

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room, January 8, 2014 at 6:30 p.m.

The following members were present:

- Mayor Jamie Daniels
- Commissioner Richie Burke
- Commissioner Darrell Collins
- Commissioner Nancy Peele
- Commissioner Hannon Fry
- Commissioner Christine Walker
- Commissioner Martha Wickre

The following members were absent:

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 at 6:35 pm followed by a moment of silent meditation and the Pledge of Allegiance.

SUBJECT: Adoption of Agenda as presented or amended-

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

SUBJECT: Adoption of the items on the Consent Agenda- .

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

SUBJECT: Approval of Minutes of Regular December 4, 2013 meeting

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

SUBJECT: Approval of Minutes of Recessed Workshop December 18, 2013 meeting

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

PUBLIC COMMENT Members of the public are invited to address the Board of Commissioners on any topic. Please come forward to the podium and identify yourself so that your statements can be taped (3 minutes per person; 5 minutes per group) If anyone wishes to speak later in the meeting on a listed agenda item, please state your name and the agenda item and you will be recognized at that time. Action on items brought up during the Public Comment period will be at the discretion of the Board. Public Comment is not intended to require the Board to answer any impromptu questions. Speakers will address all the comments to the Board as a whole and not one individual Commissioner. Discussions between speakers and members of the audience will not be allowed.

Bebe Woody presented the Town with an aerial picture of Manteo that was given to her by Cheryl Oliver with NOAA

PUBLIC HEARING – Rezoning request to change 504 Devon Street from B2 to R5

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

COMMENTS: None

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

PUBLIC HEARING-Section 19-4 Lighting Ordinance

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

COMMENTS: None

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

TOWN MANAGER'S AGENDA

SUBJECT: Discussion and consideration of Traffic sign request-In a memo from Police Chief Haskett which stated the current school zone signs in the Town limits in front of the Manteo Elementary school are technically not in compliance with state regulations. For the officers to be able to write a ticket the time must be listed on the sign. Currently it is not. The Chief is requesting the Board of Commissioners approval that signs are put up that list actual times for enforcement purposes. David Twiddy with Dare County informed him that he would be speaking with the Dare County Board of Commissioners in reference to the signs that are outside the town limits.

MOTION: Commissioner Collins seconded by Commissioner Walker to direct staff to contact NCDOT to update the signs was approved by the following vote: Ayes: Commissioners Fry, Walker, Collins, Burke, Peele and Wickre. Noes: None. Absent: None

SUBJECT: Discussion and consideration of purchase of VAC truck-this item has been discussed at the last several meetings and was postponed from the December workshop meeting to allow for all the Board to be present to make a decision. At that time staff had recommended that we finance the vac truck for 3 years at 1.5% with a pre payment penalty of 3% with SunTrust.

MOTION: Commissioner Collins seconded by Commissioner Burke to enter into contract to purchase and authorize Town Manager to execute lease purchase contract with SunTrust was approved by the following vote: Ayes: Commissioners Walker, Collins, Burke and Wickre. Noes: Commissioner Fry and Peele. Absent: None

Commissioner Fry asked Finance Officer Shannon Twiddy to wait to execute the lease because he was trying to get another cost estimate for it.

PLANNER'S AGENDA

SUBJECT: Discussion and consideration of rezoning request to change 504 Devon Street from B2 to R5 the property owner of the parcel identified as 0232108000 at 504 Devon Street is requesting that the property be rezoned from B-2 to R-5. When the property was originally zoned it was under the same ownership as the adjacent parcel that faces US HWY 64. This location caused both properties to be zoned B-2. The parcel at 504 Devon Street is a residential use, but with the commercial zoning the property owner is paying taxes as a commercial parcel. She would like the Town to rezone this parcel to lessen her tax burden. All of the other parcels along Devon Street are currently zoned R-5. The current use of this property would be in keeping with the intention of the R-5 Historic Residential District. The public hearing has been held and recommend rezoning 504 Devon Street from B-2 General Business District to R-5 Historic Residential District.

MOTION: Commissioner Walker seconded by Commissioner Peele to rezone 504 Devon Street from B2 to R5 and change the zoning map was approved by the following vote: Ayes: Commissioners Fry, Walker, Collins, Burke, Peele and Wickre. Noes: None. Absent: None

SUBJECT: Discussion and consideration of text amendment to Section 19-4 Lighting Ordinance at the December Planning and Zoning Board meeting the board continued the discussion of the lighting ordinance. The Board worked on the proposed ordinance language. At the time of the Planning Board's discussion there were concerns about the cost which total \$32,002 annually for light bills which did not include Town fixtures in the parks and along the boardwalk; spacing and location of existing lights. If a new street fixture were requested, the cost of the fixture, the installation and the monthly power bill would currently be absorbed by the Town. The Planning Board also would like the Board to adopt a policy that whoever requests a street light they must come to the Board of Commissioners for approval.

The following language was developed from the Planning Board discussions but was cautious in recommending an amendment because of possible unforeseen consequences of allowing these street light fixtures but acknowledge the need for lighting where there maybe safety concerns.

Section 19-4:

Consider deleting the "and non-sodium vapor" and adding:

"While the initial and ongoing expense of additional streetlights along public streets is considerable, and while the yellow-orange sodium vapor light source is discouraged, its use permissible as municipal street lighting where needed for safety until other sources are available through the local power company."

Discussion took place and Town Attorney Wyatt Booth recommended that a sunset clause be added that would only allow this type of lighting to expire on December 15, 2015, this should give the power company plenty of time to have come up with a new lighting fixture. Planner Erin Burke commented that could be added in Section 19-4 general provisions. The corrected text amendment to the ordinance will be made a part of these minutes. Mrs. Burke also requested that the Board adopt a policy that all requests for street lights have to come to the Board for approval; Consensus of the Board of Commissioners for a policy be established that before a light fixture can be installed it will have to have Board approval.

MOTION: Commissioner Burke seconded by Commissioner Peel to approve text amendment Section 19-4 as amended adding a sunset clause to expire December 15, 2015 was approved by the following vote: Ayes: Commissioners Fry, Walker, Collins, Burke, Peele and Wickre. Noes: None. Absent: None

MAYOR'S AGENDA

SUBJECT: Appointments to Planning Board, Board of Adjustment and Cemetery Board

MOTION: Commissioner Collins seconded by Commissioner Walker to re-appoint everyone back to the Boards that they were already on was **NOT** approved by the following vote: Ayes: Commissioners Walker and Collins. Noes: Commissioner Fry, Burke, Peele and Wickre. None. Absent: None

MOTION: Commissioner Collins seconded by Commissioner Walker to open the nominations for the Planning and Zoning Board two year appointment to expire January 2016 was approved by the following vote: Ayes: Commissioners Fry, Walker, Collins, Burke, Peele and Wickre. Noes: None. Absent: None

The following were nominated for the Planning and Zoning Board: Hal Goodman, Frank Hester, Bill Parker, Bebe Woody, Jack Gregory, Grizelle Fearing and Phil Scarborough.

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

Ballots were given to the Board and for three seats for the two year appointments to expire 2016 and the following are the votes received: Grizelle Fearing 5 votes; Bill Parker 4 votes; Frank Hester 2 votes Phil Scarborough 1 vote; and a tie of 3 votes for Hal Goodman and Bebe Woody. Mayor Daniels broke the tie by voting for Bebe Woody.

MOTION: Commissioner Burke seconded by Commissioner Walker to appoint Grizelle Fearing, Bill Parker and Bebe Woody to the Planning and Zoning Board for two years to expire January 2016 was approved by the following vote: Ayes: Commissioners Fry, Walker, Collins, Burke, Peele and Wickre. Noes: None. Absent: None

MOTION: Commissioner Collins seconded by Commissioner Walker to appoint Bill Parker the Planning and Board chair was approved by the following vote: Ayes: Commissioners Fry, Walker, Collins, Burke, Peele and Wickre. Noes: None. Absent: None

Ballots were done for the appointments to the Planning and Zoning Board for the two seats for the one year term to expire January 2015 and the votes are as follows: Phil Scarborough 5 votes; Hal Goodman 3 votes; Frank Hester 2 votes and Jack Gregory 2 votes.

MOTION: Commissioner Burke seconded by Commissioner Fry to appoint to the Planning and Zoning Board for one year to expire January 2015 Phil Scarborough and Hall

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

MOTION: Commissioner Burke seconded by Commissioner Wickre to open the nominations for the Board of Adjustment for two regular members and two alternates to expire February 2016 was approved by the following vote: Ayes: Commissioners Fry, Walker, Collins, Burke, Peele and Wickre. Noes: None. Absent: None

The Commissioners asked Jack Gregory, who was in attendance at the meeting if he would be willing to accept an appointment to the Board of Adjustment and Mr. Gregory stated "he cannot sit on a Board that he is ready to sue."

The following were nominated: Richard Welch, June Neri, Tony Sadler and Frank Hester.

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

The votes were as follows: June Neri 6 votes; Frank Hester 6 votes; Tony Sadler 3 votes; and Richard Welch 3 votes.

MOTION: Commissioner Burke seconded by Commissioner Wickre to appoint the following to the Board of Adjustment as regular members Frank Hester and June Neri and to appoint two alternates Richard Welch and Tony Sadler with terms expiring February 2016 was approved by the following vote: Ayes: Commissioners Fry, Walker, Collins, Burke, Peele and Wickre. Noes: None. Absent: None

SUBJECT: Cemetery Board appointments

MOTION: Commissioner Burke seconded by Commissioner Collins to re-appoint all the current members to the Cemetery Board Lynda Midgett, Joanne Williams and Amy Etheridge to the Cemetery Board with terms expiring January 2017 was approved by the following vote: Ayes: Commissioners Fry, Walker, Collins, Burke, Peele and Wickre. Noes: None. Absent: None

SUBJECT: Report Outer Banks Tourist Bureau- Mayor Daniels updated the Board on the Tourist Bureau and they are making appointments to membership.

COMMISSIONERS AGENDA:

Commissioner Fry- commented that he has not heard anything bad happening at the skateboard park; but that one of the skaters threw some trash in the Marshes Light private dumpster and someone complained to the Police Department. An officer responded and told

the skateboarders to not throw trash in a private dumpster. The Board would like Mr. Skinner to ask Marshes Light to mark their dumpsters as private and to bring this to the attention of Chief Haskett. The Town provides trash receptacles at the skate park for them to use.

Commissioner Burke commented that he has heard nothing but good reports about the tree lighting and the program that was done and what a great job James McCleave and the Public Works staff did on the clean up.

Commissioner Wickre commented that the Christmas decorating contest for residents and businesses was well done and she would like to help with that next year. The winner for residential decorations was from Pirates Cove and the business winner was the Cannady Guest House.

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Collins seconded by Commissioner Walker the meeting was recessed at 7:45 pm until the workshop meeting of January 22, 2014 at 4pm was approved by the following vote: Ayes: Commissioner Peele, Wickre, Walker, Fry, Collins, Burke. Noes: none. Absent: None

This the 8th day of January 2014

Jamie Daniels, Mayor

ATTEST:

Becky Breiholz, Town Clerk