

## MINUTES

The Town of Manteo Board of Commissioners held their September 1, 2010 Recessed Session September 15, 2010 at 4:00 pm at the Manteo Town Hall meeting room.

The following members were present: Mayor Jamie Daniels  
Commissioner H.A. Creef, Jr.  
Commissioner David Farrow  
Commissioner Hannon Fry  
Commissioner Darrell Collins  
Commissioner Richie Burke

The following member(s) were absent: Commissioner Christine Walker

Also present at the meeting were: Town Manager, Kermit Skinner Finance Officer Shannon Twiddy; Department Heads Steve Jozik, Erin Trebisacci, Nathan Pharr, James McCleave, Carl Jordan, Building Inspector Ralph Allen; Chief Haskett.

Mayor Daniels called the recessed meeting to order at 4:00 pm; and wanted to amend the agenda and move item 6 and 7 (waterfront chapter and anchoring ordinance) to after department head reports.

**MOTION:** Commissioner Creef seconded by Commissioner Collins to amend the agenda was approved by the following vote: Ayes: Commissioners, Fry, Collins, Farrow, Burke, and Creef Noes: Absent Walker

### **Employee Recognition**

Mayor Daniels presented Steve Jozik a plaque recognizing his 5 years of service to the Town in the IT Department and to Kim Espinoza for 10 years of service in the Finance Department/Water Sewer

Department Head Reports- were given to the Board at their regular meeting for review and will be on file for one year. Mr. Skinner commented that he has received complaints about political signs in the vision triangle and he has authorized the police department to remove those signs and place them outside the vision triangle, we are not removing anyone's political signs. Steve Jozik-IT Department the new phone system is up and running; received help from Twiford's Funeral Home on updating the cemetery software. James McCleave Public Works Director went over his report and they had a lot of clean up from the 4<sup>th</sup> of July; painted a crosswalk at the Tot Lot but NCDOT stated

it did not meet their standards and they would come back and replace it; he has also placed "Slow Children Playing" signs up in that area. They have also been busy cleaning up debris from Hurricane Earl. Nathan Pharr Water and Sewer Department worked with Public Works on the debris clean up. No violations and are still replacing meters. Employee Josh O'Brien has received his grade 4 water plant certification and the Town has received a \$40,000 from the Rural Water Department for a water and sewer rate study. Mrs. Trebisacci Planner informed the Board we have another intern this year and she went over her report. July and August were busy months for issuing building permits. Carl Jordan Dock-master went over his report and the marina had a good season.

**SUBJECT:** Waterfront chapter added to the codified ordinance- As directed, staff has searched the Codified Ordinance to gather all the existing ordinances that pertain to the Waterfront and place them in one chapter. Staff has collected these existing ordinances in the attached pages. The new chapter will be Chapter 21 Town Waters.

**MOTION:** Commissioner Burke seconded by Commissioner Farrow to amend the codified ordinance to add chapter Section 21 so that all existing ordinances that pertain to the waterfront be placed in one chapter was approved by the following vote: Ayes: Commissioners Walker, Fry, Collins, Farrow, Burke and Creef Noes: Absent: Walker

**SUBJECT:** Discussion of anchoring ordinance at waterfront. Staff drafted ordinance language regarding mooring or anchoring of boats, as requested by the Board of Commissioners. Mrs. Trebisacci went over the history of having a mooring field and it was cost prohibitive. It has been noticed that boats are anchoring and leaving the boat out in the waters; some are vacant and some are live a boards; they use our facilities but pay no dock rental. The following is the proposed ordinance at waterfront Sec. 22-4. Mooring or anchoring of Vessels.

- (a) No vessel shall be permitted to anchor or moor with the town waters for more than seven (7) days in any consecutive 30 day period.

Enforcement of this was discussed and Mrs. Trebisacci will look into enforcement and penalty fees. Discussion took place on whether or not the Town has jurisdiction over public trust waters. It is impossible to zone something that we do not have zoning jurisdiction over. Mrs. Trebisacci commented that we could contact the Coast Guard and they could inspect the boats anchored out there and if they do not have a current registration then they would be issued a ticket. Mrs. Trebisacci will contact the Coast Guard to see if they can patrol the waters on a regular basis; it was also suggested that to ask

for Special Legislation to regulate it. Mrs. Trebisacci will work on it and give the Board an update.

**SUBJECT:** Budget amendment #2-this was placed on the agenda from the regular meeting. The Board approved the dredging/bulk-heading project at the September regular meeting but staff needed to have a budget amendment approved.

**MOTION:** Commissioner Creef seconded by Commissioner Farrow to approve budget amendment #2 was approved by the following vote: Ayes: Commissioners Fry, Collins, Farrow, Burke and Creef Noes: Absent: Walker

**SUBJECT:** Affordable Housing discussion- This was on the regular meeting agenda and a Public Hearing has been scheduled for October 6<sup>th</sup> meeting. This has been discussed many times and the developers met with staff to try to simplify the process; the current ordinance according to the developers is cumbersome and people are unable to get financing from banks because of the restrictions on the deeds. The Planning Board discussed this proposed amendment and after discussion they would like to recommend to the Board of Commissioners: use 80% of the median income to capture as many applicants as possible; keep recommendation #1-furnish 3 years tax return; keep requirement #2 must be an individual; change requirement #3 to state "they shall declare ownership of any other real property and remove requirement #4 first time home buyers. Also recommend to keep Section 11-12 and 11-13 since the intent of the ordinance was for the affordable rates to stay affordable forever. A lengthy discussion took place regarding taking all the encumbrances off this ordinance. It was also discussed if the developers could help get the application packages together to people that they think might qualify for the affordable housing rate. Commissioner Farrow commented that if we can not come to some conditions that we can agree on we should do away with it; the developers are losing money. A lengthy discussion took place regarding taking all the encumbrances off this ordinance. The Board had no problem leaving the 80% of the median income or recommendations 1, 2, 3 and 4 but consensus was to remove Section 11-12 and 11-13 Mrs. Trebisacci will present the re-written ordinance at the October 6 meeting to reflect the discussion.

Commissioner Concerns:

Commissioner Farrow-commented that he thinks the Town needs an ordinance to regulate people's appearance; he has noticed that people are not wearing shirts and look pretty scruffy.

Mr. Skinner commented that the county is getting ready to switch over to an 800 megahertz radio system; Manteo will be participating in the radio system as the other Towns. The County has asked if we would waive the building fees. Consensus of the Board was to allow the Town Manager to waive the building permit fee.

**MOTION:** Commissioner Fry seconded by Commissioner Collins to adjourn at 5:35 pm was approved by the following vote: Ayes: Commissioners Fry, Collins, Farrow, Burke and Creef Noes: Absent: Walker

This the 15<sup>th</sup> day of September 2010

ATTEST:

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Mayor Jamie Daniels

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Town Clerk Becky Breiholz