconded by Commissioner Collins to authorize engineer to bid Phase I and amend revised specs to reflect damage clause for days project not finished after May 30, 2002 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Wescott, Wilson, and Creef. Noes: None. Absent: Etheridge

(COMMISSIONER'S AGENDA)

SUBJECT: Discussion and consideration of removing yellow lines along all curbs except at corners-Commissioner Farrow stated that the Board received in their September agenda packets a list of curbs that were mis-marked that were not in compliance with the Town's ordinance. A bill in the general assembly is pending that would reduce the feet required at intersections be reduced to 15 feet from 25 feet, but until that bill is passed he would like to recommend that the Town proceed with correcting the painted curbs everywhere except the intersections. He is asking that the Board take action to direct the Town Planner and Public Works Department to coordinate the removal of paint from improperly marked curbs, mark the curbs appropriately as identified in the ordinance with the exception of all intersections until such time the Bill is approved or not approved. Commissioner Farrow is asking for instructions to staff to make the curbside markings comply with the existing ordinance with the exception of the intersections. The Board discussed how the lines should be removed possibly painting over them or pressure washing them. Finance Officer Shannon Twiddy commented that Public Works Director James McCleave had stated paint would be the best way and it was the Consensus of the Board to paint over the lines with gray paint.

SUBJECT: Discussion and Consideration and proposed text amendment to Section 38-1-Commissioner Farrow's intent is to cover all of the angles for law enforcement on the vacant lot purchased that is across from Cartwright Park. The amendment would add the verbiage to the text to include the recently purchased lot located on the corner of Sir Walter Raleigh Street and Bideford Street in (a), (b) and (c) after every mention of Cartwright Park and to add the provision to the ordinance that the consumption of alcohol would also be unlawful in this location and would dictate hours of operation in which people could be on the property. Section 30-11 Loitering for the purpose of engaging in drug related activity may or may not need to be amended. It is my interpretation that the ordinance covers every property in town that is defined by "public place" in the text. Town Attorney Daniel Khoury has reviewed the proposed amendment and has written a memo revising the proposed text amendment and asked the Board to consider it at the mid month meeting. Mr. Khoury commented that it should also be designated as a park, and suggested that the Board designate and name the property as a park then vote on Section 34.11. Consensus of the Board was to place this item on the workshop agenda as an action item.

SUBJECT: Discussion and consideration of alternative construction for the Roanoke Marshes Light House-Commissioner Farrow is asking that the Board consider all of the possible alternatives in an effort to begin construction on the Roanoke Marshes Light House. Discussion of bid bond and informal bid since the State has raised the threshold the informal bid to \$300,000. Mayor Tugwell suggested a list be prepared of contractors to bid informally on Roanoke Marshes light. Commissioner Wilson would like to include the previous bidders and Renaissance.

MOTION: Commissioner Wilson seconded by Commissioner Farrow to authorize the Mayor to prepare a list contractors to bid informally on Roanoke Marshes Light was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wescott, Wilson, and Creef. Noes: None. Absent: Etheridge

SUBJECT: B-2 densities-Commissioner Creef- would like planning and zoning board to review building densities and make recommendations for dwelling units in B2 zoning for the Board of Commissioners November workshop.

(TOWN ATTORNEY'S AGENDA)

SUBJECT: Mr. Khoury reported on the easement lease agreement with the Dare County Board of Education if we need a phase 2 for the water tower. Mr. Khoury commented he has heard from their lawyers and they proposed some changes and it is possible we could get the agreement approved at their next meeting with the change from perpetual to a 25 or 50 year lease.

Mayor Tugwell commented that Commissioner Collins term for the Dare County Tourist Board will expire and they need two names to be submitted.

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

MOTION: Commissioner Wilson seconded by Commissioner Farrow to submit Commissioner Collins and Commissioner Etheridge's names to the Dare County Tourist Bureau as the Towns nominees was approved by the following vote: Ayes: Commissioner Farrow, Wilson, Collins, Wescott and Creef. Noes: None. Absent: Etheridge.

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

CLOSED SESSION-Discussion Personnel NCGS 143.318.11 (6) request per the Town Manager.

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

Discussion of appointing Shannon Twiddy acting city manager under NCGS 160A-149.

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

MOTION: Commissioner Collins seconded by Commissioner Wilson to accept the recommendation from Town Manager Kermit Skinner to appoint Assistant Town Manager Shannon Twiddy as acting Town Manager was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Etheridge

CLOSED SESSION-Discussion Personnel NCGS 143.318.11 (6) request per the Town Attorney.

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

Discussion of clarification of the Town Manager's contract. There had been a previous discussion changing the severance clause in the Town Managers contract to 2 months and it was not included in the original motion when the Board renewed the Managers contract with a pay raise of \$62,0000.

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

MOTION: Commissioner Farrow seconded by Commissioner Wescott to accept the revised contract of the Town Manager with two month severance was approved by the following vote: Ayes: Commissioners Farrow, Collins, Wilson, Wescott, and Creef. Noes: None. Absent: Etheridge.

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Wescott seconded by Commissioner Farrow meeting was adjourned at 11:00 p.m. and approved by the following vote: Ayes: Commissioner Wilson, Wescott, Farrow, Collins, and Creef. Noes: None. Absent: Etheridge.

This the 6th day of November 2002.

Mayor Lee Tugwell

ATTEST:

Town Clerk Becky Breiholz