

MINUTES

The Town of Manteo Board of Commissioners held their Workshop Session at the Manteo Town Hall meeting room February 20, 2002. **No action will be taken at this meeting unless denoted by * which means an action item.**

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

The following member(s) were absent: Commissioner Curtis Creech
Commissioner Stuart Wescott

Also present at the meeting were: Town Manager-Kermit Skinner, Jr.
Asst. Town Mgr. /Planner Shannon Twiddy
Police Chief-F. T. D'Ambra
Town Clerk-Becky Breiholz

Mayor Tugwell called the workshop meeting to order at 7:05 p.m.

SUBJECT: Adoption of Agenda as presented or amended. Mayor Tugwell would like to add an action item to accept or reject Town Attorney Dan Merrell's letter of resignation.

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

SUBJECT: *The Board had received a letter from Town Attorney Dan Merrell submitting his resignation effective immediately. Town Clerk Becky Breiholz read the resignation letter aloud that was received by Mr. Merrell. Mayor Tugwell had asked Town Manager Kermit Skinner to hire an interim Town Attorney which has been done. Jeff Malarney with the firm of Aldridge, Sewell, Felthousen and Malarney. Mr. Skinner will also advertise for RFP's for an attorney.

MOTION: Commissioner Creef seconded by Commissioner Farrow to accept Mr. Merrell's resignation as Town Attorney effective immediately was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, and Creef. Noes: None. Absent: Commissioner Creech and Wescott

SUBJECT: *Dare County's request for a representative to serve on the Land Transfer Tax Appeals Board. Mr. Jules Burrus represented the Town of Manteo on the Land Transfer Tax Appeals Board whose term expired on June 2001. Dare County is requesting that a recommendation be submitted to them. Commissioner Etheridge nominated June Neri.

MOTION: Commissioner Etheridge seconded by Commissioner Collins to appoint June Neri as the Town of Manteo's representative for the Land Transfer Tax Appeals Board was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, and Creef. Noes: None. Absent: Commissioner Creech and Wescott

SUBJECT: Committee Reports
Commissioner Collins-Special Events no report
Commissioner Creech-Absent
Commissioner Farrow -Roanoke Marsh Light House Fund Raising Committee. A fund raising budget has been drawn up which has been given to the Board of Commissioner's for discussion and action at the March regular meeting.

SUBJECT: Discussion of constructing a brick wall for cemetery -Commissioner Farrow- A quote for the installation of a 4 foot tall and 8 inch wide brick wall 390 feet long was presented to the BOC in the amount of \$28,300. It was suggested that more proposals be solicited. Commissioner Farrow requested this be placed on the next meeting for discussion and possible action.

SUBJECT: *Discussion and Consideration of RFP received for Roanoke Marshes Light House. The Town received two responses to its request for proposals for architectural and construction management services for the Roanoke Marshes Lighthouse project. They were \$26,035.00 from Edmond P. Virgili, PA and \$11,695.38 from the firm of Cahoon and Kasten. The Board earmarked \$12,000 for these services and staff recommends that the board accept Cahoon and Kasten's proposal for \$11,659.38.

MOTION: Commissioner Etheridge seconded by Commissioner Collins to accept the proposal from Cahoon and Kasten for \$11,659.38 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, and Creef. Noes: Commissioner Creef
Absent: Commissioner Creech and Wescott

INFORMAL BOARD DISCUSSION

Commissioner Collins-requested a closed session be added to the March meeting agenda for discussion of acquisition of real property.

Commissioner Etheridge-Would like to ask our new attorney how wrong we were in the action we took at our last regular meeting when the Board decided to null and void the contract with Skip Dixon on the Boat ditch property. Mr. Skinner researched this and contacted Tim Ellsworth an attorney at NCLM and David Lawrence with the IOG. Mr. Ellsworth stated it would constitute a breach of contract on part of the Town and had the

Town been sued there would not be coverage by insurance and Mr. Lawrence also stated the Town would be in breach of contract. Mr. Etheridge was concerned with the timeliness of the closing date and discussion took place on the closing date and what is considered the timeliness of a closing.

MOTION: Commissioner Farrow seconded by Commissioner Etheridge to adjourn at 7:40 p.m. was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, and Creef. Noes: None. Absent: Commissioner Creech and Wescott.

This the 20th day of February, 2002