

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room, July 3, 2013 at 6:30 p.m.

The following members were present: Mayor Jamie Daniels
Commissioner Darrell Collins
Commissioner David Farrow
Commissioner Nancy Peele
Commissioner Richie Burke
Commissioner Hannon Fry

The following members were absent: Commissioner Christine Walker

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

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 Farrow, Collins, Peele, Burke and Fry. Noes: None. Absent: Walker

SUBJECT: Approval of Minutes of Regular June 5, 2013 meeting

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

SUBJECT: Approval of Minutes of Recessed Workshop June 19, 2013 meeting

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

PUBLIC COMMENTS -Town Manager stated that **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.

Frank White-Woodlands Drive does not want to see a part of education destroyed; the old gym is part of their heritage and they would be destroying an opportunity to teach children about their heritage. Concerned that the Board of Education always operates in a crisis mode; do not change the ordinance.

Terry McDowell-Agona Street- echoes what Mr. White said and is against any destruction of building and changing the ordinance.

Melody Leckie-Uppowoc; it is important to communicate and is against the movement to do away with the high school 50 buffer. Also concerned about destroying a historic structure and against changing the ordinance from 90 days.

Martha Jane Worrell-Devon Street; heard that they were going to stop parking on Devon Street; has a business on Devon Street and needs people to be able to park on the side of the road.

Dick Welch-Wingina; not for removing the buffer but is for maintaining it. Thirty years of vines covering dead trees; high threat of fires; and thinks that the buffer needs to be cleaned up. Considers the buffer a threat to health, safety and value of the community and an embarrassment to the Town and School Board.

Gwen Wescott-Wingina; the buffer is a wind, noise and light buffer; don't cut it down use it as a teaching lab to teach earth science or horticulture.

Rodney Benson-Agona; Preserve and Prosper means preserve the sense of community, lifestyles and history, do not let anyone circumvent the laws.

Sarah Benson-Agona; thinks the old gym should be re-purposed to serve the community and does not want the ordinance changed. Work with the Board of Education to come up with different options. She also gave the Board a letter written by George Cheeseman who was unable to be here is also against changing the ordinance.

Bebe Woody-Sir Walter Raleigh and a member of the Planning Board; the School Board seems to come at the last minute and making the Town look bad; leave the ordinance there has to be other options.

Beth Storie-Lord Essex and her biggest concern is why the public hearings were canceled. Has no attachment to the old gym or the high school buffer but there is a need to save historic buildings if removed can change the face and culture of the Town.

Walter Holton-North End and a member of the School Board; we live on a historic island and only have so much land. They have worked on this for several years and difficult decisions but feel they came up with the best solution which is removal of the building so can enlarge the elementary school and not have to bus the children over to the beach. The children are more important than any structure.

Estelle Wilson-Mother Vineyard; School Board wants to tear down an old building and cut down the high school buffer, lets now let them destroy and regress the Town, just say no.

Ben Sproul-Chairman of the School Board and hopes to alleviate fears, there has been a lack of communication about the high school buffer and they are exploring ideas about the buffer as it is a dangerous situation. For the elementary school expansion they have done a study on the over population, they have tried to use that building and have been working on the overcrowding problem since 2008.

Brandy Foreman-Baumtown Road; Manteo Elementary School is very family oriented; believes the School Board is working hard for our children and doing what is best for them, they do not deserve to be placed in an old building.

John Wilson-Fernando Street; is disappointed about the School Board 2 actions; understands the need for additional classrooms and they have known this problem exists. The building was paid for by taxpayers of America and was gift to the Town; it stands proudly and needs to be brought up to standards; don't change 90 day waiting period. Have the Preservation and Architecture Review Committee work with the School Board. Do not allow the buffer removed, just say no.

Michael McOwen-Sir Walter Raleigh; Education is important and if we don't make a decision quickly we will have to send our children off Roanoke Island and does not like the scare tactics. Feels we have a lot of resources to come up with ideas and other options.

Phil Forman-Baumtown Rd; Kids might have to be bussed to other communities; they have been working on this for 4 years and nothing has been said in those 4 years. Thinks the School Board has done a great job and does not believe that the building is historic.

Bea Basnight-lives on Roanoke Island and School Board member; they have no plans to remove the high school buffer; they would like to clean up the underbrush. They have discussed various ways to expand the elementary school the past 4 years and having to work with the funds they have and if there was a way to save the building they would.

Denise Turner; against removing the buffer but is for maintaining the buffer. The elementary school is overcrowded and we need extra room; does not want to bus our kids.

Malcolm Fearing-thanked the Board for their service. Been through school issues a longtime and just because something is old does not make it historic. The waterfront was torn down for progress. Supports the Board of Education expansion which was something that was requested by the Town of Manteo Commissioners.

Christine Wright-Wanchese; supports the BOE in approval of the expansion of the school and demolishing the building.

Barbara? (unable to hear and did not sign up to speak) wanted to know if a demographic study had been done, how many students will they be bussing; what will be the projected population for the middle school.

Bill Parker-Fernando and Planning Board Chair. They do the best to balance and try to protect property values. We are limited on the number of historic buildings and a 90 day wait allows everyone to come together to discuss other options. Hopes they do not change the ordinance.

Petie Brigham-the fence between her property and the school property is not on their property line and wants to know who is going to maintain the buffer that is on her side of the buffer, is the school board going to clear her side of the buffer. Hates to see anything historic torn down.

TOWN MANAGER'S AGENDA

SUBJECT: Request from Cypress Cove, John Robbins for the Town to take over their water and sewer. In accordance with the Town's ordinance 50-125 Mr. Robbins researched

what would be required to dedicate the water and sewer lines to the Town of Manteo. They would also like for the Town to take ownership of the roads and sidewalks within the community.

MOTION: Commissioner Burke seconded by Commissioner Fry to take over water and sewer infrastructure at Cypress Cove was approved by the following vote: Ayes: Commissioners Farrow, Collins, Peele, Burke and Fry. Noes: None. Absent: Walker

Town Attorney-Wyatt Booth explained why the public hearing was cancelled. According to the General Statute the changes to the zoning ordinance need to be reviewed by the Planning Board and they have 30 days. This issue came up in mid June and the Planning Board has 30 days to make a recommendation or no recommendation and in his opinion a public hearing was premature; assuming the Planning Board will make a recommendation. The public hearing for the buffer was withdrawn from the agenda by the request of Sue Burgess with the School Board.

PLANNER'S AGENDA

SUBJECT: Discussion and consideration of setting a public hearing for text amendment to Sec. 3-14 (8) i. building permits required. This item was scheduled for a public hearing at this meeting but was canceled to give the Planning Board enough time to review and make a recommendation. The Planning Board will discuss this at their next meeting of July 9, 2013 and give a recommendation to the Board at their workshop agenda. Planner Burke commented right now it is a discussion of the time requirement and whether or not the permit is going to be issued by staff or by Planning Board. The Board would like to go ahead and schedule the public hearing for a date and time after they receive the Planning Board's recommendation. Commissioner Fry asked Ms. Burke who makes the decision of the building being torn down and she responded the way the ordinance is currently written the demolition permit is issued by the Planning and Zoning Board not by staff. Town Manager Kermit Skinner stated he thinks what Commissioner Fry meant was that the decision to demolish or not demolish the building is not a Town of Manteo decision; Ms. Burke commented that is correct. Ms. Burke stated that if the application comes before staff and there is no opposition and nobody comes forward to pay to restore or remove the building the permit would be issued. The only other demolition permit that we have had was the old house next to the old Dare County Farm Bureau and that property was advertised and actually was in fairly good shape but it was not economical to move the house. Mayor Daniels commented that the earliest we can have a public hearing would be July 24th.

Sec. 3-14. - Building permits required.

Building permits to be approved by the zoning administrator:

(1) Residential new construction and additions;

- (2) Alterations and repairs;
- (3) Mobile homes;
- (4) House moving;
- (5) Signs;
- (6) Residential—detached storage buildings, utility buildings, carports, and workshops;
- (7) Piers, docks, jetties, walkways, and ramps;
- (8) Demolition of non-historic structures:
 - i. A permit for demolition of an historic structure shall require a ~~90~~ 15-day public notice ~~and may only be approved by the Planning and Zoning Board.~~

MOTION: Commissioner Fry seconded by Commissioner Farrow to set public hearing for July 24th at 6:30 pm for text amendment Sec. 3-14 was approved by the following vote: Ayes: Commissioners Farrow, Peele, Burke and Fry. Noes: Collins Absent: Walker

FINANCE OFFICER'S AGENDA

SUBJECT: Discussion and consideration of change to fee schedule of water rates for irrigation and Pirates Cove request for reduced water rates. This was discussed at the June workshop meeting and staff was directed to work with Pirates Cove and Commissioner Burke to try and come up with solution. They have asked for a seasonal rate and staff does not recommend that. After the meeting with all concerned Pirates Cove asked that the original request made at the regular June meeting be considered and the original memo and text amendment will be made a part of these minutes.

MOTION: Commissioner Farrow seconded by Commissioner Burke to approve text amendment effective after the July 15th billing cycle, unless staff is able to make the changes before the next quarterly bill is sent was approved by the following vote: Ayes: Commissioners Farrow, Collins, Peele, Burke and Fry. Noes: None. Absent: Walker

SUBJECT: Discussion and consideration of change to the codified ordinance by a text amendment to Section 46-113 and add Devon Street to the list of prohibited parking. This is not normally on Finance agenda but the Police Chief was out due to a funeral. Over the last several years we have received complaints where traffic has been impeded; we currently have an ordinance with prohibited parking on certain streets. Commissioner Farrow commented he has heard complaints about parking on Essex Street. Mrs. Twiddy commented that it is an offense to impede traffic but the Chief does not feel comfortable writing tickets if parking is allowed and requested this to be on the agenda. Mrs. Twiddy read from 46-111 (11) which prohibits parking within 12 inches of the regularly established curb line. Commissioner Collins wanted the record to reflect that tickets should be issued if vehicles are 12 inches in the roadway.

MOTION: by Commissioner Peele to approve the Section 46-113 no second made motion died for a lack of a second was NOT approved.

COMMISSIONER'S AGENDA

Commissioner Farrow-commented on the noise level and how the boom boxes are vibrating his house.

Commissioner Peele would like for something to be done about parking on 4th of July and needs to be controlled; knows it is late for this year but would like something done about it for next year.

Commissioner Farrow would like to know how much traffic is on Hwy. 64 Town Manager will make a request to NCDOT

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Fry seconded by Commissioner Burke the meeting was recessed at 8:20 pm until the joint workshop meeting with the Planning and Zoning Board on July 17, 2013, at 4pm at the Outer Banks Visitor Bureau Board Meeting room was approved by the following vote: Ayes: Commissioner Peele, Farrow, Collins, Burke and Fry. Noes: none. Absent: Walker

This the 3rd day of July 2013

Jamie Daniels, Mayor

ATTEST:

Becky Breiholz, Town Clerk