

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room, January 7th, 2004 at 7:30 p.m.

The following members were present:

- Mayor John Wilson, IV
- Commissioner Lee Tugwell
- Commissioner Dellerva Collins
- Commissioner David Farrow
- Commissioner Edward Etheridge
- Commissioner Stuart Wescott
- Commissioner H.A. Creef, Jr.
- Commissioner Larry Belli

The following member(s) were absent: None

Also present at the meeting were:

- Town Manager-Kermit Skinner
- Finance Officer- Shannon Twiddy
- Town Clerk-Becky Breiholz
- Town Attorney-Daniel Khoury
- Planner Fred Featherstone
- Police Chief-F. T. D'Ambra

Mayor Wilson called the meeting to order at 7:35 p.m followed by the Pledge of Allegiance

SUBJECT: Adoption of Agenda as presented or amended.

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

SUBJECT: Adoption of the items on the Consent Agenda-

Some discussion took place on the Special Events Christmas Festival cost and Commissioner Tugwell-commented that the event was over budget and when you take into consideration the in kind services of the Public Works and Police Department, the celebration this year cost in the neighborhood of \$4,800 which is probably 3 times more than the Town has spent in previous years. Commissioner Tugwell commented that he thought the intent was to get more people into Town this year for Christmas shopping at the local businesses and he would like some follow up from the merchants' downtown to see if it brought in any additional revenue to them. Mayor Wilson would like to have the Town Manager speak with the President of Roanoke Island Business Association and get a response from the merchants whether they think it enhanced their Christmas and have the Finance Officer to give the Board what the real bottom line cost was. Commissioner Collins asked how come the overtime is so high this year and Town Manager Skinner commented that it was considerably more time setting up for this event.

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

MOTION: Commissioner Tugwell seconded by Commissioner Collins approve the minutes of the regular meeting December 3, 2003 - was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell and Creef. Noes: None. Absent: None

MOTION: Commissioner Tugwell seconded by Commissioner Collins to approve the minutes of the recessed meeting of December 10, 2003 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell and Creef. Noes: None. Absent: None

MOTION: Commissioner Tugwell seconded by Commissioner Collins to approve budget amendment #8 Christmas Festival Special Events was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell and Creef. Noes: None. Absent: None

MOTION: Commissioner Tugwell seconded by Commissioner Collins to approve budget amendment #9 Christmas Festival Special Events overtime was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell and Creef. Noes: None. Absent: None

MOTION: Commissioner Tugwell seconded by Commissioner Collins to approve budget amendment #10 FEMA reimbursement Hurricane Isabel was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell and Creef. Noes: None. Absent: None

MOTION: Commissioner Tugwell seconded by Commissioner Collins to Void budget amendment #6 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell and Creef. Noes: None. Absent: None

PUBLIC COMMENTS-none

(TOWN MANAGER AGENDA)

SUBJECT: Report Roanoke Marshes Lighthouse was moved up on the agenda. Architect Ben Cahoon gave the Board an update on the progress of the Lighthouse. The roof, cupola, windows, spiral stairs have been installed. The contractor has not received his full price from the electrical sub-contractor because a portion of it requires a different kind of license, the building is dried in and ready for electrical and insulation finishes; exterior door and window trim should begin immediately. Some siding needs to be removed and properly installed. Completion date was discussed and Mr. Cahoon is hesitant to speak on behalf of the contractor but it seems to him that it is like a 30 day job, and he will pursue it with the contractor and give the Town Manager a date.

SUBJECT: Discussion of scheduling a Public Hearing to rezone all property at midway to B3. Planner Fred Featherstone and Planning Board Chair Bill Parker gave the Board a presentation of the midway area by showing a color coded map of what is B3 and what is not. The Board of Commissioners satellite annexed Caimen Gardens, State Employees Credit Union, Island Grill, the Toler property and Roanoke Island Animal Hospital in November 2002. All but the Roanoke Island Animal Hospital were to retain the Dare County zoning designation for 60 days. At the December 4, 2002 meeting the Board of Commissioners adopted B-3 zoning for the entire area south of Collins Creek and by doing this all the annexed properties with the exception of the Animal Hospital were zoned B3. Because of the language used in the motion to annex the Animal Hospital in Section 3.06 of the Town of Manteo Zoning ordinance it was designated R-1. The Russell Twiford and College of

the Albemarle property adjacent to Pirates Cove were annexed with the B-2 zoning designation. The Peninsula was annexed in 1997 as R-5. This was discussed at the Planning Board last month and they agreed that everything in that area should be zoned B3 to make all the property consistent. Property owners of the affected area should be notified. Commissioner Creef asked if the B3 would just be the property bordering the highway and Mr. Featherstone commented it would be COA, Russell Twiford properties and the Animal Hospital and then anything else that is annexed would automatically be B-3. Commissioner Creef asked even though it sits back away from the highway and Mr. Featherstone responded everything that is within the zone that is highlighted as pink if it were annexed into the town would be in B3 zone. Mayor Wilson commented that most of the land that sits back there is marsh, so the buildable parts of the property are up closer to the highway. Commissioner Tugwell commented that we need to check the statutes because this could be construed as a down zoning. Commissioner Tugwell asked that the Planning Board look at the uses in B3 and possibly expand that. Chairman Parker commented that with the rewriting of our zoning ordinance it will be looked at.

MOTION: Commissioner Etheridge seconded by Commissioner Collins to schedule a Public Hearing February 4th to consider changing the zoning of those parcels shown on the map that are not B3 to B3 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell, and Creef. Noes: None. Absent: None

SUBJECT: Town Manager report with Department Head reports will be on file for one year.

SUBJECT: Report A&A Atlantic Sewer disposal contract.- Mr. Skinner has worked Town Attorney Daniel Khoury and he has prepared an outline and has asked our Engineer Leo Green to comment on it and hope to have something back by the February meeting. Town Attorney Khoury commented that it should be reviewed with Mr. Wescott before any action is taken. Commissioner Etheridge commented that regardless of what is charged by other Towns; he does not feel it should have any bearing on what we should charge. The Board discussed what it cost to treat a gallon of sewer and the difference in regular household waste vs. porta potty waste. Mayor Wilson commented that what they should have is what other Towns do, what it cost us as well as a proposed annual contract for the Board to review. The Board would also like to have a definitive statement from the engineer whether it is better, worse, cost more or cost less to treat that waste.

SUBJECT: Report Water Sewer Lab Lease price quotes. The Board received in their packets price quotes from Environmental Chemists for required testing on the WWTP. Environmental Chemists is interested in leasing our water and sewer lab and the Town Manager was asked to get prices if they do our testing. Mr. Skinner commented several changes have been made to the contract and one is that the tenant has allowed us to use the lab for our own testing during the period of the contract which means if we are unhappy with their contract services for testing we can go back and use the lab. The Board also expressed concerns that we would be locked into this contract and Town Attorney, Daniel Khoury stated that there is a kick out clause in the contract that if the Town is unhappy with the services then we can give them six days notice. Town Attorney Khoury commented that one change is the dates and another to allow us to use the lab to conduct tests for our own purposes. The Board discussed getting prices from other companies to do our testing and Town Manager Kermit Skinner is to have figures at the February meeting. Mr. Khoury stated that all for the Board tonight to consider is on the lease agreement. Commissioner Tugwell would like to have a few weeks to review the lease agreement before the Board decides to see how the figures were arrived at such as square footage rate, electrical cost and cost of use of our equipment. Mayor Wilson asked

that Commissioner Tugwell and Commissioner Belli work with the Town Manager on the lease and prices and be prepared to have a recommendation at the February meeting for action.

SUBJECT: Repairs of the Boat House-Town Manager Kermit Skinner commented that we have received an estimate from the insurance company for \$48,350 for damages done to the Boat House by Hurricane Isabel and the Board will need to either accept or reject this offer. Mr. Skinner commented that Calvin Gibbs gave the Town an estimate of \$56,700 to do those repairs. The Board had budgeted money for repairs to the Boat House so with the insurance money it would give the Town approximately \$107,000 for the repair or replacement of the Creef Davis Boat House. The Board will need to decide whether to build or repair. Commissioner Creef and Tugwell are to work with Fred Featherstone and Kermit Skinner to bring a proposal to the Board about whether to repair or rebuild the boat house.

MOTION: Commissioner Belli seconded by Commissioner Farrow to authorize the Manager to accept the \$48,450 settlement from the insurance company for damages done to the boat house was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell, and Creef. Noes: None. Absent: None

(OLD BUSINESS)

SUBJECT: Report Cemetery Project-Town Manager Kermit Skinner commented that the brick work has been contracted and we are still waiting for some more fill dirt and one this is done they can proceed on starting to sell cemetery lots. Mr. Skinner also commented that they are working with the County on a GIS system and Lewis Hoffman of our IT department will use the cemetery as a project to map the cemetery and will have a digitized and computerized file of all the people who purchase a plot. Commissioner Tugwell would like to have a detailed market analysis of the cemetery to make sure that it will work and sustain itself, and asked about the possibility of hiring a consultant. Mayor Wilson commented that we could probably do that in house by adding up the lots, take the sale price and Shannon can do an analysis of the income we generate with internment fees and tell us approximately how much annual income it will bring and compare with what we are spending.

SUBJECT: Report Pending Grants and Time Lines for those grants: 1) CAMA Waterfront Boardwalk Replacement. Mr. Featherstone has received an estimate from Albemarle Engineering for \$9,700.00 and one from Construction Engineering for \$3,525.00 and recommends the Board go with the low bid with Construction Engineering for \$3,525.00.

MOTION: Commissioner Tugwell seconded by Commissioner Farrow to accept the bid from Construction Engineering Services not to exceed \$3,525.00 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell, and Creef. Noes: None. Absent: None

SUBJECT: Manteo Sanitary Sewer Evaluation I&I Study \$40,000. Mr. Skinner commented that all the grant and contract documents have been executed; and expects the work to begin sometime this month.

SUBJECT: Manteo Waterfront Shoreline Replacement of Rip Rap \$95,000; Mr. Featherstone spoke with Frank Jennings with CAMA and the permit is in process and will expedite as soon as possible.

SUBJECT: Report Sidewalks- Mr. Featherstone commented he has not received anything back from NCDOT.

SUBJECT: Report Town of Manteo Twenty Year Master Plan Update, should be here for the February meeting.

SUBJECT: Report Dredging Project-Town Manager Kermit Skinner and Town Attorney Daniel Khoury need to develop some sort of mechanism regarding the financial implications with marina owners.

SUBJECT: Report Affordable Housing. The Board wishes this to be done as soon as possible. The Board would like some samples from different Towns and then discuss this at the February workshop and then have staff draft an ordinance for affordable housing.

SUBJECT: Dues and Subscriptions. Continue membership in First Flight Society. They are a non profit organization which puts together the December 17th program every year for the First Flight Society. Commissioner Belli asked the Board to abstain from voting due to possible conflict. No motion was made but no Board member objected to Commissioner Belli abstaining from voting.

MOTION: Commissioner Creef seconded by Commissioner Collins to approve renewal of First Flight Membership for \$200 was approved by the following vote: Ayes: Commissioners Etheridge, Collins, and Creef. Noes: Tugwell and Farrow. Abstain: Commissioner Belli. Absent: None

COMMISSIONERS' AGENDA

Commissioner Tugwell-will try to meet with Commissioner Creef to have a report and recommendation about the Boat House at the mid month meeting. Commissioner Tugwell would also like to have a policy implemented regarding all board appointments and attendance at meetings and would like a policy clarifying that if any member of any of the Boards of the Town of Manteo misses two consecutive meetings that they be removed. Mayor Wilson asked the Board if anyone had an objection to including a policy that the attendance rule apply to all Boards of the Town and there were none so Mayor Wilson asked the Town Clerk to include this policy in the Town's policy booklet.

Commissioner Creef-Would like the Town Attorney to confirm if we can do the boat house by informal bid.

Commissioner Etheridge-commented on the town hall phone recording and does not like it and would like to have the phone answered by a human voice. Mayor Wilson commented that he does not like it either, but the Board needs to consider if they are willing to pay someone to answer the phone and will discuss this at the budget workshop.

Commissioner Belli-attended the Christmas Event and he appreciates everyone's work and thought it was the nicest one since he has been here.

Mayor Wilson commented that the Finance Officer has given the Board members a budget worksheet and schedule and asked the Board to review and discuss at the workshop session next Wednesday.

MAYOR'S AGENDA

SUBJECT: Discussion of the various Town Boards appointments for the Planning Board members and Board of Adjustment members

MOTION: Commissioner Farrow seconded by Commissioner Belli-to re-appoint Bill Parker, Jamie Daniels and Phil Scarborough to the Planning and Zoning Board for two year term was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell and Creef. Noes: None. Absent: None

MOTION: Commissioner Farrow seconded by Commissioner Collins to appoint Bill Parker as Planning Board Chair was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell and Creef. Noes: None. Absent: None

SUBJECT: Board of Adjustment appointment one regular seat. Commissioner Creef would like to nominate Talmadge Jones to the regular term Board of Adjustment

MOTION: Commissioner Creef seconded by Commissioner Etheridge to appoint Talmadge Jones as a regular member of the Board of Adjustments for a regular term was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell and Creef. Noes: None. Absent: None

SUBJECT: Board of Adjustment two alternate seats. Commissioner Tugwell nominated Edward Mann, June Neri as alternate seats

MOTION: Commissioner Collins seconded by Commissioner Farrow to appoint Edward Lee Mann and June Neri as alternates members of the Board of Adjustment was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell and Creef. Noes: None. Absent: None

Mayor Wilson appointed the following: Roanoke Island Commission Commissioner Belli as his designee; Government Access Channel employee Lewis Hoffman; Rural Planning Albemarle Organization Kermit Skinner; Transportation Advisory Board Kermit Skinner; Emergency Operations Control Commissioner Tugwell as his designee; Special Events continues to be Commissioner Collins; Outer Banks Tourist Bureau term is held by Commissioner Collins; Cemetery Board is held by Commissioner Farrow;. Mayor Wilson commented several committees that seem to have disappeared-Board of Education Investigative Committee; First Flight Centennial Committee is finished; Roanoke Marshes Light fund raising. Commissioner Farrow commented that he would like to get another meeting of that committee to decide what their status is and bring back to the Board.

SUBJECT: Discussion of Town Logo, Commissioner Etheridge commented that the present logo we have is a lot more reflective of the Town of Manteo than the Lighthouse and all of the property of the Town would have to be changed. Mayor Wilson commented that he would think that any of the logos would not be changed until they come up for change, we don't need to spend extra money to change everything all of a sudden. Commissioner Belli would like a statement be added to the motion that the current logos would not be replaced until the need arises to do so.

MOTION: Commissioner Farrow seconded by Commissioner Creef to adopt the Town Logo presented by Mayor Wilson **MOTION WAS AMENDED** by Commissioner Belli to reflect that the

logo be changed only as the need to do so arises was approved by the following vote: Ayes: Commissioners Collins, Belli, Tugwell, and Creef. Noes: Commissioner Etheridge. Absent: None

SUBJECT: Discussion of and consideration of Manteo Way of Building, Architectural Guidelines.

MOTION: Commissioner Collins seconded by Commissioner Etheridge to approve Manteo Way of Building, Architectural Guidelines and allow Planner Fred Featherstone edit any minor changes that cause conflict with the Master Plan except those with substantive changes was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell, and Creef. Noes: None. Absent: None

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Collins seconded by Commissioner Etheridge the meeting was adjourned at 9:00 pm until Wednesday, January 14th at 3:00 p.m. for a Planning Session at the Manteo Town Hall and approved by the following vote: Ayes: Commissioner Belli, Tugwell, Farrow, Etheridge, Collins, and Creef. Noes: None. Absent: None.

This the 7th day of January 2004

Mayor John Wilson

ATTEST:

Town Clerk Becky Breiholz