

MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room, September 5, at 6:30 p.m.

The following members were present:

- Mayor Jamie Daniels
- Commissioner Darrell Collins
- Commissioner Richie Burke
- Commissioner Christine Walker
- Commissioner David Farrow
- Commissioner Nancy Peele
- Commissioner Hannon Fry

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 Regular meeting to order at 6:35 pm with a moment of silence; Boy Scout Troup #11 was introduced and led the Pledge of Allegiance.

SUBJECT: Adoption of Agenda as presented or amended-

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

SUBJECT: Adoption of the items on the Consent Agenda

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

SUBJECT: Approval of Minutes of Regular and Closed July 18, 2012 meeting

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

SUBJECT: Approval Resolution 2012-15 NC Big Sweep 2012

MOTION: Commissioner Walker seconded by Commissioner Fry to approve Resolution 2012-15 as presented was approved by the following vote: Ayes: Commissioners Farrow, Fry, Walker, Burke, Peele and Collins. Noes: None. Absent: none

PUBLIC COMMENTS – Town Manager asked for any one to speak on items not on the agenda and if you want to speak on an item on the agenda please come forward so that the clerk can enter it into the record. There were no public comments

PUBLIC HEARING-to receive comments on proposed text amendment to allow duplexes in B-1

MOTION: Commissioner Walker seconded by Commissioner Collins to enter into a public hearing was approved by the following vote: Ayes: Commissioners Farrow, Fry, Walker, Burke, Peele and Collins. Noes: None. Absent: none

No public comments

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

TOWN MANAGER'S AGENDA

SUBJECT: Presentation by Quibble of Downtown Stormwater Improvement Plan-Warren Eadus with Quibble gave a power point presentation on the stormwater issues throughout town, but mainly downtown. They have done a comprehensive map showing all of the stormwater system; ditches, old pipes some working some not, outfalls. They presented the Town with a prioritization project check list; with the downtown area being first on the list. Stormwater relocation was shown to the Board and a rerouting of the stormwater. They will upgrade the line and put a junction in so that there will be two drainage areas. Besides helping with the quantity of the water the town will be able to deal with water quality also. The Town will also need to make a commitment of maintenance of these drains. There will be some limitations because some of the grades are already set and will do the best they can with what they have. Town Manager Kermit Skinner's memo to the Board stated that preliminary design proposal and scope of services agreement from Quible & Associates for the design, engineering, permitting, bidding, and construction management for the replacement of a primary Stormwater culvert which drains approximately 15 acres of the downtown area is included in the packet. The drainage area in this project begins on Ananias Dare Street behind the Town Hall and ends in an outfall beside the Maritime Museum. As you will recall from earlier discussions on this situation the Stormwater collected at the head of this culvert flows into an open ditch between Burleigh and Sir Walter Raleigh Streets and then returns to a closed culvert that used to flow under Manteo Furniture. This portion of culvert has collapsed creating "choke

point” causing the water collected along the route to pond and flood in the areas adjacent to the open ditch section. In addition to this blockage the portion of closed culvert from Fernando Street to the outfall is now compromised. The culvert is made of corrugate metal and its age is undetermined, it has simply reached the end of its useful life and needs to be replaced. Further compounding these structural issues the Town of Manteo does not have easements for any of the ditch/culvert system except those portions located on Town owned property. I am afraid that staff has exhausted all the “band aid” remedies we have available. The permanent solution to the problem is to relocate and replace all of the existing compromised metal culvert with new concrete pipe relocated into NCDOT and/or Town of Manteo right of way. There is no escaping that this will be an expensive project, somewhere in the \$150K to \$175K range but there does not appear to be an alternative solution to this problem. Staff is recommending that the Board enter into a professional services agreement with Quible & Associates in the amount of \$23,000.00 for the design, permitting, bidding, and construction management of this project.

MOTION: Commissioner Fry seconded by Commissioner Collins to enter into an agreement with Quibble & Associates for \$23,000 for the design, permitting, bidding and construction management of the downtown Manteo project was approved by the following vote: Ayes: Commissioners Farrow, Fry, Walker, Burke, Peele and Collins. Noes: Absent: none.

Mr. Eadus gave the Board an update of the oyster shell project to keep the marsh from eroding quickly in Shallowbag Bay. Mr. Skinner commented that Mr. Eadus did all the engineering for the project and did not charge the Town; the Town purchased the shells and bags; the placing of the oyster shell bags were done by volunteers and we greatly appreciate his work.

SUBJECT: Discussion of request for funding by the Lost Colony-Sandy Semans’ spoke on behalf of Symposium and gave the Board a presentation on the event. She presented the Board with a schedule of events and described those. The Bill and Ida Friday International Symposium on the Roanoke Island Voyages is a six day event set for October 6-11 at Fort Raleigh and the new Fish and Wildlife Service’s Gateway Visitors Center. This first time event is part of The Lost Colony’s 75th Anniversary Celebration. They are requesting that the Town award a Channel 20 grant up to \$5,500 to film the presentations and portions of the “digs” to be edited and presented on the government access channel. Video CD’s will also be made available for use in classrooms. The estimated cost is approximately \$4500 and they are requesting an additional \$1000 for contingency. Steve Jozik, IT Administrator stated in his memo to the BOC that the Town is a member of the local government access channel and as such we have access to grant funding that can only be spent on content for Channel 20. If approved, this is a good project for the Town to partner with. Funding this project will negatively affect our existing plans for the Channel 20 funding. Mr. Jozik recommended that the BOC only approve the request for \$4500 and not the additional \$1000 contingency fund because we are required by the terms of our contract to use Channel 20 funds exclusively for producing government access channel content and it might be difficult to prove that contingency funds went directly into producing video content. Mr. Jozik also recommends the following conditions be applied to the

funding: 1. The Channel 20 Board approves the request and provides the funding; 2. The organizers of the event sign a memorandum of understanding that requires them to use the funding for the stated purpose and provide us with an itemized receipt for all funds expended; 3. The organizers provide Channel 20 with all content created with the funding. Commissioner Farrow commented don't we have a policy that we don't donate money to things like this; it was explained this is not a donation, that this a grant and the Town receives \$20,000 from Channel 20 to use for content to be placed on Channel 20 and if it is not used we return the funds to Channel 20. These funds are not coming out of the Town's general fund.

MOTION: Commissioner Walker seconded by Commissioner Fry to approve funding of \$5500 with the following conditions: 1. The Channel 20 Board approves the request and provides the funding; 2. The organizers of the event sign a memorandum of understanding that requires them to use the funding for the stated purpose and provide us with an itemized receipt for all funds expended; 3. The organizers provide Channel 20 with all content created with the funding was approved by the following vote: Ayes: Commissioners Farrow, Fry, Walker, Burke, Peele and Collins. Noes: None. Absent: none.

PLANNER'S AGENDA

SUBJECT: Discussion and consideration of text amendment to Section 2-1 to allow duplexes in B-1 at the March Planning and Zoning Board Meeting staff prepared text to amend the zoning ordinances to allow for duplexes in existing residences in the B-1 Village Business District but the BOC wanted this to go back to the Planning Board for a more detailed ordinance for questions on lot coverage and parking; the Planning Board did not meet in August. Ms. Burke commented that B-1 mirrors R-5 except for parking and duplexes/accessory dwellings are not listed in B-1 as it is in R-5 and was not addressed when the ordinance was rewritten. The existing ordinance does not require onsite parking for any other use in B-1 and recommend against requiring additional parking for duplexes in the B-1 district. Commissioner Farrow stated we should have parking for everything in B1 and this needs to be addressed. Town Attorney Wyatt Booth commented that if the Board is worried about the specifics of a project they can make it a conditional use instead of a permitted use. Ms. Burke commented that it would then have to go through the conditional use process of going back to the Planning Board and a site plan needs to be submitted.

MOTION: Commissioner Farrow seconded by Commissioner Burke to **NOT** approve the text amendment was approved by the following vote: Ayes: Commissioners Farrow, Fry, Burke, Peele . Noes: Commissioner Collins and Walker. Absent: none.

COMMISSIONER'S AGENDA

Commissioner Farrow-Resolution Honoring Edward Greene for his contribution to the Town of Manteo World of the Arts Festival. Commissioner Farrow commented that in all the years Mr.

Greene has been doing the Arts Festival no one has thanked him or shown him appreciation in anyway.

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

Commissioner Farrow-Discussion of boat docking at the Lighthouse pier and possible text amendment. Over the years the Town has placed restrictions on usage of the Town docks by policy rather than ordinance; February 3, 1999 policy was issued for exclusive use of the west side of the Lighthouse pier by the Maritime Museum for its interpretive programming; use of the west side of the lighthouse platform for embarkation and disembarkation by commission sponsored passenger boats to and from the Town of Manteo; August 1994 a motion was made and approved to allow people to tie up to the lighthouse pier for a maximum of twenty-four hours without a fee. The only ordinance that was passed in August 1996 Section 30-10 (which now is Section 21-1 Mooring of Boats; not allowing boats or other personal watercraft to be tied up to the north side of the foot of the Cora Mae Basnight Bridge and leave unattended exceeding a period of one hour. Commissioner Farrow would like to incorporate all these policies into one ordinance. Town Attorney Wyatt Booth commented that he will work with Mr. Skinner and Ms. Burke to clean up the language.

MAYOR'S AGENDA

SUBJECT: Report Outer Banks Tourist Bureau- Mayor Daniels gave an update and they received a presentation from Heery Company on usages for Windmill Point; one recommendation was for a inclusive conference center/hotel for 36 million.

SUBJECT: Update on Manteo Elementary School, Mayor Daniels will put this on the workshop.

Recess taken at 8:15pm

SUBJECT: CLOSED SESSION-NCGS 143.318.11 (a) 5 acquisition of property Dockmaster's office.

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

Discussion took place on the purchase of the dock-master's office at the waterfront condo's. Town Attorney Wyatt Booth has been working with the bank to get the condo documents in order to record them. The Bank is willing to accept the \$116,000 that was offered several years ago to Ray Hollowell. Property values have decreased and the Board would like for staff to get an appraisal or ask the bank if they would furnish us with one.

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

MOTION: Commissioner Fry seconded by Commissioner Walker to ask the Bank if they have an appraisal on the property and if not have staff get an appraisal was approved by the following vote: Ayes: Commissioners Farrow, Fry, Walker, Burke, Peele and Collins. Noes: None. Absent: none.

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

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

Discussion of possible remedies for the boatshed at Collins Park.

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

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Collins seconded by Commissioner Fry the meeting was recessed at 9:05 pm until Sept. 19, at 4pm was approved by the following vote: Ayes: Commissioner Peele, Farrow, Fry, Walker, Burke, Collins. Noes: none. Absent: none.

This the 5th day of September 2012

Jamie Daniels, Mayor

ATTEST:

Becky Breiholz, Town Clerk