

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room April 1, 2015 at 6:30 p.m.

The following members were present: Mayor Jamie Daniels
Commissioner Darrell Collins
Commissioner Nancy Peele
Commissioner Hannon Fry
Commissioner Christine Walker
Commissioner Martha Wickre

The following members were absent: Commissioner Richie Burke

Also present at the meeting were: Town Manger Kermit Skinner
Asst. Town Mgr. /Finance Shannon Twiddy
Town Clerk Becky Breiholz
Planner Erin Burke
Town Attorney Wyatt Booth

Mayor Daniels called the meeting to order 6:45 pm followed by a moment of silent meditation and the Pledge of Allegiance.

SUBJECT: Adoption of Agenda as presented or amended- Mayor Daniels amended the agenda to add under Finance Officer agenda Budget Amendment #10

MOTION: Commissioner Wickre seconded by Commissioner Collins to approve the agenda as amended adding BA #10 was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

SUBJECT: Adoption of the items on the Consent Agenda as presented or amended.

MOTION: Commissioner Peele seconded by Commissioner Wickre to approve the consent agenda as presented was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

SUBJECT: Approval of Minutes Recessed Workshop February 18, 2015

MOTION: Commissioner Peele seconded by Commissioner Wickre to approve the February 18, 2015 minutes as presented was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

SUBJECT: Approval of Minutes of Regular March 4, 2015 meeting

MOTION: Commissioner Peele seconded by Commissioner Wickre to approve the Regular March 4 meeting minutes was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

SUBJECT: Approval of Minutes Special meeting March 16, 2015

MOTION: Commissioner Peele seconded by Commissioner Wickre to approve the Special meeting minutes of March 16th was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

SUBJECT: Approval of Minutes Recessed Workshop meeting March 18, 2015

MOTION: Commissioner Peele seconded by Commissioner Wickre to approve the minutes of the Special Meeting March 16th was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

SUBJECT: Approval of Resolution 2015-03 Opposition of Off Shore Drilling

MOTION: Commissioner Peele seconded by Commissioner Wickre to approve Resolution 2015-03 was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

PRESENTATION- by Outer Banks Sporting Events Lynda Wood with OBSE introduced Jenny Ash and Elizabeth Tiff to the Board. They wanted to present to the Board what types of events they do and the economic impact they have on Dare County and Manteo. Overall they have 4 events during the shoulder seasons. Their mission is to promote sporting events, competition, healthy lifestyles, provide financial resources for needed relief while contributing to the economic impact of Dare County. The 2014 economic impact was 8.9 million up 6.7% with \$675,000 of that total impacting the economy of Manteo. Ms. Ash updated the Board on the impact that just the Outer Banks Marathon has on Manteo which starts in Kitty Hawk and ends in Manteo. There are challenges they face as they continue to grow. The Board of Commissioners were presented with framed pictures of the 2014 OBX Marathon.

PUBLIC HEARING to receive comments on proposed text amendment to Zoning Ordinance political signs.

MOTION: Commissioner Walker seconded by Commissioner Fry to enter into a public hearing was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

No comments

MOTION: Commissioner Walker seconded by Commissioner Peele to exit the public hearing was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

PUBLIC COMMENT

Sarah Benson, Agona Street wanted to thank the Board for their continued support of the Litter Day pickup which is April 11th. She also informed the Board that UNC Chapel Hill is sending 100 Alpha Phi Omega Volunteers, who do Community Service, to our litter pickup day. They have also been working with Suzanne Godley on Earth Day and that Dare County will be doing a big item pickup for the entire island.

TOWN MANAGER'S AGENDA

SUBJECT: Proposal to lease Magnolia Market Shed-Staff has received a proposal from Susannah Burke for a one year lease with option of renewal to operate a baked goods business in the former space occupied by the "Peanut Man" at the Magnolia Market. She has been selling her baked goods at the Farmer's Market and nothing will be prepared on site. She also proposes some improvements to the structure: addition of a wooden counter; canvas awning located on the front of the structure (facing off-street parking area); wooden deck in the interior of the structure. The improvements will not increase the footprint of the structure and she will be responsible for the costs of the improvements; and if requested will return the structure to its prior state upon completion of lease.

MOTION: Commissioner Collins seconded by Commissioner Wickre for Town Attorney to draw up a lease for the area described above for to Susannah Burke was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

SUBJECT: Discussion and consideration of quotes received for mold remediation-In an email received by Warren Eadus with Quibble they solicited four bids for the mold remediation and build back work for the Town Hall: 1) Palmetto Environmental Solutions \$23,885.56 (Mold Remediation Only); 2) Remtech Environmental \$98,764.35; 3)Renovations \$98,529.00 4)Bluewater Restorations declined to provide a number Based on the review of the proposals, it appears that Renovations and Remtech would provide a much more thorough remediation job. Bluewater did indicate that it was a roughly \$100K job, but wouldn't commit to being able to do the work due to such a high work volume they currently have. Palmetto provided an extremely low number that in my opinion doesn't seem to reflect the true nature of the work required. Mr. Skinner commented that the above proposals were emailed to the Board. He commented that they had two proposals that were within a couple of hundred dollars of each other and then one for \$23,000, this bid did not include anything for build back and we would have to get

another general contractor to oversee the entire project. Mr. Skinner and Mr. Eadus have had numerous discussions about this proposal. The other two proposals include all the other items to make the building habitable. There will still be a substantial gap between the low bid if all the additional work is added in. Mr. Skinner commented that Mr. Eadus has had several conversations with Palmetto and they were confident that they could get the job done for the price they quoted. If the Board chooses to do this they will still need a General Contractor to oversee the whole project and to return everything to the status of being able to be occupied. Mr. Eadus also commented that during the bid process (last week) the restoration companies indicated that they suspected there are asbestos containing materials throughout the interior of the building (drywall, joint compound, floor tile and ceiling tile) and that asbestos testing and abatement (if warranted) would need to be done prior to any demolition work. It will cost approximately \$2500.00 to have an inspector perform that work and Mr. Skinner has already initiated that work; and quotes will be provide for further asbestos abatement if it is needed. Mr. Skinner commented that any of the contracts can be modified to include asbestos removal. Mr. Eadus went over each bid and stated that if they went with Renovations they would have to get an asbestos contractor in; Remtech does all the items in house and would only have to deal with one contractor who can give the Board a number after seeing the asbestos report. He talked with Palmetto at extent and they feel like this is a small project and they would work with any contractor the Board chooses. They have just finished a job with an elementary school in Elizabeth City. Mr. Eadus has no reason to tell the Board that they are not capable. Mr. Eadus stated they have references and he can check those out. Mr. Eadus commented he is more comfortable with the removal of material as there would be less room for error. Remtech and Renovations used special software that breaks down the cost of every item and you can get an idea of the process. All were customer oriented and easy to work with. Remtech was very thorough when going through the building and thinks that needs to be considered as well. The Board would like to get more information regarding the cost of a contractor to oversee the whole job and the report from the asbestos test before they make a decision. Mr. Eadus commented that he would check the references of Palmetto. Consensus of the Board this item was tabled until the information requested could be furnish at the April 15th workshop.

SUBJECT: Discussion of Space Needs Study and Police Department-Mr. Skinner commented that the Board needs to decide what project they want to pursue in the space needs study and start a Capital Improvement fund to put funds into. This is something that the Board does not want to be forced into but have plenty of time for consideration. The first thing to do should be to direct staff to establish a Capital improvement account and then they need to review the study and determine which project they want to pursue first. If the Board wants to finance the projects it can be done without any worries of having to have a tax increase or substantially decreasing the fund balance; he is pretty sure that the Town of Manteo is the only Town in Dare County that doesn't carry a debt. This item is on the May agenda but the Board would like to discuss the study at length during a workshop meeting when they don't have anything else on the agenda. No set workshop date was selected.

COMMISSIONER'S AGENDA

SUBJECT: Approval of the inter-local agreement and budget for the Government Access TV Channel. The Government Education Access Channel Committee is requesting that the Town of Manteo review and approve the proposed 2015-16 budget and approve the amended inter-local agreement. These items must be approved by every participating member which includes the towns of Duck, Southern Shores, Kitty Hawk, Kill Devil Hills, Nags Head, Manteo and Dare County and also includes the Dare County Schools, College of the Albemarle and UNC Coastal Studies Institute. The budget as proposed requires no additional funding from the participating entities above the current annual membership of \$1,000. They are also requesting that the Town approve the Interlocal agreement under which the Government Education Access Channels operates.

MOTION: Commissioner Wickre seconded by Commissioner Fry to approve the Interlocal Agreement and Budget for the Government Access Channel was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

MAYOR'S AGENDA

SUBJECT: Resolution opposing S369 Sales Tax Re-distribution-Senator Harry Brown proposed this Senate Bill to help the less fortunate counties get more of sales tax, but it would hurt Dare County, as well as Manteo. It would reduce our sales tax revenues with the Town losing over \$278,000 and to make up for this lose the Town would have to increase property tax to 5.25 cents per \$100 in valuation.

MOTION: Commissioner Collins seconded by Commissioner Peele to approve Resolution opposing S369 was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

FINANCE OFFICER'S AGENDA

SUBJECT: Approval of Budget Amendment #9 Repair and Maintenance to Roanoke Marshes Lighthouse. This amendment will allow for glazing of the windows and replace the rotting wood rails with metal vinyl rails. The Board discussed Budget Amendment #9 at length. They would like staff to get the cost of replacing the windows with a product that would not require future glazing and painting. This was tabled until the workshop meeting to be held on April 15.

SUBJECT: Approval of Budget Amendment 10 rent for police department. This budget amendment is being proposed for when the Police Department has to move out for the mold remediation and possibly the Administrative offices. Staff has found an existing building known as the "cat house" that is available. Staff is working on the details of the rent as we only want to rent on a month to month basis versus yearly. It will fund three months' rent for the Manteo Police Department to relocate at a rate of \$2,000 for April, May and June and if necessary the Administrative Office will relocate to another location at a rate of \$2,000 for April, May and June. If the same location is shared the rent expense needed may be reduced from the estimated dollar amount. Two months in next fiscal year will be included in the draft budget to provide funding if needed.

MOTION: Commissioner Wickre seconded by Commissioner Peele to approve Budget Amendment #10 was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

SUBJECT: Discussion and consideration of text amendment to Codified ordinances 50-41 to clarify some of the language. This text amendment will remove language inadvertently left in place when the Water and Sewer Ordinance was revised in October 2012. The waterfront condos contacted Mrs. Twiddy regarding their bill as being high. In doing our research, staff found that they were actually being charged wrong they were being charged for a ¾ inch when they should have been charged for a 3" which would make the bill more. The Condo Association requested the Board consider allowing them to pay for ¾" taps for each of the multiple connections rather than the 3" as the ordinance is written. The Board asked Mrs. Twiddy to research all multiple connections we currently service to determine potential revenue loss/gains for each multiple metered account. She asked the board to consider the intent of the current ordinance and to provide clear direction on how they wanted the ordinance administered consistently for all multiple meter accounts.

Current text: Sec. 50-41. - Water rates and charges. The highlighted portion needs to be removed as we no longer provide the first 3,000 gallons fee for each customer with the base minimum charge.

(7) Multiple users served by a single or master water meter shall be charged as single users within their classification. thus, each apartment or townhouse under a master meter shall be charged the minimum for a residential three-quarter inch meter and each business served by a master meter shall be charged the minimum for a nonresidential three-quarter-inch meter according to subsection (a) 1 of this section. Additional gallons over the base which is defined as the number of users times 3,000 shall be charged according to subsection (a) 2 or (a)3 of this section as appropriate. Minimum charges shall be for all existing units under the master meter whether they are occupied or not.

MOTION: Commissioner Fry seconded by Commissioner Wickre to approve text amendment 50-41(7) remove the sentence "Additional gallons over the based as presented

above” was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

TOWN ATTORNEY’S AGENDA

Wyatt Booth, Town Attorney reported to the Board that he attended a Zoning and Planning State Bar Committee annual meeting and there were some items on their agenda that he thought that would interest the Town. The first is a proposed comprehensive zoning for the general statues; currently there is county zoning and city zoning and over the years it has been more difficult to understand and courts to interpret. The School of Government and the Zoning and Planning committee have drafted a unified zoning ordinance for the entire State that will combine county and municipal and will be proposed to legislature next month. If it goes through it won’t change a whole lot for the Town but may have some changes to our ordinance to integrate with what is new. The other thing of interest at the meeting was the State Historic Property Office made a presentation. There is a program called Certified Local Governments; and throughout the state there are counties and cities that are certified by the State Historic Property Office. To get certified you have a Historic Commission established which we already do and there are no certified local governments east of Elizabeth City. The benefit of becoming certified is that State Historic Property receives federal grant money for preservation, either for renovation or surveying historic property. The State of Historic Property office has to give 10% of the money to local governments. We have a PARC committee that is designed to identify historic properties in Town and would probably be a short hurdle for the Town to jump over to become a certified local government and with the Board’s permission Wyatt would like to get with the PARC committee, review the ordinance, clean it up and then the PARC committee can finish it up because there are certain things the State Historic Property Office wants to see; like rules of procedure and makeup of the committee and once the Town is approved as a certified local government, a year later we can apply for money which can help the Town with identify historic property. The Commissioner’s wondered if the PARC committee would be that committed. The Town has already had the State do a cursory review of property in town and if we have enough property to qualify we could then hire a consultant to verify the information. Consensus of the Board was for Town Attorney, Wyatt Booth to work with the PARC committee to get something going.

SUBJECT: Discussion and consideration of adopting text amendment 2015-01Z political signs. Mr. Booth commented that the section heading is incorrect and should be section 18-11. The changes the Board requested at the last meeting on (g) 6 placing of signs which match NCDOT requirements has been done.

MOTION: Commissioner Wickre seconded by Commissioner Peele to approve text amendment as amended 201501Z with the section being changed to 18-11 was approved by the following vote: Ayes: Commissioners Fry, Wickre, Collins, Walker and Peele. Noes: None. Absent: Burke

Commissioner's Concerns/Comments

Commissioner Wickre gave the Board an update on the Christmas tree. Planner Erin Burke met with Eugene Dano, the Supervisor of ground keeping at East Carolina University to look at the Christmas tree. Mrs. Burke reported that he looked at the tree and it would need some deep rooting fertilizing; might have mites and suggested being treated for such, trim out dead branches and clean out underneath the tree. He would have other recommendations for Erin when he completes his report.

Commissioner Fry commented that he and Kermit met with the new Dare County Emergency Management Supervisor and he wants to work with all the municipalities and be more community involved.

Commissioner Collins commented about the pot holes in the parking lot near Piggly Wiggly and La Cabana restaurant are located and would like staff to contact the owners. He also wanted to know how many accidents there have been at the intersections that the Town painted white in conjunction with an email complaint that the Town received.

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Collins seconded by Commissioner Wickre the meeting was recessed at 8:50 pm until April 15th at 4 pm was approved by the following vote: Ayes: Commissioner Peele, Walker, Wickre, Fry, Collins. Noes: none. Absent: Burke

This the 1st day of April 2015

ATTEST:

Jamie Daniels, Mayor

Becky Breiholz, Town Clerk