

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room July 6, 2005 at 7:30 p.m.

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

The following member(s) were absent: Commissioner Larry Belli

Also present at the meeting were: Finance Officer- Shannon Twiddy
Town Clerk-Becky Breiholz
Planner- Erin Burke
Planning Chair-Bill Parker
Chief F. T. D'Ambra

Mayor Wilson called the meeting to order at 7:30 p.m. followed by the Pledge of Allegiance.

SUBJECT: Adoption of Agenda as presented or amended. The Interfaith Community asked that they be removed from the agenda due to illness and placed on the August agenda. Interim Town Manager Shannon Twiddy asked that 3 items be placed at the end of the agenda: Contracts from Green Engineering; filling the vacant police department position; request from property owner Town's plan to address the stabilization of Gilbert Street with regards to erosion.

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

SUBJECT: Adoption of the items on the Consent Agenda.

MOTION: Commissioner Creef seconded by Commissioner Etheridge to approve the Consent Agenda was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins and Creef. Noes: Commissioner Tugwell Absent: Commissioner Belli

SUBJECT: Approval of Minutes from June 1, 2005

MOTION: Commissioner Creef seconded by Commissioner Etheridge to approve the minutes of as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins and Creef. Noes: Commissioner Tugwell. Absent: Commissioner Belli

SUBJECT: Approval of Minutes from recessed workshop June 8, 2005

MOTION: Commissioner Creef seconded by Commissioner Etheridge to approve the minutes as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins and Creef. Noes: Commissioner Tugwell. Absent: Commissioner Belli

SUBJECT: Approval of Minutes from recessed workshop June 9, 2005

MOTION: Commissioner Creef seconded by Commissioner Etheridge to approve the minutes as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge Collins and Creef. Noes: Commissioner Tugwell. Absent: Commissioner Belli

SUBJECT: Approval Dues and Subscriptions American Planning Association \$374.00

MOTION: Commissioner Creef seconded by Commissioner Etheridge to approve dues and subscription was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins and Creef. Noes: Commissioner Tugwell. Absent: Commissioner Belli

SUBJECT: Approval of Dues and Subscriptions NC Rural Water Association \$280.00

MOTION: Commissioner Creef seconded by Commissioner Etheridge to approve dues and subscription as presented was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins and Creef. Noes: Commissioner Tugwell. Absent: Commissioner Belli

SUBJECT: Approval of Resolution 2005-09 Membership to NCLM Workman's Compensation Insurance pool

MOTION: Commissioner Creef seconded by Commissioner Etheridge to approve Resolution 2005-09 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins and Creef. Noes: Commissioner Tugwell. Absent: Commissioner Belli

SUBJECT: Approval of Resolution 2005-10 Membership to NCLM property and liability Insurance pool.

MOTION: Commissioner Creef seconded by Commissioner Etheridge to approve Resolution 2005-10 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins and Creef. Noes: Commissioner Tugwell. Absent: Commissioner Belli

PUBLIC COMMENTS -None

SUBJECT: Presentation from Interfaith Community Outreach-Commissioner Collins had asked that this be placed on the agenda. This item was removed from the agenda.

(TOWN MANAGER AGENDA)

SUBJECT: Discussion of bids received for utility and street improvements-Green Engineering received bids regarding Utility and Street Improvements for three intersections that the Board identified that needed repairs and they are as follows: Part A Devon Street and Wingina Avenue; Part B Devon Street and Lord Essex Avenue; Part C Agona Street and Uppowoc Avenue. Three bids were received with the low bid from T.A. Loving Company for \$148,540.00; Atwell Construction Company \$169,788.00 and Ralph Hodge Construction \$261,482.00 Butch Luke Water and Sewer Superintendent is recommending the Board accept T.A. Loving's bid based upon past experiences on the water line replacement project several years ago. The Board included in the 05-06 budget the repair and maintenance line item in the sewer department to be funded at \$230,000 and if the Board accepts T.A. Loving bid no budget amendment will be required.

MOTION: Commissioner Tugwell seconded by Commissioner Collins to accept contract with T.A. Loving was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Collins and Creef. Noes: None. Absent: Commissioner Belli

SUBJECT: Consideration of bids received on surplus property police vehicles-The Board had declared two (2) police vehicles surplus property and an advertisement for bids was placed. The vehicles are Ford Crown Victoria's with the VIN # ending in 1083 and 3990. We have received two (2) bids they are as follows: David Twiddy #1083 \$201.00 and #3990 \$301.00; G. Jefferson #1083 \$371.10 and #3990 \$771.10. The Board can accept or reject any or all bids. Staff is to find out what other items the Town has surplus and possibly have an auction and to investigate placing the vehicles on the online auction.

MOTION: Commissioner Farrow seconded by Commissioner Tugwell to reject the bids was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Collins and Creef. Noes: None. Absent: Commissioner Belli

Commissioner Tugwell asked that he be excused from voting on items 7C since he is involved in the development of Cypress Cove.

MOTION: Commissioner Creef seconded by Commissioner Collins to excuse Commissioner Tugwell from voting on Items 7C as he has a conflict of interest was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins and Creef. Noes: None. Absent: Commissioner Belli

SUBJECT: Approval of Resolution 2005-11 Directing Clerk to Investigate Petition of annexation from Cypress Cove Skyco Development Company.

MOTION: Commissioner Collins seconded by Commissioner Creef to approve Resolution 2005-11 directing clerk to investigate petition was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins and Creef. Noes: None. Absent: Commissioner Belli. Excused: Commissioner Tugwell

SUBJECT: Resolution 2005-12 setting a Public Hearing for annexation request from

Skyco Development Company Cypress Cove for August and Mr. Tugwell asked the Board if they could set the Public Hearing for the August 10th mid month meeting.

MOTION: Commissioner Farrow seconded by Commissioner Collins to approve Resolution 2005-11 to set Public Hearing for the mid month meeting August 10, 2005 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Collins and Creef. Noes: None. Absent: Commissioner Belli. Excused: Commissioner Tugwell.

John Robbins with Skyco Development showed the Board the architect designs of the houses that will be allowed to built in the Cypress Cove subdivision by way of covenants; The Board discussed affordable housing lots and access.

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

SUBJECT: Planner- Board of Education Conditional Use Permit renewal for modulars-Manteo Elementary has 3 modulars and needed until 2006 while construction is underway on the new elementary school, Manteo Middle has 2 modulars and will be needed until late 2005 when the new middle school should be completed; Manteo High School has 8 and as per the Boards instructions these will remain on site until construction of the additions have been completed and will be removed before the final C.O. is issued and there is no specified date for completion of construction for the high school. Mr. Winebarger commented that the high school should be done in the summer of 2007. The Planning and Zoning Board and staff recommend approval with the following condition: If construction of any of the above mentioned schools is completed prior to expiration of this permit, the modulars shall be removed from that site immediately. Mayor Wilson commented that the Board had established a policy that the school board come back every year for a renewal and apply for that renewal six months before expiration and asked if the Board wanted to continue doing this on a yearly basis. Mr. Winebarger commented that he is satisfied with applying for an annual permit applying six months in advance.

MOTION: Commissioner Etheridge seconded by Commissioner Collins to honor the request by the school board for the modular units to continue up until the high school expansion is completed **MOTION AMENDED** by Commissioner Etheridge seconded by Commissioner Collins to approve the CUP for three (3) modulars at Manteo Elementary, two (2) modulars at Manteo Middle and eight (8) modulars at Manteo High with the permit valid for one year and the extension needs to be applied for six (6) months prior to occupancy for the following year was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Collins and Creef. Noes: None. Absent: Commissioner Belli

SUBJECT: Adjacent property notification procedure. At the regularly scheduled meeting of the Planning Board, staff requested that the Board review the notification process. Notification has been done by certified mailings and is time consuming for staff and expensive for the developer. Staff researched the methods used by other towns in North Carolina and came up with the following list: newspaper notices; property posting;

mailing (not certified); mailing (certified). Staff recommended the use of the Town website in addition to newspaper and property postings. The Planning Board and Staff recommend that notification could be accomplished through a first class mailing (with a fee to be determined by the Board of Commissioners) notification in the newspapers; posting on the Town's website specific for Conditional Use Permits. Commissioner Tugwell asked that the Board should suspend notification of property owner until it is made clear what an adjacent property owner is. Discussion took place on having the developer provide the addresses for adjacent property owners and the Board would like staff to develop the adjacent property owner list. The new ordinance will determine what is adjacent. After discussion the Board was in agreement the town notifies adjacent property owners by first class mail, notice in the newspaper and posting on the web site and that it be included in the new ordinance since we are close to getting the new ordinance finished.

SUBJECT: Discussion of replacement to the Government Access Channel Committee and the Government Access Emergency Management media representative. These are two separate committees and need a representative from the Town. Commissioner Tugwell recommended that the Chief of Police D'Ambra be the Emergency Management media representative. Commissioner Tugwell asked that Chief D'Ambra also be our representative on the Government Access Channel until we have a new IT person. There was no objection from the Board for Chief D'Ambra to be the Town's representative.

SUBJECT: Report Town Attorney-pending projects

(OLD BUSINESS)

SUBJECT: Cemetery Project- The grant has been submitted.

SUBJECT; Report Lucy's Corner/4 corners- still the same

SUBJECT: Report Arborist-Bowsertown site has been improved.

SUBJECT: Report Roanoke Transportation Plan will meet next Wednesday

SUBJECT: Report Facility Fee-still the same, the Board asked that it be removed from the list.

SUBJECT: Report Bowsertown lift station/Other projects Green Engineering-on hold until we try to figure out what needs to be done.

SUBJECT: Report Wireless internet- is not completely blanketing the town and Charter is still working on it.

SUBJECT: Report Special Events-The 4th of July was a big success. The fireworks was discussed and it was brought to the Board's attention that the cost was not cut but the time was shortened which could be because of the cost. Commissioner Creef would like letters be written to the businesses next year asking for donations in March of next year. Ms. Twiddy was asked to contact Boom Boom Zambelli and ask why the time was shortened.

SUBJECT: Report Cartwright Park signage

SUBJECT: Report Meeting with Pirates Cove residents – Commissioner Tugwell commented that he has made the offer but it has not been followed up on. Consensus of the Board that if they want to contact us they could so the Board asked that it be removed from the list.

SUBJECT: Pea Island Cook Station still waiting on a report

SUBJECT: Report on grants: CAMA waterfront grant Boardwalk Replacement' Rural Center- Replacement and stabilization of Waterfront Rip Rap ; Clean Water Trust Fund Grant-ongoing; Tourist Bureau grant-Boat ramp enhancement-ongoing

COMMISSIONERS' AGENDA

Commissioner Etheridge has received complaints about people walking 4 or 5 abreast on the boardwalk and they won't move and he has received complaints of people hanging out at the Boardwalk late at night and would like more police officer visibility downtown during the day. Commissioner Creef asked if there was a rule not allowing skateboards or bicycles on the board walk and Ms. Twiddy commented that there is no ordinance for that area but there are certain sidewalks that this is not allowed. Ms. Twiddy commented that it has been a standard practice for the last 30 days that there has been a police officer every hour on the waterfront.

Commissioner Farrow-asked about the radio station the Town has and if we are not doing anything with it lets get rid of it. Mayor Wilson commented that he didn't know anything about it but he would research it and the Board can talk about it at their next meeting.

SUBJECT: Contracts from Leo Green with Green Engineering. These on going projects have been previously discussed by the Board and funding was included in the budget. The following are contracts that Mr. Green has submitted to the Board for discussion and consideration:

- 05-029 Subsurface Evaluation and Roadway Repair Plan
- 05-032 Master Interceptor Sewer Plan
- 05-033 Development Plan Reviews
- 05-034 Water and Sewer Detailed specifications.

MOTION: Commissioner Tugwell seconded by Commissioner Farrow to approve the above contracts and authorize the Mayor to execute the contracts was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Tugwell, Collins and Creef. Noes: None. Absent: Commissioner Belli

SUBJECT: Recommendation of Request from Chief D'Ambra to fill the vacant Police Department position. The Chief has a Reserve Officer and currently holds all necessary qualifications and is asking to refill the currently budgeted position. The Board wanted questions answered regarding overtime and do not want to pay overtime if we hire another officer. Discussion on the overtime grant that the Town received took place and questions asked about how that money was spent. The Policy in the past has been that

overtime has been approved before the event and it will be kept to a minimum. Consensus of the Board for Chief to move forward with the new hire.

SUBJECT: Request from a property owner regarding Town's plans to or plans not to address the stabilization of Gilbert Street with regards to erosion. Pictures were shown which shows the asphalt in the bay. No funds for projects of this nature were included in the budget and would require a budget amendment. We have two choices let it erode or apply for a permit to place more rip rap to stabilize. Staff was asked to pursue the stabilization of the road.

Mayor-received a number of applications for the IT and Building Inspector. Ms. Twiddy has suggested we have a committee to include a staff person and a Commissioner to meet and review the applications on day next week. Commissioner Tugwell commented he would. Mayor Wilson commented that he has received a request from IBM that we loan the remaining 14 computers we have for a Manteo High School History class this year and there was no objection by the Board.

A motion by Commissioner Creef seconded by Commissioner Farrow the meeting was recessed at 9:05 pm until next Wednesday, July 13, 2005 at 4 p.m. for the workshop session was approved by the following vote: Ayes: Commissioner Tugwell, Collins, Farrow, Etheridge, and Creef. Noes: None. Absent: Commissioner Belli.

This 6th day of July 2005.

Mayor John Wilson

ATTEST:

Town Clerk Becky Breiholz