

## MINUTES

The Town of Manteo Board of Commissioners held their Regular session in the Manteo Town Hall meeting room, June 4, 2014 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

The following members were absent: Commissioner Richie Burke

Also present at the meeting were: Town Manger Kermit Skinner  
Asst. Town Mgr. /Finance Shannon Twiddy  
Planner Erin Burke  
Town Attorney Wyatt Booth

Mayor Daniels called the meeting to order 6:39 pm followed by a moment of silent meditation and the Pledge of Allegiance.

**SUBJECT:** Adoption of Agenda as presented or amended-

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

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

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

**SUBJECT:** Approval of Minutes of Regular and closed May 7, 2014 meeting

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

**SUBJECT:** Approval of Minutes of Recessed Workshop May 21, 2014 meeting

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

**SUBJECT:** Approval of Budget Amendment #6

**MOTION:** Commissioner Collins seconded by Commissioner Fry to approve budget amendment #6 as presented was approved by the following vote: Ayes: Commissioners Fry, Walker, Wickre, Collins and Peele. Noes: None. Absent: Burke

**SUBJECT:** Approval of Audit Contract with Dowdy and Osborne

**MOTION:** Commissioner Collins seconded by Commissioner Fry to approve the audit contract with Dowdy and Osborne was approved by the following vote: Ayes: Commissioners Fry, Walker, Wickre, Collins and Peele. Noes: None. Absent: Burke

Erin Burke the Town Planner introduced our new Intern Xhorxhina (pronounces Georgina) Syka. She is studying political science and we are showing her the ropes of local government.

**SUBJECT:** Presentation by Chief Vance Haskett for a K9 unit. Chief Haskett and Officer Doug Moore had presented this to the Board at their recessed mid-month April meeting and the Board asked that a budget amendment be placed on the consent agenda for this item at their May meeting. This was placed on the May consent agenda but was removed for discussion. Commissioner Walker wanted to hear what the public's comments were for a K9 unit. Chief Haskett was instructed to give the presentation again at the June regular meeting so that the Board could receive any comments from the public regarding this. Officers Moyer, Moore, Renkosiak and Detective Burroughs were also present. Chief Haskett thanked the Board for listening to his request and stated to the Board that this is going to be a dual purpose dog for tracking drugs it is not going to be an aggressive attack dog. We are trying to get the dog from a certified facility that trains the dogs because they have to be certified. Chief Haskett also presented a petition to the Board that was started by the Pastor at First Assembly of God in favor of the dog. This petition will be made a part of these minutes. Chief Haskett commented that it would be a great tool and he has an officer that was interested enough who is also a K9 handler. Officer Doug Moore thanked the Board for allowing him to give them an update of his power point presentation that he gave the Board a few weeks ago. It is a proactive approach and besides using for drugs tracking, the dog can be used for tracking lost and missing people. Also a public relations tool and can be used for educational purposes in schools and other groups. The dog will be able to interact with the public and will not be an attack dog.

Commissioner Collins asked about case law regarding traffic stops. Officer Moore explained that the courts have set standards regarding the length of time someone can be pulled over before a dog gets there.

Commissioner Fry asked about other K9 units at the Sheriff's office. Officer Moore explained how other K9 units are assigned and that they aren't always available due being out on a call or if the handler is off duty.

Mayor Daniels wanted clarification regarding foot patrols and if the Chief had wanted a K9 unit in the past. Officer Moore explained the dog would be used for foot patrol but would not be used to sniff people. Chief Haskett stated that he had wanted a K9 unit in the past however he knew that he needed an officer that was interested in that type of assignment.

Commissioner Fry asked about how past resources for bike patrol have been used and chief Haskett explained that Officer Renkosiak was in charge of the bike patrol and once the department is fully staffed he will be doing more regular bike patrols.

Mayor Daniels asked about a car versus and SUV for the K9 unit and Officer Moore explained that a car is better for a K9 unit because it reduces the wear and tear on the dog's shoulders and legs from jumping out of the vehicle and is cheaper to install the cage in the car than an SUV.

Commissioner Walker asked about the retirement of the dog and who is responsible for the cost of the dog after retirement and Officer Moore stated that he would be responsible for the dog after retirement including all expenses.

Commissioner Collins asked about the availability if the handler is off duty and Officer Moore stated that he lives in Town and is a phone call away if needed by a fellow officer.

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.

Dee Isendoser-at Gallery 101 wanted to complain about the public restrooms and hopes the Board will install cameras.

Doug Kenyon-137 Twyne Lane commented on the K9 unit presentation and stated dogs do not prevent crime or deter drugs and does not believe enforcement of drug laws is effective. Urged

the Board to support only methods that are proven effective in helping mitigate these effects and a list of local methods are: Hotline, Dare Challenge, New Horizons, East Carolina Behavioral Health Crisis Access Line, local AA and NA groups, Celebrate Recovery Program at Coastal Family Church and Footprints in Recovery.

Kathryn Fagan-explained her opinion of laws that are associated with drug arrests and does not feel that the dog would be effective and would also be cause for false alerts.

Paul Charron-Full Moon thinks the Board should support using a dog from the shelter for the K9 unit.

Frank Lassen-Source Church in Manteo and acknowledges the need for a K9 unit. Treatment follows the arrest. Thinks the Board is blindfolded to the drug issue in the community. Supports the proposed K9 unit. Thanks the Police Department for all their hard work.

John Graves-OBX SPCA Director would like the Board to consider using a shelter dog.

Robert Flowers-Driftwood Drive and Source Church knows there is a problem and thinks the dog is a good first step to stop drugs and sees it first hand through his ministry with the church.

## **PLANNER'S AGENDA**

**SUBJECT:** Discussion of Setting a Public Hearing in July for a Text Amendment to the Flood Ordinance. The Flood Ordinance currently used in the Town of Manteo does not include a freeboard requirement. Freeboard is an additional height requirement above the base flood elevation (BFE) that provides a margin of safety against extraordinary or unknown risks. As flood insurance requirements and maps change this provision can help protect homeowners.

The State of North Carolina Building Code has had a one foot freeboard requirement in place for the past few years. If that provision is removed the Town of Manteo stands the possibility of losing CRS (Community Rating System) credits. These credits allow the town to provide those with flood insurance a discount on their premium.

Currently all other local jurisdictions except Nags Head, which just references the state building code, have a freeboard requirement. They are as follows:

Dare County – One Foot

Kill Devil Hills – One Foot

Kitty Hawk – One Foot

Southern Shores – Two Feet

Duck – One Foot

Currituck – One Foot

The Planning and Zoning Board recommends that the Board of Commissioners set a Public Hearing to allow for discussion and possible adoption of the following language to be included in the Flood Damage Prevention Ordinance: FREEBOARD. The height added to the base flood elevation (BFE) to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings and the hydrological effect of urbanization on the watershed. The base flood elevation plus the FREEBOARD establishes the "regulatory flood protection elevation." The FREEBOARD requirement for the Town of Manteo shall be one foot. REGULATORY FLOOD PROTECTION ELEVATION. The "base flood elevation" plus the "freeboard." In "special flood hazard areas" where base flood elevations (BFEs) have been determined, this ELEVATION shall be the BFE plus one (1) foot of freeboard. In "special flood hazard areas" where no BFE has been established, this ELEVATION shall be at least one (1) foot above the highest adjacent grade.

**MOTION:** Commissioner Peele seconded by Commissioner Fry to set a public hearing for July 2, 2014 was approved by the following vote: Ayes: Commissioners Fry, Walker, Wickre, Collins and Peele. Noes: None. Absent: Burke.

**SUBJECT:** Request from the Board of Education for a refund of permit fees- The Dare County Board of Education is requesting that the Board of Commissioners refund the building permit fees associated with the addition to the Manteo Elementary School. Staff does not have the ability to waive these fees administratively; however the Board of Commissioners has historically refunded the building permit fees associated with construction by the Board of Education. The refund amount would be \$14,683.90.

**MOTION:** Commissioner Fry seconded by Commissioner Collins to refund the fees as requested by the School Board was approved by the following vote: Ayes: Commissioners Fry, Walker, Wickre, Collins and Peele. Noes: None. Absent: Burke.

## **MAYOR'S AGENDA**

Report Outer Banks Tourist Bureau- gave the Board an update and also the term limits with the Tourist Board and eventually they will need to appoint someone else.

## **COMMISSIONER'S CONCERNS/COMMENTS**

Commissioner Wickre reported that the brochure is at the printers and reminded the Board of the regatta next week.

Commissioner Peele-brought up the public bathrooms at the Magnolia Pavilion and that cameras should be added to the area. A schedule was discussed but no consensus reached. Commissioner Fry asked for clarification on the purchase of a camera and Chief Haskett emphasized that a camera is a tool not a deterrent.

**MOTION:** Commissioner Peele seconded by Commissioner Wickre to direct staff to add cameras in the area of the bathrooms was approved by the following vote: Ayes: Commissioners Fry, Walker, Wickre, Collins and Peele. Noes: None. Absent: Burke.

The Jet Pack Business that is operating within Marshes Light was discussed and Mr. Keeney stated that it is being operated from the beach at Marshes Light. Staff is to contact Marine Patrol the next time we see the business operating and to prohibit the operation off the boardwalk at Marshes Light and Town Docks.

Commissioner Peele wanted to discuss the K9 unit and stated that the police presentation was very informative and made a motion to approve the unit.

**MOTION:** Commissioner Peele seconded by Commissioner Wickre to approve K9 unit was approved by the following vote: Ayes: Commissioners Fry, Walker, Wickre, Collins and Peele. Noes: None. Absent: Burke.

The Board discussed a good time to hold a budget workshop and consensus was Tuesday, June 10 at 5:30 and they would like a list of merit raises and overtime reports for discussion at the workshop.

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Walker seconded by Commissioner Collins the meeting was recessed at 8:15pm until the workshop meeting of June 10, 2014 at 5:30 pm was approved by the following vote: Ayes: Commissioner Peele, Walker, Wickre, Fry, Collins. Noes: none. Absent: Burke

This the 4<sup>th</sup> day of June 2014

ATTEST:

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Jamie Daniels, Mayor

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Becky Breiholz, Town Clerk