

MINUTES

The Town of Manteo Board of Commissioners held their October 7, 2015 Regular session in the Dare County Administration Building meeting room 238, 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 Richie Burke
Commissioner Martha Wickre

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 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 would like to add to the consent agenda Resolution 2015-12 Declaring two police vehicles surplus. Mr. Skinner stated they were the 1990 5 ton truck and a 2005 Ford Explorer and will be placed on GOV deals auction.

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

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

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

SUBJECT: Approval of Minutes of Regular September 2nd 2015 meeting

MOTION: Commissioner Collins seconded by Commissioner Peele to approve the September 2nd minutes as presented was approved by the following vote: Ayes: Commissioners Fry, Burke, Collins, Wickre and Peele. Noes: None. Absent: Walker

SUBJECT: Approval of Minutes September 16, 2015 recessed workshop meeting

MOTION: Commissioner Collins seconded by Commissioner Peele to approve the recessed September 16th minutes as presented was approved by the following vote: Ayes: Commissioners Fry, Burke, Collins, Wickre and Peele. Noes: None. Absent: Walker

SUBJECT: Approval of Resolution 2015-12 Declaring vehicles One (1) 1990 AMG 5 ton utility Truck Vehicle ID#230514NL04TY One (1) 2005 Ford Explorer Vehicle ID# 1FMZU62K75UA98095

MOTION: Commissioner Collins seconded by Commissioner Peele to approve Resolution 2015-12 as presented was approved by the following vote: Ayes: Commissioners Fry, Burke, Collins, Wickre and Peele. Noes: None. Absent: Walker

SUBJECT: Report by Officer Moore on K-9 program- He distributed a report and in his report the following was stated: July 2015 marked the one year mark since we have had our K-9 team in place. Over the last year we have accomplished success in many different areas and look forward to continued success in the program; one of the most positive experience with the K-9 team is the education and demonstrations we have conducted within the community. The effort to deter drugs from entering the community must start with education. We have conducted demonstrations with the Dare Challenge students and the Manteo Rotary club. We also participated in National Night out for the last two events. One place "Boscoe" is very welcome in town is the Harbor Towne Apartment complex which is occupied by a large amount of children who love to see "Boscoe" as I talk to them about what he does and about the dangers of drugs. There has also been numerous positive interactions with residents of the town and tourists as to the benefits of having a K-9 program. He also added that not in the written report he provided is that the National Certification is coming up with the North American Police Working Dog Association; this is a program that will certify the dog nationally and we will be going through those trials which is pretty strenuous. It is a highly recommended program. They will also be going into schools this year and doing a presentation of the effects of drug and alcohol before the upcoming prom. They already went to First Flight High School and that marijuana was found on campus. Those students that were caught will go to Teen Court so it will not go on their record and they also try to reach out to them to warn them of the dangers and offer help.

Training is the key to maintaining a highly qualified K-9 team. We have trained approximately over 170 hours, all which have been volunteered, with our training group which consists of K-9

teams from Nags Head Police Department and Dare County Sheriff's Department. Recently we have also been invited to train with Currituck and Chowan County Sheriff's Departments K-9 teams. Our training group also deployed with the United States Coast Guard to train on boats to help the K-9 teams learn how to effectively assist the Coast Guard in the search of vessels involved in illegal drug trade. A K-9 team is another tool in our tool box to continue to make Manteo a safe place for citizens and visitors.

To date we have been involved in 6 felony drug cases, 5 of which resulted in the recovery of heroin, marijuana, amphetamines, or cocaine within the town limit of Manteo. The 6th case involved us being called to the town of Nags Head when their K-9 team was not available. The Nags Head case resulted in the recovery of a felony amount of marijuana concealed in a vehicle being brought to the Outer Banks from Maryland. One heroin case in particular was troubling because it involved a drug deal that happened in the library parking lot which is right by the grade school. A disturbing part of this case was the suspects threw several used syringes from their vehicle while they attempted to evade arrest. The good news all these syringes were located and recovered before any child could find them.

We have also had several misdemeanor possession cases where Boscoe has located small amounts of controlled substances. These cases are important too because it allows the person to be brought into court and given an opportunity to seek help and counseling for their problem before it gets out of control.

An important point to the recovery of illegal drugs with the K-9 team is the intelligence gathered to develop further cases. Drug investigations are complex lengthy investigations with the ultimate goal being to stop the dealers who bring drugs into our community. Officers who utilize the K-9 teams are able to provide intelligence to investigators who in turn are able to remove dealers from our community. One question I would like to address that I continue to hear on a regular basis is, "Why does Manteo need a K-9 when other departments have one?" This is a legitimate question. As police officers we must abide by laws and court rulings in the performance of our duties. Citizens of the United States have rights, as law enforcement officers we want to insure everyone's Constitutional rights are preserved. A majority of our narcotics arrest come from traffic stops, during a traffic stop officers have a limited time to conduct business with the driver and passengers of the vehicle to investigate traffic offenses or other criminal behavior. Detaining a person too long could possibly infringe on their rights if further reasonable suspicion is not established. Requesting a K-9 from another agency outside of Manteo does run the possibility of these rights being infringed upon. This is one main reason why Manteo needs to maintain the current K-9 program.

Last I would like to speak of a goal that is difficult to measure. This is, "How much controlled substances have we prevented from coming into town?" Do we really know at this point? No,

unfortunately we don't know. This success will be measured over the years we have the K-9 team on the road working.

We will know this by Manteo continuing to be a safe community for all to enjoy. We do know in speaking with investigators from different agencies that have conducted interviews with people who are involved in the drug trade, they have mentioned Manteo Police having a K-9 team as a part of the law enforcement team. People involved in the delivery of illegal drugs have a network of information of their own. People who use and sell drugs don't want to get caught and face consequences so they will do their research into who has K-9 teams, when they are working, they will avoid areas where K-9 teams are readily available so they don't get caught.

I would like to thank the Board of Commissioners, Mayor Daniels, Mr. Skinner, and Chief Haskett for your continued support in this worthwhile program and would encourage anyone with questions to please contact me.

PUBLIC COMMENTS –

Mayor Daniels invited members of the public to address the Board of Commissioners on any topic or if anyone wanted to speak on a specific agenda item to state their name.

Bill Godwin-Manteo resident and retired from law enforcement thanked the Board for supporting the K-9 program. Those who say we don't have a drug problem and it is a waste of taxpayer money are a hindrance to the program, "we have a problem". The position taken here is a deterrent and prevention and there is no report for that. We are being proactive and it is a deterrent that you can't put a price on.

Rodney Benson –Manteo resident and also been involved with law enforcement through the Corrections Department. He commented that he agrees with Bill and when talking about cost that prevention is less than the actual problem and thinks it is money well spent.

Sarah Benson- Manteo resident and thanked the Board for the program and stated she is involved with the youth program "Go Far," which is a character building program and they would love to have Doug and "Boscoe" to come and do a presentation for them.

MAYOR'S AGENDA

SUBJECT: Discussion and consideration of national Historic District Consultant Contract- The contract amount is \$12,950.00 with a completion date of no later than December 31, 2016. If approved the first community meeting will be held in October or November of this year. There will be another community meeting at the end of the project to review the nomination. Draft will be completed for review in May of 2016. Submission and review of the nomination by SHPO is dependent upon SHPO's review period. Commissioner's Fry and Burke thought that staff was looking for other funding to pay for this. Mrs. Burke stated that they are still looking for funding and applying for grant funding. She explained that the State Historic Preservation

Office (SHPO) meets 3 times a year to review nominations for funding and if we hire the consultant we can apply in October 2016; there may be grant funding coming up during that time that we can apply for. Commissioner Wickre asked if the homeowner could do this on their own and Mrs. Burke stated yes but it can be costly to them and this would cut out that cost. Mayor Daniels asked, if we have to hire a consultant to get a district and we can't choose what district and once we have the district you are then eligible for tax credits? Mrs. Burke respond yes, but we cannot regulate. . Commissioner Fry commented that he has a hard time spending tax payer money to benefit only a few. Town Attorney Wyatt Booth commented that it is two parallel courses and explained that having a National Historic District will not prevent demolition of a building and doesn't enable the Board to legislate what can be done. If the Board wanted to stop a demolition the Town they would have to be a Historic Certified local government and to do that the Board would have to establish a historic committee independent of the Board of Commissioners and the Board does not have the power to override the Commission decision. Mayor Daniels commented that it seems there is no interest by this Board to pursue this. No motion was made.

COMMISSIONER'S CONCERNS/COMMENTS

Commissioner Peele reminded the Board of the Halloween activities at the boat house; she is also working on some ideas for Dare Day.

Commissioner Wickre commented that there are 3 Halloween activities going on downtown and that the Coastal Church is using the Magnolia Market and parking lot next to 1587. Budleigh Street to Ananias Dare will be closed at 2pm. She also reminded the Board of the wooden boat show coming up. She also wanted to suggest that the Commissioners ride in a float for the Christmas parade and is working on ideas.

Commissioner Collins reminded the Board that the unveiling of the Historic surf boat will be unveiled and that there will be a cookout and games at Collins Park from 1-4 on Saturday. He also asked about the email received concerning our Powell Bill funds not being released and Mrs. Twiddy commented that it has been taken care of; they had received the sign copy but also required an unsigned copy which has been sent and the funds are being released.

Commissioner Fry informed the Board that Commissioner Walker has had another procedure and to keep her in our prayers. He also stated that during the Christmas tree lighting there is always a football game and he spoke with the principle of Manteo High School and there will not be a game that night. He also would like a meeting with NCDOT and everyone involved with the paving of Queen Elizabeth Steet to hold a meeting on the sinkholes before the actual paving is done.

Commissioner Burke-reiterated the good being done by Officer Moore and the K-9. He also asked if there could be more than one handler for the dog during times when Officer Moore is off duty. It was explained that if more than one handler it would lead to all types of problems.

You can always call the officer on his cell phone. Mrs. Twiddy commented that new state legislation enacted about police officers cell phones not being published. The use of the Police non-emergency (bat phone) cell phone was discussed and the officer will not answer the phone if they are on a call. The benefit of using central on emergency number is they contact the officer and there is a log kept. Pros and cons were discussed about the bat phone and the Board would like the Chief to present a report about the usage of the phone at the recessed October workshop.

Before Mayor Daniels went into closed session he informed the Board and those present that the meeting was going to be recessed to October 21 at 4:00 pm starting with a tour of the water plant, 710 Bowsertown Road and then reconvening back at the Dare County Administration Building, 954 Marshall Collins Drive.

A 5 minute break was taken at 7:40 pm.

Mayor Daniels called the meeting back to order 7:50 pm

CLOSED SESSION NCGS 143.318.11 (a) 3 consult with Attorney regarding Board of Adjustment appeal by Grander LLC.

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

This is in regards to the Pirates Cove Pavilion site plan that was approved by the Planning Board in 2010 to be an open air pavilion, but has been enclosed to be a conditioned space and they did not go through the process of getting a permit to do this.

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

CLOSED SESSION NCGS 143.318.11 (a) 3 consult with Attorney regarding potential claim by Waterfront Condominium Association.

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

This is in response to a letter received from Attorney Ed Gaskins on behalf of the Waterfront Condo Association who believe that they were overcharged on their water account since the water rate increase.

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

MOTION: Commissioner Fry seconded by Commissioner Burke for the Town Attorney to send a letter to the Waterfront Condo Association offering a credit for overpayment on their water bill was approved by the following vote: Ayes: Commissioners Fry, Burke, Collins, Wickre and Peele. Noes: None. Absent: Walker

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Wickre seconded by Commissioner Fry the meeting was recessed at 9:35 pm until 4pm October 21, 2015 to the Manteo Water and Sewer Plant, 710 Bowsertown Road for a tour of the facility and to reconvene at the Dare County Administration Building, 954 Marshall Collins Drive was approved by the following vote: Ayes: Commissioner Peele, Wickre, Burke, Fry, Collins. Noes: none. Absent: Walker

This the 7th day of October 2015

ATTEST:

Jamie Daniels, Mayor

Becky Breiholz, Town Clerk