

MINUTES

The Town of Manteo Board of Commissioners held their July 1, 2015 Regular session in the Dare County Administration Building meeting room 168, 954 Marshall C. Collins Drive, Manteo 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
- Commissioner Richie Burke

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 6:40 pm followed by a moment of silent meditation and the Pledge of Allegiance.

SUBJECT: Adoption of Agenda as presented or amended-

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

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

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

SUBJECT: Approval of Minutes of Regular June 3, 2015 meeting

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

SUBJECT: Approval of Minutes June 15, 2015 recessed budget/ workshop meeting

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

SUBJECT: Approval of Minutes of Recessed June 17, 2015 Public Hearing meeting

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

SUBJECT: Approval of Minutes of Recessed Public Hearing June 24, 2015 meeting

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

PRESENTATION-Scott Power the Regional Supervisor for the Eastern Office of the N.C. State Historic Preservation Office- is here to discuss the National Historic Registry process and the steps to becoming a Certified Local Government. In 1996 Manteo requested an inventory of all historic structures in the town in preparation for applying to become a National Historic Register District. The inventory was completed but never pursued. Since that time there are some structures that have been demolished and others that "aged in" to eligibility. Earlier this year, at the request of the Board of Commissioners, staff from the Town and the State Historic Preservation Office reviewed the inventory and the existing structures. The recent review of the structures indicated that there are enough contributing structures to warrant pursuing the establishment of a National Historic District. The State of North Carolina Historic Preservation Office also offers the Certified Local Government Designation that works in cooperation with the National Historic District designation.

He was asked to come to the meeting to explain the Historic Programs; one is State and one is Federal and what they are all about and to answer questions. The Board will have to make up their minds if they are right for our community.

The National Historic Preservation is the nation's official list of buildings, structures, objects, sites and district worthy of preservation for their significance to American History and the Preservation Act was established in 1966. The listing of property in the National Register places no obligation or restriction on a private owner using private resources to maintain or alter their property; it is only when federal funding or licensing is used that the owner would be obligated to follow federal funding preservation standards. There is an intense process that the property must go through and most of that process is handled by consultants to help the owner get designated and they have a list of consultants for North Carolina. It is largely an honorary designation. There is no direct correlation between the National Register listing and local designation. Incentives for Preservation of National Register Properties are tax benefits and

those properties may be eligible for a 20% federal income investment tax credit. There is also a limited matching grant and loan program for rehabilitation of National Register properties. Additional North Carolina tax credits are provided for certified rehabilitations on non-income producing historic buildings.

The National Register should not be confused with the local historic property and historic district designations. The local historic property and historic district designations are made by a local governing board on the recommendation of a local historic preservation commission. This program of local designations is an option available to local governments under North Carolina enabling legislation (G.S. 160A-400). Properties and districts listed in the National Register sometimes receive local designation in jurisdictions where local preservation commission has been established and according to the state legislation, but there is no direct correlation between them.

Local governments in North Carolina can choose to take advantage of state enabling legislation that allows them to create historic preservation commissions and to designate local historic districts and landmarks. Members of a preservation commission are selected by the local governing board from the general public and a majority of the members must demonstrate a special interest in history, architecture, archaeology or related fields. A zoning district and ordinance would be set up; a commission appointed by the Board would have to be set up and they would have oversight and regulate which is the only way to have legal control over those properties. If someone wants to make changes to the property they would need to come before the Board which is a totally different process than the National Register. Most people go through the National Register first and use that to encourage others to participate and is not threatening and sometime in the future decide it would be a good thing move forward and establish a preservation commission. Not every property will qualify but those that do Property owners in this program have the right to defer 50% of property taxes as long as the maintain that property in a preservation like manner and runs in perpetuity with that property; if they decide to let it go they are subject to recapture of those taxes 5 years back. Mr. Powers most communities go straight into that and does not see a need but start with the National Historic Register and then if they see a need for that then establish a local commission. Mr. Powers stated this was a quick explanation of two relatively sophisticated programs that would require a lot of attention to go through that process. For a local commission the Board would have to work with the Town Attorney through that process to set up an ordinance, set up rules of procedure and establish a commission.

Mayor Daniels asked what the next step would be for the Town and Mr. Powers commented that he has been talking with Planning staff and some people in the community about doing a National Register district and personally he thinks it is something that should be considered since we do have one and it might be a good time to pursue that. The benefits of tax credits was discussed. Mayor Daniels asked if a building was raised above base flood level would they still receive the tax credit and was informed that it depends on how far it is raised and sometimes there are creative ways to make it work. Everything in a historic district has to be contiguous, there can't be pockets here and there. It was asked about the old hotel and Mr. Power

commented that if there has been a significant change they are considered non-contributing but if able able to be restore to the original building then it might be considered. Buildings over 50 years of age will be considered.

The next step would be for the town to hire a consultant to prepare the documents to apply for the National Register and Mr. Powers stated that they have a list of consultants that they can give to us and the costs vary depending on what needs to be done.

Town Attorney Wyatt Booth asked Mr. Powers to talk about the Certified Local Government program. For the Certified Local Government the Board would need to establish a commission. Mr. Booth commented that Manteo has a historic district overlay already and a preservation committee that would need to be tweaked to meet the state level. If you have a commission established and they are doing what is called design reviews where someone comes before them that want to change something on their building and they get permission from the commission once that process is being done for a year then the Town can apply to become a certified local government. If all the criteria is met then the Town can apply for a specific amount of money that has been set aside to go toward grants with a 60-40 match. The Commission will have to have a set of design guidelines. Mr. Booth commented that our preservation committee is mostly a subcommittee of the Planning Board so to move up to CLG level that committee would have to become a commission having real authority and design guidelines set up. Mr. Powers commented that most of the commissions have people on them that are architects, historians, archaeologist which most places don't have that range of professions so it is important that those that sit on the commission have some knowledge. They offer training programs to help those that are appointed to the Commission. The commission is a quasi-judicial board and the Commissioners are not allowed to interfere with the Commission. Several members from the audience support the Town establishing a historic district. Commissioner Collins asked about some of the houses that are on the west side on Sir Walter Raleigh. Mr. Powers commented that it should be contiguous but going across the road might be something that can be done. Mr. Powers also commented that it never hurts your property to have it on the National Registry. Mayor Daniels if a historic building can be torn down. Mr. Powers stated that it can be for one year but only if you have a local commission overseeing a local district which gives you time to look at preservation options. After the year it can be torn down unless property has statewide significance. Members of the audience urged the Board to move forward on this. The next step would be to get a cost estimate of a consultant and Mr. Powers recommended that the Board to talk to at least three or four of them. There is no grant funding available for this so it would have to be paid for by the Town or private sources.

A break was taken at 7:40 pm.

Mayor Daniels called the meeting back to order at 7:55 pm.

PUBLIC COMMENTS – None

TOWN MANAGER'S AGENDA

SUBJECT: Discussion and consideration of Electronic Policy-this was presented to the Board at their June 17th meeting by Madison Maher our Town Intern. This is a tool that staff can use to be gauge and judge what can be put on our website, Facebook and other social media. Commissioner Wickre commented that she read through it and it looked pretty thorough and addresses the issues of dealing with outside interests and is a good policy.

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

MAYOR'S AGENDA

SUBJECT: Discussion of attracting a hotel to Manteo-Mayor Daniels commented this was sent to the Planning Board several months ago but would like some clarification on a few things would like to have the Planning Board clarify a few items. He would like them to:

1. Review existing zoning regulations for hotel development within the Town (identify zoning impediments)
2. Identify potential sites (both inside and outside Town) and what it would do for our tax base.
3. Address water and sewer capacity for this type of development
4. Obtain specifications from hotels built within other historic towns to see how they are working with these towns to meet special architectural zoning requirements; i.e. height and square footage
5. Doing a density overlay

This will go on the Planning Boards July 14 agenda and Planner Erin Burke will report back to the Board.

Another item the Mayor wanted to discuss was having more festivals downtown; he has been approached by several individuals about doing car shows/Jeep shows/children's festivals /wildlife festivals. Someone would like to come to the Town on September 10 and would have 400 people coming to downtown. Mr. Skinner informed the Board that if they are going to consider taking on Dare Days that discussion needs to take place very soon; we can't wait till May. Mr. Skinner also stated that staff will do what the Board tells them but we do not have the depth of staff to do it; we can do the physical part; the law enforcement and heavy lifting but we do not have the staff to do the administration. Discussion took place on how to encourage these events and how the Town would handle that. Commissioner Wickre commented that there are other things going on in the Town so they have to make sure they do not interfere with

them. It was suggested that a policy needed to be set; policies and guidelines would need to be developed; a calendar kept so they would not interfere with established events already; the cost and cleanup and police. Commissioner Walker said that they would need to be a benefit to the businesses and the Town. Commissioner Fry commented that Rocky Mount has a car show and that staff can contact them. Commissioner Wickre commented that she has no problem working on a draft policy for the Board to review. The Coastal Family Church has sent an email and wants to do a Halloween event again but would like to use Queen Elizabeth Street, Ananias Dare and Magnolia Pavilion from 10am to 9pm. Also discussed was number of people versus food vendors and how would that affect the restaurants in town. Expanding the Blue Grass Festival was discussed and the feasibility of having bands set up on stages downtown and how that would affect the festival. The logistics would need to be worked out. The Town has been approached to take over Dare Days and Mr. Skinner commented that that we do not have the administration staff to handle it and the Board needs to make a decision soon, they can't wait until January and decide to do it. It was suggested the Board look at all the events done by the Town it is a huge investment that is already put into those events and not look at what those events do for businesses but what it does for the Town. Commissioner Collins thinks we should take on Dare Days Commissioner Fry commented that this needs to be discussed at a workshop with someone from the County. Mayor Daniels commented that we have put money in the budget for Dare Days. Mrs. Twiddy commented that it is \$5,000 and that is for entertainment only. She also contacted Dare County and was told that it was a \$20,000 expense with \$20,000 in revenue, but that did not include the coordinator salary or the other agencies that are involved. Commissioner Wickre commented that the County kept their funding for Dare Days in their budget and she was told that they would help the Town with the in kind services that the county employees have always done. Mr. Skinner's concern is that administratively we do not have anyone that can dedicate the time to Dare Days. The Board would like someone from the County to attend their July 15 workshop meeting so that this can be discussed. Mrs. Twiddy informed the Board that there \$18,000 in overtime was spent last year for special events for the Police and Public Works; which does not include the \$72 a ton garbage disposal fee or the \$500 for ambulance service. Mrs. Twiddy will get an average of what special events cost the Town including equipment uses. It was suggested hiring a part time coordinator. Mr. Skinner is to contact the County to see if anyone from their office can attend our July 15 workshop meeting.

COMMISSIONER'S AGENDA

SUBJECT: Discussion of Space needs study-Commissioner Peele asked about the remodel plans for the police department and reception area. Staff had reviewed the plans made changes and sent those to Renaissance for a price quote. We still have not yet received that estimate. The first quote was for \$28,000 and the Board only allowed \$10,000. As soon as we receive the new quote it will come back to the Board. Also discussed was the need for some type of shelter to cover the equipment that the Town has invested in. Staff to get a price quote and bring back to the Board for their October workshop.

SUBJECT: Discussion of Sidewalks and Street Paving Commissioner Fry. Precision Sidewalk repaired sidewalks throughout Town and gave us a list of those sidewalks that needed to be replaced. Queen Elizabeth replacement was discussed; Mrs. Twiddy commented that over the years we have done maintenance and strong public opinion does not want the bricks removed for aesthetic reasons; we have looked at all the options that could be done from concrete, ramps over, removing trees and other methods that can't be done because of tidal flooding. That particular area does not belong to the Town of Manteo even though we maintain it; the property line of the Tranquil House Inn goes to the curb line as does the sidewalks for the entire length of Queen Elizabeth Street on both sides. The trees are pushing up the bricks on Queen Elizabeth and not sure how those can be fixed unless the trees are removed. We can continue to address the bricks on increment basis and the only way to fix it is to remove the trees. There have been multiple discussions with the property owners to take care of this; it has been addressed many times with no response. Staff to contact 1587 about the sidewalks and trees. There is no funds in Powell Bill until end of October. We will address sidewalks in October.

The Board would like concerns and comments added back to the agenda on the end.

SUBJECT: Special Events/Parks and Recreation-this item was discussed under the Mayor's agenda

TOWN ATTORNEY'S AGENDA

Mr. Booth would like to get quotes from consultants and put it on this on July workshop and start discussing the merits of two historic districts and what directions the Board wants to go. They can do both or just one. Mrs. Burke can get the consultant list from Mr. Powers and send out our information to them for a price. If it is received in time we can put that on the July agenda. Mr. Booth commented he will attend the July workshop agenda.

PLANNER'S AGENDA

SUBJECT: Discussion Stormwater Project Phase II-This update project list was done for the Town by Quibble. Mrs. Burke commented that there were a couple of different options but we have never pursued any of these. Mr. Skinner commented that the catch basin on Budleigh Street near 108 Budleigh that goes under Manteo Book Sellers and comes back up on Sir Walter Raleigh and come down Old Tom to connect into work that had been previously done. This has not been engineered so he has no idea of what it would cost. Mrs. Twiddy informed the Board that they had \$105,000 in the new budget for stormwater, they put 2 cent in but last year they put 3 cent. She stated she does not have her balance sheet but there is approximately 110,000 from last budget year. Mr. Skinner commented that he can solicit bids for the engineering. Mrs. Twiddy commented that if they are going to solicit bids that they do it now because the process could take up to a year.

SUBJECT: Discussion Land Use Plan update-The land use plan used to be updated every 5 years but that is no longer required. The need to update the plan was discussed and if we do an update we would have to pay for it ourselves but we would not be bound to CAMA. It was adopted in 2005 and amended in 2007. If the Board choses to do it we would need a consultant to do the public input and mapping of it be staff could probably be done in house. The cost would depend and there are no grants available to do this. The investment will be in the mapping and having someone to the public input portion; someone that can come in and be unbiased. The mapping would be where they want to see growth and where the want to limit growth. One of the limitations was what we had left in sewer allocation. The Board needs to reflect what they want the Town of Manteo to be and how to make things a reality. Commissioner Collins thinks they should pursued. Mr. Skinner commented that they can put out some feelers to get a cost estimate Mrs. Burke will see what other small towns have done that did their own land use plans and what it cost them and get that information back to the Board.

Mrs. Twiddy commented that she has to do a water and sewer calculation at the end of the year and that the Town has purchased less water and treated less sewer because of fixing those items that were discussed in the last land use plan. She will get the Board the exact figures.

MOTION: Commissioner Burke seconded by Commissioner Fry to cancel the Board's August meeting was approved by the following vote: Ayes: Commissioners Fry, Burke, Wickre, Collins, Walker and Peele. Noes: None. Absent: None

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Wickre seconded by Commissioner Peele the meeting was recessed at 9:35 pm until at 4:00 pm July 15, 2015 Dare County Administration Building Room 168 954 Marshall C. Collins Drive was approved by the following vote: Ayes: Commissioner Peele, Walker, Burke, Wickre, Fry, Collins. Noes: none. Absent: none.

This the 1st day of July 2015

ATTEST:

Jamie Daniels, Mayor

Becky Breiholz, Town Clerk