

MINUTES

The Town of Manteo Board of Commissioners held their April 2, 2014 recessed meeting April 16, 2014 at 4:00 pm at the Manteo Town Hall meeting room.

The following members were present:

- Mayor Jamie Daniels
- Commission Darrell Collins, Mayor Pro Temp
- Commissioner Richie Burke (left at 5pm)
- Commissioner Nancy Peele
- Commissioner Christine Walker
- Commissioner Martha Wickre
- Commissioner Hannon Fry

The following member(s) were absent:

Also present at the meeting were: Town Manager Kermit Skinner; Assistant Town Mgr. /Finance Officer Shannon Twiddy; Town Clerk Becky Breiholz; Erin Burke, Planner, Chief Vance Haskett; Dockmaster Carl Jordan.

Mayor Daniels called the recessed meeting to order at 4:05 pm

Mayor Daniels commented because of the lengthy agenda he would like to remove Department Head reports

SUBJECT: Presentation – The Lighthouses of North Carolina at Roanoke Island by Don Bernardo. Mr. Bernardo gave the Board a presentation and it would be an attraction to promote the Town and attract tourists. Mr. Bernardo gave a background and said he has designed a couple of these projects as fund raisers. It would consist of sculptures of the 7 lighthouses of North Carolina all in one place on the Manteo waterfront. The project would be decorated by 7 local professional artists. He would need the Town to co-sponsor this project so that he could go to businesses asking for donations. He is not going to charge anything to do this. He was hoping to have this done before next summer. They would be molded fiberglass sculptures at a shop on the waterfront. After they are done he would like them to be displayed on the Public Dock at the waterfront. He has submitted his proposal and budget to the Board and that each sculpture would cost \$2,000. He is hoping that someone will donate the fiberglass molds which will be made in Wanchese. Hatchell Concrete will donate the concrete bases and someone will donate the rental space. Those that donate will also receive special recognition. The balance of the costs will include a small stipend paid to each professional artist; art supplies and special long lasting paint. Publicity will be the main expense. He has also submitted to the Board a guide for sponsors to those who will provide the funding for the project. A Platinum sponsor is \$2,000; Gold \$1,000; and silver \$500. The total cost for the project will be \$24,500 including contributions to the arts programs of the Manteo Schools and Arts Council. After they had been on display for 3 years he would like to auction them off with the sales going to Manteo Schools

and the Dare County Arts Council. He is asking for the Town to be a major sponsor funding \$2,000. He would also like the Town to move the lighthouses to the different venues that are major sponsors. He will need an answer in the next couple of months. He is hoping that the Arts Council will be a sponsor so that he can use their 501 C3 status. He is also hoping that there will be two representatives from the Town and the Arts Council and he would like the Special Events Committee to designate those two members for the steering committee which would consist of himself and 4 others.

SUBJECT: Presentation/Proposal-Chief of Police Vance Haskett and Officer Doug Moore gave the Board a presentation for a K-9 unit. Chief Haskett thanked the Board and thinks the Town can benefit by being a proactive Town. He introduced Officer Moore who is a certified K-9 handler from his previous employer. Officer Moore gave the Board a power point presentation showing the advantages of having a K-9 unit. Officer Moore stated having a K9 unit would deter criminal activity. Criminals usually stay away from areas with a K9 units. Having a K9 unit will provide a great public relations tool for the community and schools. Besides drugs the K9 unit can track lost children, people with dementia; or evidence that has been tossed by a criminal. A K9 is approximately 2 years old and on duty for 10-12 years and once the K9 retires the handler takes responsibility of the dog. The dog will not be an attack dog. The cost for K9, training and certification is \$10,000; after that the cost would be for food \$600 and yearly vet bills \$400; after the initial cost it would be about \$1,000 a year. Mayor Daniels asked if the Chief wanted to put this in the budget for next year and Chief Haskett commented that if the Board approves this we might get some help on the vet bills from Dr. Grossman. Chief Haskett commented that he would like to get the process going in this year's budget if the Board would approve it. Consensus of the Board for a budget amendment be placed on the May agenda for the Board's consideration.

Commissioner Burke asked the Board if he could be excused as he had a work emergency and a Motion by Commissioner Collins seconded by Commissioner Wickre to excuse Commissioner Burke was approved by the following vote: Ayes: Commissioner Fry, Collins, Peele, Walker and Wickre. Noes: None. Absent None. Commissioner Burke then left the meeting at 5:00 pm

SUBJECT: Discussion and consideration of Charter Cable TV Contract-this was discussed at the April 2 Regular meeting and the Commissioners asked Finance Officer Mrs. Twiddy to review the proposal and present it to them at the workshop. The Board was presented at the April meeting with a cost estimate from Networkeast dated March 31, 2014 which would require an upfront capital outlay of \$12,100 for the purchase of equipment. It was proposed to provide service to 40 slips at a cost of \$296.80 which resulted in a savings of 353.20 per month under our current expense of \$650 per month. Town Manger Kermit Skinner stated that staff recommends going with the satellite provider if the Board wants to provide this service. There were concerns about warranty work on the equipment because we would become the owners of the equipment. In speaking with the vendor it is fully warranted for a certain amount of time and after that we can pay \$100 a year and all parts are warranted. We would still have to pay the labor. After discussing options at length with Dockmaster Carl Jordan staff is proposing a

dock rent increase of \$10.00 per month for annual boaters. Discussion took place on charging an extra of \$10 per month per boater and what they are paying now per foot and consensus was to allow boaters to be charged \$10 for TV. A budget amendment will be placed on the May agenda.

SUBJECT: Discussion of Public Comment-Policy Procedure-Mayor Daniels asked that this be tabled; to go on the May agenda.

SUBJECT: Discussion of text amendments to amend Section 50-36 and Section 50-42 Utility Ordinances. Both these items were discussed at the April 2 Regular meeting and after discussion the Board asked staff to re-write based on that discussion and bring back to the workshop agenda for possible action. Mrs. Twiddy commented that she has written the draft amendment and sent to Town Attorney Mr. Booth for his review which were handed out at the beginning of the meeting. Mrs. Twiddy has worked on two draft forms to go with it. The first form would require someone to be present for the cutting on or off, which Town Attorney Wyatt Booth thought might be too cumbersome and Mr. Booth is taking both forms and trying to merge the two together. Sec. 50-36 would allow for a reduced rate for current residential customers to pay a reduced rate to change from a 1 inch meter to $\frac{3}{4}$ meter of \$350 with a sunset on November 5, which then would require a cost of a minimum of \$900. Mrs. Twiddy also commented that we have a provision already in the ordinance to charge \$30 to turn on or off that she was not aware of and she and is asking that it be raised to \$50 and be enforced from this point forward and we add the language that a service request form must be completed and signed by each property owner and or consumer requesting service of cutting on or off. We will keep these forms for a period of six (6) years and would eliminate anyone saying the Town cut it on or off without their approval and is a preventive measure. Town Attorney Wyatt Booth asked how many customers are there that aren't property owners and Mrs. Twiddy commented that probably less than 70% own their property. Mr. Booth asked how the procedure is done by non-property owners and Mrs. Twiddy commented they come in and fill out an application, sometimes when the renter leaves the deposit is not enough to cover the final bill. Our ordinance now provides that once a tenant moves out we put it in the property owner's name. Mr. Booth commented that the Town of Kill Devil Hills doesn't allow an account to be anyone name other than who is shown on the tax listing. Mrs. Twiddy commented that this has been provided to the Board in prior years but they did not feel that was in the best interest of the Town. It is much easier if it was in the property owner's name and be easier for bad debt collection. Mrs. Twiddy brought up the debt collection process and even though this is not part of these amendments she would like to add a \$50.00 penalty to the fee schedule for bad debt services. The company that we turn over our bad debts to for collection will not take accounts less than \$50; most of our accounts are for \$30 and \$40 which go uncollected. If she can add to the fee schedule that amount it would guarantee that all bad debts would go over that threshold. We don't actually get paid for those accounts until they get an income tax refund or North Carolina lottery winnings. By adding this fee it will ensure that the smaller accounts can be turned over for collection and increase our collection percentage rates. Consensus is to allow the \$50 penalty fee be added to the fee schedule. Discussion took place on changing the

ordinance to have the water accounts be placed in the property owner's name. Mr. Booth commented his concerns were about requiring someone to be there because it creates a lot of rigidity if someone is living out of state a balance needs to be struck. In a perfect world the waiver form would be signed by the property owner and the account would be in the property owner's name before we can anything. Mr. Booth commented on the property owner and who is a responsible party merits discussion. We do not need to rush into anything and Mrs. Twiddy commented that could be done over a period of time. It would be a cumbersome process to let property owners know about changes to the ordinance and refunding deposits. If the Board is interested in changing accounts to the property owners name Mrs. Twiddy can have that information for the Board for a later discussion.

MOTION: Commissioner Fry seconded by Commissioner Peele to approve text amendment Section 50-36 and Section 50-42 with signing a waiver as presented was approved by the following vote: Ayes: Commissioner Walker, Fry, Peele, Collins, and Wickre. Noes: None. Absent: Burke

SUBJECT: Discussion of updating the fee schedule-This will need to be done since the Board approved the text amendment changes to the Utility ordinance. Mrs. Twiddy would like to add a \$50.00 penalty to the fee schedule for bad debt services. The company that we turn over our bad debts to for collection will not take accounts less than \$50; most of our accounts are for \$30 and \$40 which go uncollected. By adding this fee it will ensure that the smaller accounts can be turned over for collection. Bad debt collection is collected from income tax returns and lottery winnings.

MOTION: Commissioner Walker seconded by Commissioner Fry to update the fee schedule reflecting changes of fees in text amendments was approved by the following vote: Ayes: Commissioner Walker, Fry, Peele, Collins, and Wickre. Noes: None. Absent: Burke

SUBJECT: Update on information requested regarding funding an intern for the Coastal Federation. During your Budget Retreat held in March it was discussed about trying to locate and fund an Intern Position to be administered by the Coastal Federation but paid for by the Town of Manteo. Mrs. Twiddy read from her narrative provided to the Board that a proposal prepared by the Coastal Federation to work with students from the UNC Coastal Studies Institute for a requested \$10,000 to complete the research outlined in the proposal for a one year period. After reading the proposal it includes purchasing consumables used during sample analysis and vehicular travel between study sites and the UNC Coastal Studies Institute where sample analysis and laboratory incubations will be conducted. If the Board would like to proceed to enter into a contract with the Coastal Federation please advise. To fund the Intern Position a budget amendment will be needed to create an expense line item for the Intern and to supply funding from undesignated fund balance in the amount of \$10,000. Or direct staff to include the \$10,000 line item in the draft budget for the year to begin July 1, 2014. If the Board chooses not to provide funding at this time please direct staff to contact the Coastal Federation on your behalf. Mrs. Twiddy commented that there is another option which is they currently

have \$20,000 this fiscal year that was set aside for storm-water park project and would not cause a budget amendment and can be done in this year's budget with no additional funds and will not affect fund balance. The Coastal Federation wanted this project to start in May. Planner Erin Burke reported to the Board that in several conversations she has had with Coastal Studies Institute; they had wanted to put together a program to study manufactured wetlands and compare them to native wetlands. Manufactured wetlands is a viable way to treat storm water, and allows us to study the park we have and will have a long range affect for others in the state. They will get do the study and have a graduate student to do the work. The \$10,000 would go to the UNC Coastal Studies Institute for the time, labor, materials etc. Mrs. Twiddy asks that the Board enter into a contract with them that would have a draw schedule at which point payments would be made, goals and objectives that had to be met before each payment disbursed. It would be a multi-year project if they decide to begin this year fiscal year funding. Consensus of the Board for this to be on the May agenda after contacting Coastal Federation to prepare a contract and proposal to enter into an internship project based on what they submitted for the next 12 months.

SUBJECT: Presentation of plans for Uppowoc Sidewalk (from Fernando to COA)-The sidewalk on Uppowoc behind COA and the skate-park has been discussed at numerous meetings. Staff previously had a cost estimate to run on the east side of Uppowoc because the cost would be less expensive than to run it on the west side after some public input staff was asked to look into putting the sidewalk on the west side The cost estimate from Quibble for the sidewalk is \$65,930.00. Mrs. Twiddy commented that it is Powell Bill eligible but there is another project she would like to discuss on Gilbert Street. There are not sufficient funds to do both projects without funds from the undesignated fund balance. If the Board wants to do both projects she will need an additional \$25,409. The original proposal on the east side was \$16,000. Ponding at the intersection of Uppowoc and Fernando was discussed and reworking that whole intersection would be additional cost. Storm water was discussed at that intersection. Mr. Skinner commented this should prevent some of that problem but will not relieve the ponding at that intersection; the intersection is too low. We had a signed contract to place the sidewalk on the east side of the street for \$7,000 and the sole reason we were going to locate it on the east side was because of cost. Commissioner Fry wanted to know what the future plans for the COA site were. Mrs. Burke said it shows parking there but no one has talked to COA about that. Commissioner Fry commented we should talk to COA and Dare County about the future plans for that area. Mayor Daniels commented that he was told that there was no money for capital improvements plans for that property. The Board would like staff to meet with someone from COA and the County to find out what future plans they had out there.

Mrs. Twiddy read from her narrative that was supplied to the Board about Gilbert Street; which stated that a quote was received from Hatchell Concrete in the amount of \$62,000 for the repaving and drainage maintenance needed on Gilbert Street. At a Board meeting in March a property owner spoke under public comments asking for relief from the drainage problems and poor condition of Gilbert Street and the Board directed Staff to obtain an estimate for the repairs. Gilbert Street is a Powell Bill eligible street. There is currently on hand \$132,318.16

reserved by State Statute. \$106,908.97 has been encumbered in this fiscal year with \$53,000 being designated for the sidewalk construction on the West side of Uppowoc Street by the Skateboard Park which required extensive design and engineering. If the Board chooses to pursue the maintenance improvements on Gilbert Street it would require a General Fund Undesignated Fund Balance transfer of \$25,409.19 to be funded in the R&M Streets line item in the Public Works Department to pay for the balance of funding needed. It is Staff's recommendation that an additional \$5,000 be funded to pay for the maintenance to the rip rap at the end of Gilbert Street to protect the road way. As you can see upon a visit to the site and a visual inspection the rip rap stabilization is in need of repair. Mrs. Twiddy spoke with Frank Jennings in the Elizabeth City CAMA Field Office about the roadway maintenance and he told Mrs. Twiddy a permit would not be required. Total funding requested for this project is \$67,000 and will require a budget amendment. Please consider directing staff to prepare a budget amendment for your review and consideration at your May 7, meeting. This quote has been presented to you at this time keeping in mind that a paving company will be hired to make the street repairs in conjunction with the Storm-water Project. If the Gilbert Street project is not approved in the month of May the cost may increase as an additional mobilization expense for equipment will be added to the quote dated April 10, 2014. The Board asked if this had been advertised for other estimates. Mrs. Twiddy commented that the cost could increase by 25% if the paving for additional mobilization if not done while the company is here already doing the storm-water project. Discussion took place on doing both projects. Commissioner Fry suggested that the Board members go and look at Gilbert Street. Commissioner Walker commented that Uppowoc needs to be addressed now. Commissioner Fry commented that if we are going to do both we should put those projects together and get bids for both to see if we can save any funds. Consensus of the Board for an ad be placed in the paper requesting proposals for both projects. No design or permit is required for Gilbert Street as long as we are not creating additional area but only maintaining the original road. We will need standards so if we are bidding it out the contractors will need specifications so that everyone gives the same price for the same work. Consensus of the Board for staff to develop specs and have an advertisement in the paper by next Thursday for proposals for the Gilbert Street repairs to be discussed at the May meeting.

The Board discussed the sidewalk on Uppowoc again and Commissioner Peele would like to have a cost of the sidewalk going from US Hwy 64 to Uppowoc. Discussion took place on placing a crosswalk on Uppowoc and Mrs. Burke commented that according to NCDOT standards before a crosswalk can be installed there must be sidewalks on either side of the crosswalk. The Board again discussed placing the sidewalk on the east side. There is no problem with the drainage and the drainage improvements are there only to facilitate the installation of the sidewalk on the west side; if the sidewalk is not on the west side you need not pay to have the drainage. Consensus of the Board is for the sidewalks to be put on the May agenda to discuss further options.

SUBJECT: Mrs. Twiddy had given the Board information about a request from the Cemetery Board regarding the building of a chapel at the Cemetery and read from her narrative to the Board. A copy of the agenda package from the Cemetery Board meeting held on April 10,

2014 was included in the Board's packet. A current cost estimate dated March 10, drawings that were prepared by John Wilson as a courtesy to the Town, a site plan of the Cemetery and a narrative that was used to apply for Grant Funding in 2005 submitted to the Meekins Trust. There has been community interest in bringing this project back to the forefront after almost ten years. The original lay out of the Cemetery back in the late 1800's provided an open space for some sort of feature to be placed in that area shaped like a diamond. The proposed drawing is a 20 x 20 open air structure for reflection, possible grave side services and other uses for the public. A motion was made by Member Joanne Williams seconded by Member Amy Etheridge to support the proposal to construct the Eventide Chapel in the Manteo Cemetery and asked Staff to prepare a proposal to be included in a request for full or partial funding for the draft budget for FY 14-15 to be presented to the Board of Commissioners. The Cemetery Board would like to encourage seeking grant funding and public/private partnerships to fund the project and was approved by all present. The Cemetery Board discussed at length their support of the construction of a chapel and asked the Board of Commissioners to support this project but they stressed their acknowledgement that support of the project may not come in the way of fully funding the request but hoped the Board would consider at least partial funding and to direct staff to seek Grant funding from the Outer Banks Visitors Bureau in the next funding cycle and any other sources that may be available. They also suggested that the community may want to undertake fund raising efforts in conjunction with the Town for the construction of the Chapel. Mrs. Twiddy asked the Board to review this before their May 7 meeting and would be helpful to her in the budget process. Commissioner Walker suggested that David Farrow be appointed to the Cemetery Board as he has previously worked on this when he was a Commissioner. Mayor Daniels asked that this be placed on the May 7 agenda. The cost for this project is \$69,255.07. Mrs. Twiddy stated that one of our residents Sara Benson is interested in helping coordinate this project.

SUBJECT: Discussion of tri fold maps. This has been discussed at the April 2 Regular meeting and the Board wanted to see what the map would look like before they approved a budget amendment to have them printed. Commissioner Wickre commented that the Mayor had been working with the downtown business owners on this and passed it on to her and she and Mrs. Burke have been working on it. Michael McOwen was present to supply the Board what he has to offer and she would like him to speak the Board and let them know what his publications are doing. Mr. McOwen gave a brief history about his experience with marketing the downtown. He shared with the Board that his Company One-Boat using community assets to work together. He wasn't sure everyone is aware of what they do. They do a magazine on individual Towns one of which is Manteo and it has a map of Manteo with all the businesses located on the map whether they pay to be on the map or not. Some buy ads, some do not. He is willing to donate a map he has to the Town for the brochure/tri-fold map. The publications are widely distributed to all the rental companies and placed in boxes. One of the publications they do which is Outer Banks is a magazine that features certain areas with a story. They also have a website thisweek.com that can be connected to the Town's. Discussion took place on how the Town could work with the publications already existing. Mr. McOwen wants to

cooperate and coordinate with the Town on this project. The Board also discussed possibly advertising in his publications. Discussion took place on why we were advertising for the businesses and why didn't they pay for this themselves. The Board likes the concept but not sure we should be in the advertising business. Commissioner Fry asked what we give to First Friday and this year we budgeted \$2400 and for next budget year the Board has asked that \$4800 be added to include Terrific Tuesday which paid for entertainment. Consensus of the Board was for Commissioner Wickre to continue working with Michael McOwen on the brochure to bring something back to the Board. Commissioner Peele asked how much have we spent so far and Commissioner Wickre commented that the first designer is charging \$50 per hour but not sure of the cost so far. Commissioner Collins would like an article of the Town done in the Outer Banks magazine. Consensus of the Board was for Commissioner Wickre to continue working with Michael McOwen on the brochure and possibly having an article about Manteo in his magazine.

SUBJECT: Discussion of dredging around Ice Plant Island-Mayor Daniels commented that several years ago we partnered with Pirates Cove and Peninsula to help them with the dredging where the Town would provide a percentage of the funding. He would like to try to do something like this with Department of Cultural Resources to get the area around Ice Plant Island dredged. According to our agreement with them when the State started Festival Park one of the conditions was that the State would keep the area dredged. Since then there has been a shortage of funds and the State is unable to do so. Hopefully we can pay 1/4, Festival Park 1/4 and the State 1/2. The Town had asked John Robbins to help them prepare a grant package as he had done this for the other project and was the grant administrator even though we were the sponsoring agency. The Board asked staff to contact Frank Jennings to see if there were any other contractors who would be willing to prepare the grant package. Mayor Daniels will contact John Robbins and Commissioner Fry will contact Frank Jennings.

Commissioner Richie Burke returned to the meeting at 7:30 pm

COMMISSIONER'S/STAFF CONCERNS

Commissioner Walker-received complaints from people that they are being told by Police to move along Uppowoc while they are dropping on and off children for the ball field.

Commissioner Wickre informed the Board she has gotten the purple ribbon to make the bows for the Relay for Life Paint the Town Purple event May 9 and 10. Commissioner Peele will help her make the bows. She also informed the Board the Town has been selected as one of the 7 finalists for Great Places in North Carolina. We have posted this link to our website and on our face-book page asking for people to vote for the Town of Manteo.

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

CLOSED SESSION: NCGS 143.318.11 (a) 3 Consult with Town Attorney

SUBJECT: Manteo Waterfront replacement of bridge-The Bridge at the Creef Davis property was removed during the storm-water project to be replaced by a sidewalk that would allow the sailing program easier access to the water. During Public Comments at the April 2 meeting citizens voiced their concerns about having that bridge put back as did the heirs of the Creef Davis property. The Property was gift given to the Town by the Creef family for recreational use only. The Town received a letter from Buddy Creef requesting that the bridge be put back as it was; or the family would have no other option but to take back the property and he also stated in his letter that it was a conflict of interest for Commissioner Wickre whose husband is an employee of the Town and runs the Maritime Museum. Town Attorney Wyatt Booth explained the Conflict of Interest NC General Statute to the Commissioners. Board members can only be excused from voting if it is a quasi-judicial issue, affects your property, a conditional use permit, special use permit or personnel, contract with self or spouse or benefits you personally none of which apply to this matter. Mr. Booth also commented that there were two deeds given to the Town; the first deed was done in 1981 with riparian rights and other restrictions and the second deed was done in 1982 with those restrictions and rights left out. After doing some research and speaking with John Wilson who was the Mayor at the time, he thinks the reason the second deed was given to the Town was because in order for the Elizabeth II to be built at the waterfront, those restrictions needed to come out. The Creef family has always been consulted with what goes on at the park. Commissioner Collins would like to name that section after H.A. Creef and also thinks the bridge should be put back. Commissioner Walker and Peele also thought it should be put back. There was discussion of possibly keeping the benches already placed there and getting the piers in line and possibly mending areas in the boardwalk. The bridge will have to meet ADA requirements. Consensus of the Board was for the bridge to be put back as close as possible to the way it was.

MOTION: Commissioner Burke seconded by Commissioner Collins to exit the closed session was approved by the following vote: Ayes: Commissioners Collins, Fry, Peele, Burke and Wickre Noes: none. Absent: none.

MOTION: Commissioner Burke seconded by Commissioner Fry to direct staff to put the bridge back as close as possible to the original bridge was approved by the following vote: Ayes: Commissioners Collins, Fry, Peele, Burke and Wickre Noes: none. Absent: none.

MOTION: Commissioner Fry seconded by Commissioner Collins to adjourn at 8:25 pm was approved by the following vote: Ayes: Commissioners Collins, Fry, Peele, Burke and Wickre Noes: none. Absent: none.

This the 16th day of April 2014

ATTEST:

Mayor Jamie Daniels

Becky Breiholz, Town Clerk