

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room, February 1, 2006 at 7:30 p.m.

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

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 Erin Burke
Planning Board Chair Bill Parker

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

SUBJECT: Adoption of agenda as presented or amended

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

SUBJECT: Consent Agenda

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

MOTION: Commissioner Farrow seconded by Commissioner Collins to approve the minutes of January 4, 2006 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Fry and Creef. Noes: Commissioner Tugwell. Absent: None

MOTION: Commissioner Farrow seconded by Commissioner Collins to approve the minutes of January 11, 2006 was approved by the following vote: Ayes: Commissioners Farrow, Collins, Etheridge, Fry and Creef. Noes: Commissioner Tugwell. Absent: None

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

MOTION: Commissioner Farrow seconded by Commissioner Collins to approve Dues and Subscriptions NC Police Executive Association \$25.00 was approved by the following vote: Ayes:

Commissioners Farrow, Etheridge, Collins, Fry and Creef. Noes: Commissioner Tugwell. Absent: None

MOTION: Commissioner Farrow seconded by Commissioner Collins to approve Dues and subscriptions \$100.00 International Association of Chiefs of Police was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Fry and Creef. Noes: Commissioner Tugwell Absent: None

PUBLIC COMMENTS

A representative with the League of Women's Voter presented the Board with the new Citizen Guide.

John Robbins-Mother Vineyard and has been working on some issues for Cypress Cove one of which is outdoor lighting. He was told that the lights in Manteo were grandfathered and they don't need to be changed until they are replaced, but according to the zoning ordinance lights in fact are not grandfathered. He read from Section 19.2 which states all fixtures must be brought into compliance within 1 year of implementation of this ordinance and according to this ordinance the only street lights grandfathered are existing street lights erected along private right of ways, gated communities and subdivisions. He commented that this conflicts with what was reported in the paper that all lights are grandfathered until replaced.

(TOWN MANAGER AGENDA)

SUBJECT: Planner-Annexation Petition received from Cedar Bay, the property is located at 123 California Lane and encompasses approximately 10.11 acres with 9.72 buildable acres. The Planning Board reviewed a sketch plan for Cedar Bay at their December meeting and at their regular January meeting they reviewed the annexation petition and the preliminary subdivision plat. Both items were passed with a recommendation for approval. The Board will need to approve a resolution directing the clerk to investigate the petition and a resolution to set the public hearing.

MOTION: Commissioner Tugwell seconded by Commissioner Fry to approve Resolution 2006-01 directing the clerk to investigate the petition was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell, Fry and Creef. Noes: None. Absent: None

Commissioner Tugwell had a couple of things he wanted to discuss about this sub-division and one of those items is storm water and that it is very similar to the way it was handled in Roanoke Village which has caused some problems and it is not consistent with our guidelines. Ray Meekins with Seaboard Survey explained the swales to the Board and commented that this would not be another Roanoke Village. Also discussed was traffic calming and if parking couldn't be alternated on either side.

MOTION: Commissioner Farrow seconded by Commissioner Fry to approve Resolution 2006-02 setting a Public Hearing for March 1, 2006 at 7:30 pm was approved by the following vote: Ayes: Commissioners Farrow, Collins, Tugwell, Fry and Creef. Noes: Commissioner Etheridge. Absent: None

(OLD BUSINESS)

SUBJECT: Cemetery Report- Commissioner Farrow commented about vehicles being parked on the shoulder of the Cemetery and he would like to see a sign that says Cemetery parking only. We have an ordinance allows for no parking on certain streets. Staff is to prepare text to add to the parking ordinance to be discussed next month.

SUBJECT; Report Lucy's Corner/4 corners-Report Cook House Pea Island – Commissioner Collins commented that everything is in place to move the house and Pathway to Freedom Coalition is looking for approval of release of funds to move the house and approval of site on Lucy corners where the house is to be moved, all permits are in place with NCDOT and National Park Service. Commissioner Farrow and Commissioner Collins had agreed to check out the property to make sure that Lucy Corner is where they think it should be re-located and both recommend that site to become an African American Heritage Center. Mayor Wilson commented that the Board needs to authorize manager to expend funds up to \$12,000 from the budget line item real estate to cover the cost of moving the building and whatever incidental expenses that are incurred. Mayor Wilson commented that all the utility companies have already agreed to move the lines without cost. Mayor Wilson stated that what needs to be done is: the decision to designate the land; authorizing the Manager to spend up to some amount of money on the project; we have to have a site plan which has to be approved by the Planning Board and we have to have approval from the building inspector for the foundation we will set it on. Mayor Wilson commented we will need the historical plat showing the relationship of the station to the cook house so that when we place the cook house we are placing it in the correct place for the future of the proposal which is to one day reconstruct the station. Commissioner Tugwell commented he was expecting a master plan showing the expected use, future programming and what our expected contribution is and who is going maintain the building; is it going to be partnership with us and some other state agency. Mayor Wilson commented the partnership would be a Memorandum of Agreement between the non profit coalition and the Town that would be modeled after the agreement that the Town has with the Roanoke Island Commission and the NC Maritime Museum which says that the land and building is ours and the exterior of the building is maintained by us; the interior, programming and operation are the responsibility of the non profit. Mayor Wilson commented that we can have this for the workshop on next Wednesday.

SUBJECT: Report Roanoke Transportation Plan and Way Finding- All sites have taken the kiosks back to their various boards.

SUBJECT: Report Green Engineering on various Town projects- Clean Water Trust Fund Grant/ Nutrient Study draft contracts. The CWMTF has awarded Manteo a grant for \$65,000 that requires a \$5,000 match. The Board had asked that Damon Tatum review the contract and his recommendations were to amend the contract to add an element to address reclaimed water uses. Finance Officer Shannon Twiddy told the Board that the contract price would stay the same. Commissioner Tugwell would like to know where it could go with some additional level of treatment and Ms. Twiddy commented that she can add wording to the contract to state “and to determine what improvements to the plant would be required.” Mayor Wilson stated that it was important for Damon Tatum and Leo Green to talk to one another so that Mr. Tatum's concerns are addressed.

MOTION: Commissioner Tugwell seconded by Commissioner Creef to amend the contract to address reclaimed water uses was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell, Fry and Creef. Noes: one. Absent: None

Ms. Twiddy also asked for authorization to change the draft Clean Water Trust Fund contract that has already been submitted and we have until February 15th to make any changes. Mayor Wilson commented that based on that motion she was authorized to do so.

Ms. Twiddy also brought before the Board invoices received from Green Engineering; about 6 months ago the Board approved a \$1500 contract site plan review fee with Green Engineering and she has received two bills; one was for the Flats for \$2400 and one was for Historic Manteo for \$2600 and the reasons for the increases for review and without the Boards authorization she did not want to pay these since they were above the contract price. The Board can respond that it is their desire that they are not paying but the \$1500 or there is also a provision in the zoning ordinance if the project requires an engineering cost it be billed to the developer. Discussion on exactly what was being reviewed took place and it was commented that if the developer's engineer and the state have to approve storm water then our engineer did not need to do that. The contract stated not to exceed \$1500 and if it were going to be above that it would be brought to the Board. Ms. Twiddy also commented that the elevations are higher than the swales at the Flats. Consensus of the Board was to pay only the \$1500 and Ms. Twiddy will write the letter.

SUBJECT: Report Wireless internet- nothing new

SUBJECT: Report Special Events-nothing to report

SUBJECT: Report on grants: Clean Water Trust Fund Stormwater Grant-Planner Erin Burke has asked for an extension through June 30 which CWTF has granted and allowed funds to be used for purchasing an oil/water grid separator that can be used as a test pilot. The Board will discuss the planning document at the workshop.

Boat Ramp Enhancement grant; Planner Burke has written a letter for an extension to the Tourist Bureau and meet with Frank Jennings with CAMA. Mr. Jennings had some concerns over the filling of the wetlands area immediately to the south of the boat ramp. He did not believe that request would be approved. He also expressed concern about the depth of the water to the north of the boat ramp, and said that before the Town pursues a breakwater they should make sure that the water in that area is navigable. He also mentioned that the property owner north of the boat ramp is pursuing permits to bulkhead. Commissioner Farrow commented that he was in Elizabeth City six months ago to see Mr. Jennings and one of the reasons it is slow down here to get permits is the person working the area has to travel and it would be a good idea to have a satellite office in Dare County. Commissioner Farrow spoke with Dare County Commissioner Richard Johnson about bringing this idea to his Board but has not heard anything. Mayor Wilson will see if we can figure something out.

COMMISSIONER'S AGENDA

Commissioner Fry has spoken with NCDOT about traffic calming and speed bumps and will have a report for the Board at a later date.

Commissioner Tugwell-commented about our new zoning ordinance and would like to see a change exempting our street lighting from our ordinance. He also noticed that Beach Auto has been vacated so that would be considered a non conforming use and asked when the sign comes down and the cars moved do we start tracking that time period and when the time period is up do we notify owners when their property becomes non conforming and wondered how those mechanics were working. The Board thought that they should be notified and Ms. Burke will have a policy and form letter for them to review at their mid month meeting. Commissioner Tugwell asked if the Planner had site plans for the CDC affordable housing project that is requesting annexation, since the Board has approved allowing no more annexations until the water and sewer system questions have been answered. Ms. Burke commented that she has a sketch and Mayor Wilson commented that he asked that CDC be included in the exemption because our long term plan encourages us to support affordable housing. Commissioner Tugwell had received a complaint from Mr. Robbins because he was led to believe if he brought in a bona fide site plan that he would have an opportunity to be considered for annexation and would like to know if staff gave him that impression. Ms. Burke responded that he was told about the possibility of no annexations and that it would be a Board decision.

Mayor Wilson commented that he meet with the developers of Salty Dawg and out of that meeting he was given a memo of what they thought was discussed and concluded to which he responded with his understanding, went over it with the planner to make certain they were accurate and he wanted to make certain that it is entered into the record that he is giving this to the Planner to be put in the Salty Dawg file and what it does is reaffirms that the master plan the Board approved is the master plan for that project.

Commissioner Etheridge has had complaints about skateboarding downtown and speeding on Croatan.

MOTION: Commissioner Tugwell seconded by Commissioner Creef to amend the agenda to add a closed session NCGS 143.318.11 (a) 3 to consult with Town Attorney regarding Dough's Creek Marina was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell, Fry and Creef. Noes: None. Absent: None

MOTION: Commissioner Tugwell seconded by Commissioner Collins to enter into a closed session was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell, Fry and Creef. Noes: none. Absent: None

NCGS 143.318.11 (a) 3 consult with Town Attorney regarding Legal questions about Dough's Creek Marina.

MOTION: Commissioner Tugwell seconded by Commissioner Farrow to exit the closed session was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell, Fry and Creef. Noes: none. Absent: None

No action taken

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Creef seconded by Commissioner Etheridge the meeting was recessed 9:00 pm until Wednesday, February 8, 2006 at 4:00 p.m. and approved by the following vote: Ayes: Commissioner Fry, Collins, Tugwell, Farrow, Etheridge, and Creef. Noes: None. Absent: None.

This the 1st day of February, 2006

Mayor John Wilson

ATTEST:

Town Clerk Becky Breiholz