

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room, November 4, 2009 at 7:30 p.m.

The following members were present:

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

The following member(s) were absent:

Also present at the meeting were:

- Town Manager-Kermit Skinner
- Finance Officer Shannon Twiddy
- Town Clerk Becky Breiholz
- Planner Erin Trebisacci
- Interim Attorney Wyatt Booth

Mayor Daniels called the Regular meeting to order at 6:35 pm with a moment of silence followed by the Pledge of Allegiance.

SUBJECT: Adoption of Agenda as presented or amended-

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

SUBJECT: Adoption of the items on the Consent Agenda –

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

SUBJECT: Approval of minute's regular meeting October 7, 2009 with CD recording.

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

SUBJECT: Approval of minutes Recessed workshop October 21, 2009 with CD recording.

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

SUBJECT: Dues and Subscriptions International Institute of Municipal Clerks \$125.00

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

SUBJECT: Write off of water and sewer account receivable bad debts

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

SUBJECT: Budget Amendment #2

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

SUBJECT: Resolution 2009-10 NCLM Green Challenge

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

PUBLIC COMMENTS – Town Manager asked for any one to speak on items not on the agenda 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.

Jennifer Frost gave an update on Town Attorney Daniel Khoury and asked that the Town adopt a resolution to wish him well.

PLANNER'S AGENDA

SUBJECT: Discussion of Accessory dwelling units/Accessory buildings – This has been discussed at the last several meetings and staff was directed to present a text amendment for the Board's review and to set a public hearing for December.

The following is the proposed language to combine the Accessory Building and Accessory Dwelling Unit language:

Accessory Building. A subordinate building consisting of walls and a roof, the use of which is clearly incidental to that of a principal building on the same lot. Accessory buildings may be placed in any rear or side yard but may be no closer than eight feet from the side property line and five feet from the rear property line and lot coverage for the district must be met. Accessory Buildings shall not be larger than 600 square feet. Accessory Buildings may be occupied as dwellings. An accessory building shall not be subdivided or otherwise segregated in ownership from the primary building. To insure that an accessory building occupied as a dwelling is secondary to the primary dwelling and not a duplex, it is subject to the following restrictions:

1. Only one accessory dwelling unit may be permitted on a lot.
2. Accessory dwelling unit may be located in the principal residence.
3. Either the primary dwelling or the accessory dwelling shall be occupied by an owner of the property.
4. One additional off-street parking space shall be provided for an accessory dwelling.
5. Accessory buildings shall be either one- or one-and-one-half story.
6. The habitable structures should both be fed on the same electrical and water meters.
7. The Town shall have the ability to charge for an additional bedroom for any habitable space when calculating sewer fees.
8. To encourage the preservation of the town's historic outbuildings, an accessory building existing at the time of the adoption of this ordinance, may be converted into an accessory dwelling unit provided percentage of lot coverage does not exceed the maximum allowable.

Staff requests the Board of Commissioners set a public hearing for December 2, 2009. Commissioner Farrow would like the rear yard setback to be 8 feet. Mayor Daniels explained this would replace the old ordinance making it the same for all accessory structures. Commissioner Creef commented that two back yards with 5 feet set back could be dangerous in case of a fire and they can also overshadow their neighbors. Discussion took place on the 5 foot setback versus 8 foot .

MOTION: Commissioner Burke seconded by Commissioner Farrow to set a public hearing for the December 2 meeting for the text amendment as presented was approved by the following vote: Ayes: Commissioners Farrow, Fry, Creef, Walker, Burke and Collins. Noes: None. Absent:

SUBJECT: Residential Recycling Program Presentation by Molly the Town Intern-Planner Erin Trebisacci gave an overview that the Board had asked last year about possibly going to

once a week trash pick up to save money and Mrs. Trebisacci asked Molly to research the Town providing curbside recycling to all town residents. Molly went over the cost comparison and the cost of providing curbside recycling pickup for the 840 households in Manteo would be \$4.95 per household per month x 840 would equal \$4158 per month and a per cost of \$49,896; if the Town offered the 840 households one can; they could reduce the amount of garbage reaching the landfill by 328.832 tons and save \$22,327.677 in tipping fees per year almost half of the cost associated with providing curbside recycling pickup. She also commented that she has found grant money for this program. Currently our recycling is a volunteer program. Mrs. Trebisacci commented that if the Board chose to fund this it would either come from grant funding or the general fund. Commissioner Walker would like more research done on the grant. Commissioner Fry would like Molly to research the cost of all trash pickup and cost savings if we went to once a week.

OLD BUSINESS

Mayor Daniels went over the old business -Mrs. Trebisacci went over the update for the storm water park and there is a pre-bid meeting next week and opening of the bids on November 24 and hopefully the Board can award that at their December meeting. They also met with NCDOT last week to discuss the removal of the silt and sediment from the ditch located behind the stormwater park and they informed us that they may help us with the cost. Cemetery-the new section is ready to sell and Commissioner Farrow commented that there should be a limit on the height of monuments. Collins Park-Commissioner Collins commented they are working on the roundabout; the NPS is going to loan us a life boat which will be restored by the volunteers at the boathouse. Once it is restored they would like to put it on exhibit at Collins Park; Commissioner Collins commented that John Wilson stated he would design the building and Commissioner Collins is asking for staff to research grant funding to build it.

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

Waterfront repairs and Mrs. Trebisacci commented that CAMA funding only comes up once a year and she will look at other grant funding. Affordable Housing- Mrs. Trebisacci also has a meeting with Chuck Poe and will be able to give the Board a report at the mid month meeting. Mayor Daniels asked that dredging be added to the old business list and Town Manager Kermit Skinner gave the Board an update on dredging and none of our projects are funded this dredge window. Areas to be dredged were discussed Scarborough Creek, Pirates Cove and Festival Park. Mr. Skinner commented that we have a document with the NC Cultural Resources and when they built the bridge to the park they were to maintain the ditch that they dug but he does not know how we should go about having them do it.

MAYOR'S AGENDA

SUBJECT: LWV request for funding to help publish the citizen's guide. The Town in the past has donated \$100.00 to the LWV for the publishing of the guide.

MOTION: Commissioner Collins seconded by Commissioner Walker to fund \$100 to the LWV was approved by the following vote: Ayes: Commissioners Farrow, Creef, Walker, Burke, Fry, Collins. Noes: none. Absent:

COMMISSIONERS AGENDA

Commissioner Walker-Cemetery Board appointment has been discussed previously and all of the Board members term expires at the same time this is a text amendment to Sec. 2-221 and will change that so that the terms will be staggered.

(a) *Appointment* There shall be appointed by the town commissioners a board to be known as the "Cemetery Board of the Town of Manteo, North Carolina" as provided for in article 17A of chapter 160A of the North Carolina General Statutes.

(b) *Membership.* The board shall be composed of not less than three nor more than five members, **Two of the initial members will be appointed for two years and three members will be appointed for three years) Their successors shall be appointed for three years.** The members shall be appointed by the town commissioners and in case of any vacancy by death, resignation or otherwise the town commissioners shall appoint a successor to fill the unexpired term.

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

MOTION: Commissioner Walker seconded by Commissioner Collins the meeting was recessed at 7:30 pm until November 18, at 4pm was approved by the following vote: Ayes: Commissioners Farrow, Fry, Creef, Walker, Burke, Collins. Noes: None. Absent:

This the 4th day of November 2009

Jamie Daniels, Mayor

ATTEST:

Becky Breiholz, Town Clerk