

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room, February 4,, 2004 at 7:30 p.m.

The following members were present:

- Mayor John Wilson, IV
- Commissioner Lee Tugwell
- Commissioner Dellerva Collins
- Commissioner David Farrow
- Commissioner Edward Etheridge
- Commissioner Stuart Wescott
- Commissioner H.A. Creef, Jr.

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

Also present at the meeting were:

- Town Manager-Kermit Skinner
- Finance Officer- Shannon Twiddy
- Town Clerk-Becky Breiholz
- Town Attorney-Daniel Khoury
- Planner Fred Featherstone
- Police 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. Commissioner Creef would like to remove under the consent agenda dues and subscription items C1 and C5 for discussion. Commissioner Farrow would like to correct the January 7, 2004 minutes on page 5 where it states Commissioner Creech it should be Commissioner Creef.

MOTION: Commissioner Collins seconded by Commissioner Creef to adopt the agenda as amended removing C1 and C5 dues and subscriptions for individual discussion was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Wescott, Wilson and Creef. Noes: None. Absent: Commissioner Belli.

SUBJECT: Adoption of the items on the Consent Agenda- Commissioner Tugwell would like to exclude item 2 under dues and subscriptions, Sam's Club.

MOTION: Commissioner Tugwell-seconded by Commissioner Creef to approve the Consent Agenda as amended removing item C2 and correcting minutes on page 5 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell, and Creef. Noes: None. Absent: Commissioner Belli

MOTION: Commissioner Tugwell seconded by Commissioner Creef to approve the minutes of the regular meeting January 7, 2004 as corrected was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: Commissioner Belli.

MOTION: Commissioner Tugwell seconded by Commissioner Creef to approve the minutes of the recessed meeting of January 14, 2004 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: Commissioner Belli.

MOTION: Commissioner Tugwell seconded by Commissioner Creef to approve dues and subscription payment to N.C. Police Executives Association was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Belli, Tugwell and Creef. Noes: None. Absent: Commissioner Belli.

MOTION: Commissioner Tugwell seconded by Commissioner Creef to approve payment of dues and subscriptions to Outer Banks Gun Club for \$25.00 for James Burroughs was approved by the following vote Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: Commissioner Belli.

DUES AND SUBSCRIPTIONS-removed from the Consent Agenda for discussion

SUBJECT; Renewal of 2 memberships to the N.C. Association of Zoning Officials-Commissioner Creef would like only one membership per activity for the person who does that work be renewed and does not think that we need two members to the same organization.

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

SUBJECT: Commissioner Tugwell commented what he meant in his request was to remove Sam's Club membership completely from the agenda for consideration. He commented that it is out of town and thinks we should be purchasing from our local vendors. There was no objection from any Board member so the Board removed this item from the agenda for consideration.

SUBJECT: Renewal of 2 memberships with the International Association of Chiefs of Police. Commissioner Creef commented that there is one department in the Town and one membership is sufficient, the information can be shared within the department.

MOTION: Commissioner Creef seconded by Commissioner Collins to approve one membership of the International Association of Chiefs of Police was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: Commissioner Belli

PUBLIC COMMENTS

Kay Bradford, Nags Head and represents the Dare County League of Woman Voters. She came tonight to present the newest 2004 Citizens Guide that they publish and is free to all and available at various location, and wanted to thank the Board for helping them update the information.

Pat Morrissey, President of the Roanoke Island Business Association. She asked the Board for their continued support for Special Events. The businesses she has spoken with regarding the Christmas Celebration thought it was a huge success and has not heard anything negative about the Christmas event. RIBA is working on a marketing plan to make Manteo a destination for people and one of the

components will be Special Events. On behalf of RIBA she thanked the Board for their continued support.

Edward Green-resident for 37 years. The Art Show benefits the community and has been very successful and is self sustaining, two years ago he came to the Town and asked for financial support to help the bus shuttle which has been successful and the Board graciously supported it, last year they did not ask the Town for funds and is asking the Board to contribute up to \$1,000 in case they should need it, they will not use it if they do not need it. Mr. Green is asking the Board to consider putting a contingency fund in the budget.

Johnnie Robbins-Skyco and is owner of a 5 acre parcel at Midway intersection and is requesting annexation into the Town. Property on either side of his is in the Town. His property consist of 5 acres and property to the east consist of 4 acres and he sees that his acres could be joined and developed together in a comprehensive manner rather than piecing it and thinks the final product would be a lot better for the Town and the property owners if it were handled that way and he has explored the possibility and would like to come back to the workshop meeting and perhaps talking about it having some support from the Town early on as the planning process begins on that property, and hopes the Board will be supportive of his request for annexation of his parcel.

PUBLIC HEARING-to receive comments regarding the re-zoning of property at the Midway area to B3.

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

NONE

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

Mayor Wilson commented the item will be open for two weeks to receive written comment.

(TOWN MANAGER AGENDA)

SUBJECT: Discussion and consideration of Resolution 2004-01 Directing Clerk to Investigation Annexation Petition and Resolution 2004-02 fixing date of Public Hearing. A petition from Johnnie Robbins, Dare Development was received requesting annexation of his property located at Midway to be annexed into the Town of Manteo.

MOTION: Commissioner Tugwell seconded by Commissioner Farrow to accept Resolution 2004-01 directing clerk to investigate the petition and Resolution 2004-02 fixing the Public Hearing for March 3, 2004 was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: Commissioner Belli

SUBJECT: Planner Report on Update of Zoning Ordinance. Mr. Featherstone contacted Lee Padrick of the Division of Community Assistance in reference to the updating of our zoning ordinance and he stated his first draft is complete and he will be meeting with David Stein this week

and comparing the draft ordinance with the new 20 year plan to assure there is no conflicting language in either document.

SUBJECT: Discussion of online auction service with Gov-Deals-Town Manager explained that the Gov Deals is an on line auction company and is a fairly new concept. Historically we hold our auctions every 3-4 years since it takes us that long to acquire that many assets to offer at auction. Gov Deals is similar to E-bay but is specifically for governmental agencies. It has a buyer base that deals with governmental surplus and allows you to put one or two items up for auction at time. It is cheaper than having a local auction and it is a non exclusive contract; anything that the Town chooses to dispose of by any other method are not bound to sell it by Gov Deal, it is another avenue to help more efficiently liquidate assets that are no longer being used. Commissioner Tugwell would like a list of proposed surplus property.

MOTION: Commissioner Farrow seconded by Commissioner Creef to authorize the Town Manager to enter into an agreement with GOV Deals was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: Commissioner Belli.

SUBJECT: Town Manager report with Department Head reports will be on file for one year. Commissioner Creef asked if there has been any effort done about recycling and Mr. Skinner commented that it has not been explored any further. Staff was asked to investigate to see if the recycling trailer was available. Commissioner Tugwell asked about damages done to the lift station by Hurricane Isabel near the high school. Mr. Skinner commented that the control panel has been fixed. Commissioner Tugwell asked if any repairs have been done to any buildings that were also damaged in the hurricane and Mr. Skinner commented no that they have not gotten back up with the contractors to do the repairs.

SUBJECT: Report A&A Atlantic Sewer disposal contract. - waiting on information from the Town Engineer, Leo Green. Commissioner Farrow could not understand why it is taking so long. Town Attorney Daniel Khoury commented that we are waiting on technical information, policies and procedures from Mr. Green, that need to be written into the contract so we would know we are protecting the plant from abuses of someone using it. Mr. Khoury commented we can draft a simple contract, but they are looking to see if the Board needed to enact or adopt any changes to our ordinance to make provision for it and that we are protected. Another important reason to have an engineer's input is: we will know how to evaluate the process and know if there is a problem or at that point and time we can't take anymore and it is having an impact on our system we have the right to terminate the contract and shut off the service. The Board would like Mr. Skinner to get that information within a week from Mr. Green or get another engineer for the information and have a drafted contract for the Boards March meeting.

SUBJECT: Consideration of request received for street light on Agona Street. Commissioner Collins would like this to be considered at the budget workshop; it is a dead end street and is dark. Mr. Skinner commented that NC Power used to install these lights at no charge, but they have had a policy change. Commissioner Tugwell would like the police department to patrol this area more and see if we can approve the situation. Commissioner Tugwell would also like to connect the dead end street making it a through street. Commissioner Etheridge commented that the street is a disgrace to the Town of Manteo and needs to be cleaned up and also thinks that a light needs to be put on the street. Mayor Wilson would like all aspects pursued at the same time and they are: consider the money for the light at the budget workshop; ask the police to patrol the area more often; stop and

visit the people who have expressed their interest in the light; give those people the police cell phone numbers; have the Manager look at the street to make sure it is cleaned up and taken care of; we have some very deep ditches there that the Board might want to address along with the sidewalk project. Mayor Wilson also stated if we can't punch the street straight through to Bideford, a year or so ago we acquired Lucy's corner and the end of this street and our park land is separated by a very narrow parcel of land and is not sure who owns it, and would like that to be looked at as a possible way of connecting Agona Street.

SUBJECT: Report Town Attorney-pending projects. Mr. Khoury commented that one project has been the Board of Adjustment and having a workshop with them. He would like to commend the Board on their recent appointments, he attended a Board of Adjustment hearing last night and the members were well prepared; sensitive to needs of applicant; mindful of their duties; applied the principles and were constructive and helpful to the applicant.

Commissioner Creef asked about Clare's restaurant request to place their gas tanks on town property and Mr. Khoury commented that he will draft a license agreement and has asked Mr. Skinner for a map of the exact locations and dimensions of the tank and will have the contract ready for action at the Board's next meeting.

(OLD BUSINESS)

SUBJECT: Report Lighthouse Project-work is still proceeding and they say they will meet their deadline of the contract of February 23rd. Commissioner Farrow asked about the bell and light. Mr. Skinner commented that it is highly unlikely we will get a 4th order Fresnel lens for the opening, and are looking now to find a replica lens and he spoke with Mr. Fonternoy with the NC Maritime Museum about the bell and he is optimistic we can get the bell before we open.

SUBJECT: Report Cemetery Project-We have received some more fill from the County, and James is spreading the fill as best he can. Commissioner Tugwell volunteered to oversee the grading of the fill. Mr. Featherstone gave a report of the brick columns. Mr. Featherstone commented that he and Commissioner Farrow met with the brick mason Buddy Cahoon who did the brick work at the original cemetery. Board informed Mr. Featherstone to proceed with the work.

SUBJECT: Report Pending Grants and Time Lines for those grants: 1) CAMA Waterfront Boardwalk Replacement. Mr. Featherstone gave a brief report that the engineer will have working drawings soon.

SUBJECT: Manteo Waterfront Shoreline Replacement of Rip Rap \$95,000; received a letter from Division of Water Quality and they have no objections.

SUBJECT: Manteo Sanitary Sewer Evaluation I&I Study \$40,000. The engineer has installed inflow meters to get baseline data which will take a couple of months and then run a smoke test.

SUBJECT: Report Sidewalks- Mayor Wilson heard from the NCDOT and they claim no more right away on Bideford or Simon than the pavement and the immediate shoulder that they maintain; therefore for us to put in a sidewalk we would need an easement from the property owners for 6 feet. Mayor Wilson commented that there are 7 property owners and asked the Board what they thought about the owners giving the Town an easement. Mayor Wilson suggested that the easement be prepared with a map and then go visit each owner to explain to them what they are doing. Mr.

Khoury is to draft six foot easement agreement and Mr. Featherstone will prepare a map showing the sidewalks and Mayor Wilson and Commissioner Collins will visit the property owners and will report back in March.

SUBJECT: Report Town of Manteo Twenty Year Master Plan Update-Mayor Wilson gave the Board a final draft of the changes that the Board requested and it will be on our website. This will be placed on March agenda for adoption.

SUBJECT: Report Dredging Project- Mr. Skinner had a meeting with the local marina operators and John Sutherland with the Division of Water Resources and everyone at that time agreed to have all engineering work and cubic yard requirements to Mr. Skinner by February 1st, 2004. The only local marine operator to do so was Pirates Cove and he will contact the other marine owners giving them until February 15th to get their documentation or they will not be included in the project. Commissioner Creef asked about the Grenville/Gilbert Street canal and also having it dredged. Mr. Skinner commented it was discussed and that they may be able to do something at the mouth of the canal but the dredge they are going to use is too big to get up the canal. Commissioner Tugwell commented he thought DOT had their own smaller dredges and he feels that NCDOT bears some responsibility since they drain the highway into that area and the sediment backs up. It might be worth someone exploring to see if they will bring in one of their smaller dredges. The Board is supposed to be having a joint meeting with the Dare County Commissioner's to talk about the administrative building at the courthouse and that would be a good time to ask County Commissioner Stan White, who is also a NCDOT representative, if it is a project they can help us with.

SUBJECT: Report Affordable Housing. The Board has been provided over the last few months ordinances from other Towns. Mayor Wilson would like to authorize the manager to have staff is to draft an inclusionary zoning ordinance for the Board to consider paragraph by paragraph and the draft is to include for sale projects; a 20% rate for inclusionary housing; follow the priority that was set in Highland, Illinois were residents of the Town come first and works it way through 3 phases before others are in the system and the possibility of a buyout.

MOTION: Commissioner Farrow seconded by Commissioner Collins to authorize manager to have staff draft an inclusionary zoning ordinance for the Town of Manteo was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: Commissioner Belli.

COMMISSIONERS' AGENDA

SUBJECT: Commissioner Creef Report Creef/Davis Boathouse-Repairs to the Boathouse would virtually look the same as it does now. Commissioner Creef described some changes that were going to be made to the floor and a knee wall which will allow more head room. The dormer has been changed from one to two which will add more light. It shows a porch on the Westside of the building which was an afterthought, but first they will get the building fixed and then hopefully be able to add the porch. Commissioner Creef commented that they are ready to receive bids on it. Commissioner Tugwell asked that when they bid it out they separate the porch out as an alternate bid, since it is not essential.

MOTION: Commissioner Tugwell seconded by Commissioner Creef that the Board move forward with the repairs and improvements to the George Washington Creef Boathouse as prepared

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

Commissioner Creef commented that when we build this building particular attention should be made to the pine trees at the waterfront, they grow, they break off, they fall over, they blow over and he thinks they should have some consideration to “look to see what we have and while the trees are small we can get them out and move them back to protect the building.” Commissioner Creef also stated that he has had a lot of complaints that people can’t see the water and would like the bushes cut down, but special attention should be given to the “pines tress because they can be dangerous to buildings during high winds and stuff like that.” Mayor Wilson commented that the wax myrtles have grown and the park project was paid for by a grant and they need to be careful on how they deal with that, but in the meantime have the Town Manager speak with Mr. McCleave, Public Works Director about the trimming of the wax myrtles down to a low height.

SUBJECT: Report Emergency Management Update-Commissioner Tugwell went to a follow-up meeting and they are reviewing the policies and procedures of re-entry and possibly changing the re-entry stag, moving residents to the second phase. Commissioner Etheridge commented that we should have a designated shelter here in Dare County, we have plenty of buildings and it is something that should be looked into. Commissioner Tugwell stated the Emergency Management philosophy is that if a shelter is established it encourages people to stay and also if you set up a shelter you are representing that it is a safe structure and as far as he knows is that we have only two structures in the County that are ready for a hurricane category 5. Mayor Wilson commented that he thought that in order for FEMA to help us that they asked that no shelters be opened here but farther inland. Commissioner Tugwell is to take the Board’s concerns about a shelter back to the Emergency Management Group.

Commissioner Collins reported on the Special Events Committee which meet on Monday night and the fact that they lost some members but have some new members who are: Amada Knox, Nadine Daniels, Dell Basnight and Heather Maxwell and would like the Board appoint them to the Special Events Committee.

MOTION: Commissioner Collins seconded by Commissioner Etheridge to appoint the Amanda Knox, Nadine Daniels, Heather Maxwell and Dell Basnight to the Special Events Committee was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: Commissioner Belli.

Commissioner Collins commented that this is about the 3rd or 4th time that she has brought up the fact about the big trucks coming through Simon Street and was told there was going to be a study. Mayor Wilson suggested that an ordinance be prepared for no through trucks (18 wheelers) on the two short blocks of Simon Street for the March agenda. Commissioner Collins also commented that the Pizza Hut cut down their buffer and Mr. Featherstone commented that he is corresponding with them and is trying to get it back into compliance. Commissioner Collins also invited the Board and public to attend on February 14th at 10 am the dedication of an Underground Railroad site at Airport Road

MAYOR’S AGENDA

Regional Transportation Plan has been moved up for Roanoke Island to begin the first of April and they will be looking at traffic management on Highway 64 and the possibility of connecting some of the roads west of the main highway so that there can be alternate routes, a project that will involve

the County, the Town and the Corridor and all three will be invited to attend the meetings. Mayor Wilson would like this added to the Old Business list. Mayor Wilson commented that there is a possibility that the NCDOT state yard will probably need a larger site in the near future and can move to another site on the north end of the island., if the Town of Manteo has any interest in having right of refusal to acquire the old state yard it would be helpful to authorize the Manager to write a letter to our DOT representative expressing our desire to acquire the state yard should it be moved.

MOTION: By Commissioner Farrow seconded by Commissioner Collins to authorize the Town Manager to write a letter to our DOT representative expressing our interest in acquiring the state yard property was approved by the following vote: Ayes: Commissioners Farrow, Etheridge, Collins, Tugwell and Creef. Noes: None. Absent: Commissioner Belli.

The Board had asked about the Boy Scout property owned by the Town and possibly having it surveyed and Mayor Wilson commented that The Boy Scout property was held in the Town's name for use by Scout Troop 165 and no other purpose and if it is not used for that purpose it reverts back to the heirs. Mayor Wilson and Commissioner Farrow will go to the property to see if the markers are on the property before the Town has it surveyed. Mayor Wilson commented that the County discussed having a joint session and the tentative date Tuesday the 17th at 6:30. Mayor Wilson was to try and arrange a meeting with the Secretary of DOT and to invite the other sites on the island concerned about signage and traffic at the intersection, he has met with DOT representative Stan White and he is trying to schedule a meeting and as soon as he receives that information he will pass it on.

Commissioner Collins commented that she has received a quote for a 4th of July banner and would like to add this to the agenda for consideration. Commissioner Tugwell commented we should erect some poles which has some type of mechanism to put up, take down and hold the banner tight. Mayor Wilson commented that there are only two locations that allow banners and asked Mr. Featherstone to investigate finding a simple way to put up and take down banners.

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Tugwell seconded by Commissioner Creef the meeting was adjourned at 9:10 pm until Wednesday, February 11th at noon to 3pm for budget workshop and at 3:00 for a Planning Session at the Manteo Town Hall and approved by the following vote: Ayes: Commissioner Tugwell, Farrow, Etheridge, Collins, and Creef. Noes: None. Absent: Commissioner Belli

This the 4th day of February 2004

Mayor John Wilson

ATTEST:

Town Clerk Becky Breiholz