



The Town of Manteo Board of Commissioners will meet in Regular Session Wednesday, May 6, 2020 at 6:30 p.m. at Manteo Town Hall and via Teleconference\* to hear and act upon the following:

Town Of Manteo  
May 6, 2020  
Regular Board of Commissioners Meeting

AGENDA

1. CALL TO ORDER – MOMENT OF SILENT MEDITATION
2. PLEDGE OF ALLEGIANCE
3. ADOPTION OF AGENDA AS PRESENTED OR AMENDED
4. CONSENT AGENDA
  - A. Approval of Minutes – Regular Meeting on April 1, 2020
  - B. Approval of Minutes – Recessed Workshop on April 15, 2020
5. PRESENTATIONS
  - A. Municipal Clerks Week Proclamation – May 3-9, 2020
  - B. National Public Works Week Proclamation – May 17-23, 2020
  - C. Update on Town Website Schedule
  - D. Update on Town Common Schedule
6. PUBLIC HEARING – Town of Manteo Flood Damage Prevention Ordinance and Flood Maps
7. PUBLIC COMMENT

*Members of the public are invited to address the Board of Commissioners on any topic. Public Comment is not intended to require the Board to answer any impromptu questions or to take any action on items brought up during the public comment period. 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. Time limits are 3 minutes per person or 5 minutes per group. Please identify yourself and your location so that your statements can be recorded.*

8. NEW BUSINESS
  - A. Property Disposal – 604 Sir Walter Raleigh
  - B. Code of Ordinances Amendment – Section 50-144 (Adjustment of Bills)
  - C. Zoning Code of Ordinances Amendment – Section 12-7 (Boat Lifts)
  - D. Fee Schedule
  - E. Pay Plan
  - F. Grant Agreement for 4<sup>th</sup> of July Fireworks
  - G. Professional Services Contract for Town Common
  - H. Professional Services Contract for Wastewater Asset Inventory and Assessment
  
9. OLD BUSINESS
  - A. Recycling Contract Amendments
  - B. Traffic and Traffic Calming Measures on Sir Walter Raleigh Street (West of Highway 64)
  - C. Manteo Utility Relief Fund for Residents and Businesses
  - D. Selection of Town Attorney
  - E. Town of Manteo Flood Damage Prevention Ordinance and Flood Maps
  
10. MAYOR/COMMISSIONERS COMMENTS
  
11. ADJOURN/RECESS

\* The public may access the meeting by calling +1-253-215-8782, +1-301-715-8592, or +1-346-248-7799 and then entering the Meeting ID of 622-572-789. Members of the public are welcome to participate in the Public Hearing or Public Comment segments.

## MINUTES

The Town of Manteo Board of Commissioners held their Regular April 1, 2020 session via teleconference at 6:30 p.m.

The following members were present: Mayor Bobby Owens  
Commissioner Darrell Collins  
Commissioner Christine Walker  
Commissioner Eddie Mann  
Commissioner Richie Burke  
Commissioner Betty Selby  
Commissioner Jason Borland

The following members were absent:

Also present at the meeting were: Town Manager James Ayers  
Town Clerk Becky Breiholz  
Planner Melissa Dickerson  
IT Director Carl Woody  
Finance Officer Shannon Twiddy  
Lt. Brad Eilert Police Dept.

Town Manager James Ayers conducted a roll call to establish a quorum.-all Commissioners are present.

Mayor Owens called the meeting to order 6:33 pm and dispensed with the Pledge of Allegiance and Moment of Silence.

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

**MOTION:** Commissioner Collins seconded by Commissioner Burke to approve the agenda as presented was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. 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 February 28, 2020 Budget Planning Minutes; March 4, 2020 Regular and Closed minutes; March 18, 2020 Recessed minutes on consent agenda as presented

was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Noes: None. Absent: None.

Mr. Ayers stated that all the documents are on the Town website for the press and general public.

## **PRESENTATIONS:**

**SUBJECT:** Proclamation on Child Abuse Prevention Month, April 2020-Town Manager James Ayers stated this Proclamation focuses on the Child Abuse Prevention Month and does not require Board action, only the Mayor's signature.

**SUBJECT:** Feedback on Recycling Program

The Town of Manteo entered into a contract for curbside recycling with Bay Disposal in 2017. In 2020, the vendor notified the Town of a 50% increase in unit costs as well as a waiver of the prohibition against disposal of recyclables in a landfill or incinerator. The Town has solicited community feedback on the recycling program with postings on the website, social media, and other channels. The following feedback was provided to the Board in Mr. Ayers staff report; a 7<sup>th</sup> response was received who was also in favor of recycling everything possible. This requires no action by the Board,

#1 - We use the recycling program that Manteo has. If the cost is going to increase then maybe Manteo should go to once/week pick up for residential regular trash instead of the 2 times/week that is presently done. I'm not sure if that would offset the increased cost, but it should be looked at. If Bayview recycling wants to convert it to energy, then at least it doesn't end up in a landfill.

#2 - Hello, I have a home on Fernando and was never able to get the recycling rolling bin delivered to my home despite various attempts. I gave up and have been carrying the recycling to a community recycling bin. But that can get filled very quickly. I would love to have the convenience of putting out recycling at my curb, so in order of preference, first being to save the environment wherever we can: 1) Choice to pay for some form of curbside pickup as long as it's not too expensive to the homeowner. And if they can't provide a bin, at least let me try to provide my own. 2) If recycling centers are convenient, I don't mind taking materials there, but it has to be easy. I can't lift a lot of items. If that is not easy, my recyclables are going to end up in the waste bin. But as least there would be a choice!

#3 - Sharing my thoughts as a Town of Manteo resident regarding the current recycling situation and decisions at hand. I appreciate the Town seeking this information from the residents and hope that you receive sufficient feedback. I personally feel that it's very important to support recycling services, in any way that is affordable for the Town. I would be willing to pay into the program if the increased costs exceed the Town's budget. There also may be small grants or other assistance programs to look into for support. Looking at the questions posed on the Facebook page, this question is very concerning to me: If the recycling roll carts are withdrawn by the vendor, should the materials be put in the sanitation carts to save taxpayer dollars? Does this mean send all items to the landfill? Or does this mean use Manteo trash cans to hold recyclable items? Currently, aluminum cans and rigid plastic bottles are banned from NC landfills. I think it would be a terrible loss to not support recycling at all and have all the items sent to the landfill. I would emphasize the importance of educating the community on this knowledge so they understand they're breaking a law by disposing of all items to the landfill. If there is value in only recycling certain items, I would be in favor of that, especially if sorting items of value, such as aluminum cans, glass and cardboard. A big part of the problem is that people are putting incorrect items into the recycling bins, giving the materials an even lower value. I also don't think it's a terrible thing that the items taken by Bay Disposal are currently being incinerated. With the current market, it's better these items are incinerated for another use, in a clean production facility. Watching this video helped me understand better:  
<https://m.youtube.com/watch?v=QbC6ed3RAAU&feature=share>.

There's great value in providing education to the consumers, as an employee of the NC Coastal Federation, I've seen a lot of confusion circulating around the issue of recycling. I wanted to collaborate with other local orgs. and hold a public forum to bring more understanding to the complexities of recycling. With COVID canceling events for a while, I'm trying to work with these groups on virtual and social media messaging. The real solution is emphasizing the elimination of single use/disposable items. Other states are developing policies to require all dine in facilities to eliminate disposables, or charge an extra fee with these items to the customer - for cups, bags, take out containers, etc. I hope NC starts heading in this direction, the Town of Manteo could start by leading by example on some of these efforts.

#4 - We currently separate recyclable materials and use the use the curbside recycling service. I support the concept of recycling but unfortunately in the past few years the recycling markets have become dysfunctional. I agree with your recommendation that the town should not continue to pay Bay Disposal for

curbside recycling services. It makes no sense at all to pay 50% more for curbside recycling services when the material that we separate for recycling is not even being recycled. Fortunately, we have a good alternative since the Dare County Recycling center on Driftwood Drive is close to town. Manteo residents who want to continue to recycle can easily drop off their recycled materials at the recycling center. Unlike many municipalities that have farmed out their waste management services, Manteo has wisely invested in trucks and other equipment and retained good public works employees to handle our waste management services. The twice a week waste collection service provided by the town should be adequate to meet the waste management needs for Manteo residents. In these stressful and trying times it is important to remind ourselves how fortunate we are to live in Manteo. Let's be careful out there.

#5 - We have used the recycling program since it started and have been very happy with it. The roll cart is satisfactory for our recycling needs. The vendor's curbside service has been fine. It is acceptable to take the recycling to a waste-to-energy facility. It is very important for Manteo and any beach community to have a recycling service like the one we have now. We would participate in a subscription-based recycling service of comparable quality. We do not want to see recycling materials put in the sanitation carts. We support the most efficient and effective community recycling program like the one we have now. If the current vendor leaves, we support finding another vendor who will provide the same service, instead of drive up recycling that only accepts cardboard and glass.

#6 - I support the continuation of the curbside recycling program. Recycling is a complex problem that will require state, regional, and local cooperation. I understand that the state is working on alternatives but in the meantime, it is important to keep the momentum going on the collection front – that is where any solution will begin. I would like to see the Town of Manteo support the state's Recycle Right program (<http://recyclemorenc.org/RecycleRightNC.html>) and hopefully put together an initiative to educate the citizens on current recycling trends and expand the current participation.

Until other solutions are implemented, I support allowing Bay Disposal to use the Wheelabrator waste-to-energy facility. Turning the trash into electricity and steam for industrial use is a much better solution than continuing to fill landfill space. The Wheelabrator process does not add to air pollution and is explained at <https://m.youtube.com/watch?v=QbC6ed3RAAU&feature=share>.

Mr. Ayers commented that they were to have a meeting on the 30<sup>th</sup> which was cancelled; they have received word from the State, and they are working on getting a recycling center in Pasquotank, there currently is one in Portsmouth for this vendor to use. Mr. Ayers commented that they will take the feedback and provide options for the Board unless they want to provide guidance to the staff now for the May agenda. Consensus of the Board to put this on the next agenda.

**SUBJECT:** Update on Coronavirus (COVID-19) Response

**5C(i)** Town Operations-Mr. Ayers wanted to reassure the community that the Town is continuing all essential service. Playgrounds and restrooms are closed, parks remain open with social distancing. The Marina is closed prohibiting visitors from outside Dare County. The Maritime Museum , Pea Island Cookhouse and the interior of the Roanoke Marshes Light are closed until further notice. Access to the Town Hall and Police Department are limited to emergencies and the public will need to ring the doorbell.

**5C(ii)** Approval of Resolution 2020-02 to allow for Remote Participation

**MOTION:** Commissioner Collins seconded by Commissioner Burke to approve Resolution 2020-02 for Remote Participation in Board meetings was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Noes: None. Absent: None

**5C(iii)** HR Policy Updates including Town Manager Sick Leave Fund for Staff-

The Town of Manteo Personnel Policy was adopted by the Board of Commissioners on June 2, 2004 and amended from time to time upon approval by the Board. Two amendments are being requested in order to update the leave provisions of the policy Although Section 14 in Article VII (Holidays and Leaves of Absence) in the Personnel Policy authorizes shared sick leave, the program is too restrictive to be of use in the current Coronavirus (COVID-19) public health situation. For example, the current program wouldn't address needs related to a person under a 14-day quarantine for exposure, a recently hired employee, and other scenarios. Therefore, I would like to set up a Town Manager Sick Leave Fund for staff in which the Town Manager and other interested employees can donate accumulated leave to help employees in need.

Section 13 in Article VII (Holidays and Leaves of Absence) allows new employees (upon completion of the probationary period) to transfer sick leave from another

unit of NC local government but only for calculation of retirement benefits. It is recommended that this provision should be expanded to include State government as State and local government pensions both fall under the North Carolina Retirement Systems.

The Town Manager recommends approval of the change to Section 14 in Article VII in the Personnel Policy authorizing the creation of the Town Manager Sick Leave Fund and the change to Section 13 in Article VII allowing new employees to transfer State sick leave for the calculation of service credit toward retirement upon completion of the probationary period.

Commissioner Selby asked if this was for all staff or only the Manager as she wants all employees to be able to donate. Mr. Ayers commented that he is proposing to donate some of his time and that other employees can donate also.

**MOTION:** Commissioner Borland seconded by Commissioner Mann to approve the HR Policy Updates as proposed was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Noes: None. Absent: None

#### **5C(iv) Options for Relief on Utility Billing**

In response to the Coronavirus (COVID-19) public health situation, the Board of Commissioners authorized the Town Manager to suspend disconnections of utility service during emergencies. After the emergency passes, there is likely to be a need to offer some forms of relief to impacted residents and businesses. Although State statutes prohibit the waiver of the base water & sewer charges out of the Utility Fund, there are some options for relief of other fees and penalties as well as allowing for payment plans.

First, there are various fees and penalties that are assessed against delinquent utility accounts under normal circumstances. During and after the current emergency, the imposition of such fees and penalties may make it difficult or impossible for a customer to bring the account current. (The proposed text amendment to Section 50-44 (g) will be made a part of these minutes.)

Second, the payment of base water & sewer charges may not be waived by the Utility Fund. However, one form of relief is to offer a payment plan for the balance on the account.(The proposed text amendment to Section 50-44 (h) will be made a part of these minutes.)



Third, the Town of Manteo is encouraging residents and businesses to pay online, by phone, or via mail where possible. Out of 11,435 transactions processed during the last fiscal year, only 13% were paid online. One potential reason for this low utilization rate is because users paying online are assessed convenience fees of \$3.75 (credit card) or \$2.50 (check). In order to promote the use of online bill payment as we try to reduce in-person transactions during this public health situation, it is proposed that the Town should pay the convenience fee for online transactions. From a fiscal impact perspective, convenience fees paid last fiscal year totaled \$4,858.75. If the Town chooses to pay the online payment convenience fees to promote this form of payment, the Code of Ordinances does not require an amendment. All that is needed is a simple motion approving the following proposed action:

*The Town Manager is authorized to pay online payment convenience fees for payments to the Town of Manteo.*

The Town Manager recommends approval of the changes to the Code of Ordinances proposed above as Sections 50-44(g) and 50-44(h) along with the authorization to pay online payment convenience fees.

**MOTION:** Commissioner Collins seconded by Commissioner Burke to approve the Options for Utility Billing as proposed in the staff report was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Noes: None. Absent: None.

Commissioner Collins stated he was asked by citizens if their water bills could be cut in half during this time. Mr. Ayers commented that no they can't, the State Statute prohibits the waiver of the base water and sewer charges out of the Utility Fund, but the action just taken by the Board is allowed by the State.

**5C(v)** ManteoLife.Org Support Site for Residents, Businesses and Non-Profits-We wanted to support with something on the local level and the community is coming together to help out. He wanted to thank Michele Bunce and Carl Woody who put this website together in 7 days. We are asking the businesses and residents for ideas and get the word out. This does not require Board action.

**5C(vi)** Manteo Small Business Emergency Fund - Coronavirus (COVID-19) has impacted public health on an international scale, and the economic impacts are already being felt locally. Small businesses are particularly hard-hit in the current

environment, and these businesses and the jobs they provide make up the backbone of the local economy here in the Town of Manteo. North Carolina local governments are authorized to perform economic development activities such as offering emergency loans to small businesses. The Town may consider the creation of a Manteo Small Business Emergency Fund for this purpose. Although there are many steps to consider before authorizing such a use of public funds, the first action would be for the Board of Commissioners to set a public hearing with a notice period of at least ten days in order to meet the statutory requirements for an appropriation for an economic development purpose that was not included in the current fiscal year budget.

The recommendation is for the Board of Commissioners to set a public hearing at its April 15<sup>th</sup> meeting to consider the Manteo Small Business Emergency Fund.

Commissioner Walker asked how this would work. Mr. Ayers stated that most areas have community foundations set up for these types of business loans and ours is not set up that way, so we would have to do it locally with a short form loan application, underwriting and establishing parameters such as maximum loan amount, only businesses that are local and those parameters would be set by the Board.

Commissioner Burke asked if this is a loan or a grant. Mr. Ayers commented under State Statute we can not make a direct grant to businesses or 0% interest loans but have some leeway to help bridge the next couple of months for businesses.

Commissioner Selby asked if we have had any requests for these loans and Mr. Ayers responded no. The businesses have closed and will need help getting back open and reaching out to businesses as to what they need, and this has come up several times.

Mayor Owens thinks this we would be opening a pandora's box and there are a lot of questions. Who is going to signify and who qualifies? Mr. Ayers, in this case should the Board believe this economic development is needed and as we get the information for the Board, we are asking the Board if they want to entertain it, we are only asking for a public hearing to be scheduled April 15<sup>th</sup> because State law requires a 10 day notice for a public hearing.

Commissioner Borland stated I think this is just to schedule a public hearing, and as a small business in the Town he doesn't think it is appropriate for him to vote on it, but he will speak on it. He is proud of what we are doing and commends staff

with the new website. It needs to be figured out who would qualify and be in sync with the SBA loans that are out there making sure that they don't qualify for those because we have given them money and proud we are starting this and how we can help our residential and commercial people in Town.

Commissioner Collins would like to see what James comes up with as far as ideas and criteria; we should do all we can to support the small businesses of Manteo. Mayor Owens agrees with what has been said and is not against it, thinks it is admirable but thinks we are opening a pandora's box; we as Commissioners say one can have it and another one says why can't I have it; we haven't even seen the budget yet. He supports bringing up at a public hearing but this is heavy when you stop and think about all the complications.

Commissioner Selby would like to see where it is coming from the budget and is it coming out of general fund. We want to give those small businesses economic relief, but we need more details. We need to coordinate with what the State is coming out with, we don't want to hurt the small businesses and want to support it with the right details and coordinate it with anything else.

Commissioner Borland asked what we are we going to present to the public; the intent is there, what is the messaging for the public hearing. Mr. Ayers stated between now and the agenda packet would be released he would get the parameters and framework that the Board and Citizens will have something to look at. There would be two issues one is the fiscal issue; this would be taxpayer money and taken from fund balance and the other issue would be what it would do for the small businesses and jobs here. The only reason he suggested a public hearing is to find out what the public has to say and without that public hearing we won't be able to move on.

Commissioner Eddie Mann is okay with the public hearing he just wants to know if James can get them the information about how much total funds would be coming from the fund balance by April 15; what kind of interest rate, proposed qualifications so they can get a better grasp of everything.

Commissioner Selby asked since Commissioner Collins asked about cutting the bill in half for citizens, and if you are talking about economic relief, the citizens also need that. Mr. Ayers commented although the State does not prohibit us from setting up some kind of relief we can talk about relief for businesses through economic development and relief for residents out of general fund; where the businesses would be loans and the residential would be grants.

Consensus of the Board was for Mr. Ayers to get them more information before the April 15<sup>th</sup> meeting.

**MOTION:** Commissioner Collins seconded by Commissioner Burke to schedule a public hearing for the Manteo Small Business Emergency Fund and for funds for Citizen Relief grants for the citizens for April 15, 2020 at 5:00 p.m. was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Noes: None. Absent: None

## PUBLIC COMMENT

Mr. Ayers asked the public if they want to make a comment they will need to hit \*9 to raise their hand. There were none and public comments was closed at 7:05 pm.

## NEW BUSINESS:

**SUBJECT:** Discussion of Traffic and Traffic Calming Measures on Sir Walter Raleigh Street (West of Highway 64) This was discussed at the March 4, 2020 meeting and the Board asked the Manager to speak to the Chief of Police on speeding issues and contact NCDOT about what can be done.

Mayor Owens would like to table this until April 15 and thinks it is unfair having the discussion doing teleconference. Commissioner Walker commented we have to get used to doing the Town business this way and it might be the new normal and thinks the discussion is worthwhile.

Mr. Ayers commented that the Manteo Police Department deployed the speed trailer and officers at the location on Sir Walter Raleigh St.

Manteo Police Lt. Brad Eilert commented that they deployed the speed trailer and officers to this location within 12 hours of receiving this request. The data that was collected from speed trailer were 13,495 vehicles came through the area with 85% going 24 mph or less which is 10,350 vehicles. 1% were over 10 plus miles per hour which is less than 1% or 122 vehicles. Those going over the speed limit were from the hours of 7-9 am and 2-6 pm on weekdays. The Officers enforcement action was 6 speeding tickets; 15 left of center; 1 expired registration; 3 no operators license and 1 expired inspection violation from March until today.

Mr. Ayers commented that the second part of this was he spoke with NCDOT about the traffic calming measures and they do not allow speed bumps, speed humps or speed cables on the road. Several years ago, the measures that were taken in regard to the bulb outs was by a request from the Town to have those placed to slow down the traffic at the Town's expense. The secondary purpose is to help define the parking spaces on the south side of the road, the north side of the road is a no parking as it is a travel lane. NCDOT would consider taking them out at our request and our expense. Mr. Ayers also talked to them about a crosswalk at the playground, typically they do not do a mid-block crosswalk. They like them at the ends but if this is something the Town wants to do; they will consider that also at our expense. We have also received a request by letter from the Church asking us to remove the no parking signs in front of the church, unfortunately that is a travel lane and not comfortable removing those signs. He spoke with the Police Department and if there is not enough parking in their lot or Haven Creek Lane for a funeral or other large gathering, we can allow cooperation with the Manteo Police Department to make sure there is support there for a funeral procession or special cases.

Commissioner Selby-the people have spoken they want the bulb outs removed and she would like more investigation in having them removed, the Town of Manteo people on the westside want them removed.

Commissioner Collins commented that only a few people have requested the removal. The bulb outs are there for protection, if a kid steps in the street with a bulb out there a car can't hit them, if you take the them out and a kid steps in the street a car could hit him. Commissioner Selby commented that in the public comments that kids run out and cars can't see them; it was stated that cars are going to the left of center and that is the problem.

Commissioner Burke-when we did this, we had multiple meetings on this, and no one came out and said they opposed this until now.

Commissioner Borland said there are a couple of different things. We have a bump out problem and a speeding problem. The bump outs are a traffic calming device to slow people down. His reaction, the bump outs should stay but we dropped the ball on maintenance of them. There should not be big trees in there but there should be something there that looks nice. It needs care and attention. It seems to be conflicting ideology. The bigger problem is the speeding and appreciates the police being out there.

Commissioner Burke agrees with Commissioner Borland it needs flowers and be properly maintained.

Commissioner Selby commented the people have spoken and want them taken out and that there will always be conflicts when it comes to the west side.

Commissioner Collins when the public commented on the bulb outs at the last meeting, they stated there were trees in the bulb outs. There are no trees in the bulb outs. Mayor Owens commented there were trees there at one time. Commissioner Collins said there were trees there, but we took them out. We have low flowering Indian Hawthorne's there and it is well maintained.

Commissioner Borland there is conflicting ideology on bulb outs and people change their minds and they are there for a purpose and keep that in mind.

Commissioner Mann would like to do whatever the people want but would like more discussion. Mayor Owens agrees we need more discussion and wanted it to be discussed when people can come to the meeting.

Commissioner Walker thinks meeting in person for the discussion is important, she knows the bulb outs are an approved method of calming traffic based on NCDOT recommendations and hesitant to remove them. She agrees with Darrell they look so much better now; the trees were removed. A crosswalk would be great if NCDOT approves that and we need to rely on their recommendations as well as the police.

Mayor Owens asked this be discussed at the May meeting.

**SUBJECT:** Schedule of Recommendation from the Planning Board and Scheduling a Public Hearing on the Town of Manteo Flood Damage Prevention Ordinance and Maps

**MOTION:** Commissioner Borland seconded by Commissioner Walker to schedule a public hearing for the Town of Manteo Flood Damage Prevention Ordinance and Maps for May 6, 2020 at 6:30 pm was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Noes: None. Absent: None

**SUBJECT:** Authorization to Place Parking Signs for Veterans-A Member of the Board indicated an interest in honoring the service of veterans by designating parking spaces for “Veteran Parking Only” in Town parking lots.

**MOTION:** Commissioner Mann seconded by Commissioner Burke to authorize the town Manager or his/her designee to place “Veteran Parking Only” or similar signs in Town parking areas was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Noes: None. Absent: None.

### **MAYOR’S/COMMISSIONERS COMMENTS**

Mayor Owens apologized to the Board regarding this meeting it is a new era and it has been awkward.

Commissioner Borland-knows this has been a frustrating meeting but he appreciates the Town getting us set up virtually to be able to conduct business and it is a small win. Since we will be unable to run into each other he wants the public to reach out to the Commissioners and the Town and have faith we will see the other side of this.

Commissioner Walker agrees with Jason and for the public it is difficult and have to power through and thank staff for continuing our services. Please reach out phone or email if there is an issue we can help out with.

Commissioner Collins agrees with Jason and Christine and would like to thank the Manager during these trying times. He also wanted to know if we had an update on the audit contract. Mr. Ayers commented that the contract has been executed and the Finance Department has already started working on it.

Commissioner Mann thanked everyone in the Town for keeping our services going and encourages everyone to reach out to them by phone or email.

Commissioner Selby feels the same reach out anytime, the staff has been wonderful. We work for the citizens of Manteo.

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Collins seconded by Commissioner Walker the meeting was recessed at 7:30 pm until April 15, 2020 at 5:00 pm was approved

by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Noes: None. Absent: None

This the 1<sup>st</sup> day of April 2020

ATTEST:

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Bobby Owens, Mayor

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Becky Breiholz, Town Clerk



## MINUTES

The Town of Manteo Board of Commissioners held their Recessed April 1, 2020 on April 15, 2020 via Teleconference at 5:00 PM.

The following members were present:

- Mayor Bobby Owens
- Commissioner Darrell Collins
- Commissioner Eddie Mann
- Commissioner Christine Walker
- Commissioner Richie Burke
- Commissioner Betty Selby
- Commissioner Jason Borland

The following members were absent:

Town Manager James Ayers welcomed everyone to the Town of Manteo's Telephone Conference Call for the Recessed Meeting of the Board of Commissioners. Today is April 15, 2020, other Town staff members present on the conference call include Town Clerk Becky Breiholz, Finance Director Shannon Twiddy, and IT Department Head Carl Woody. Mr. Ayers asked everyone who speaks to please introduce themselves so that the Town Clerk can capture what is said for the minutes, This meeting is available to the public, and the public will have the opportunity to provide public comment at the appropriate times on the agenda. Also, the meeting is being recorded so that interested parties can hear the meeting should they be unable to attend.

Mayor Owens called the teleconference meeting to order at 5:00 p.m. Town Manager James Ayers did a roll call of the Board and all were present except Commissioner Burke who was having technical difficulties calling in but was present 5 minutes after the meeting was called to order and a quorum was established.

**DEPARTMENT HEAD REPORTS:** Town Manager James Ayers reported that the full agenda packet is on the Town's website as are the department head reports and are available to the public and press. The reports were not read aloud.

**SUBJECT:** PUBLIC HEARING-Manteo Small Business Emergency Fund

**MOTION:** Commissioner Walker seconded by Commissioner Borland to open the Public Hearing was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Nays: None. Absent: None.

Town Manager James Ayers reported that he received two written comments and read them into the record.

Douglas Backman – Manteo resident: "I support this so long as it remains a legitimate loan that is paid back. Actually, the Town should have had such a fund before this current economic panic. This should be called the Manteo Small Business Fund. Remove the "Emergency" verbiage as we should not have to refer to this as an emergency to justify its creation. Consider it

as a micro lending creation that fills the many voids currently in place from the large lending institutions prior to the current situation. Long overdue.”

List of suggestions compiled Bebe Woody – Header reads “TOM going forward suggestions: How can the Town help our citizens and businesses through the Coronavirus. There is no reason why we can’t take the lead in this type of effort.” The section relevant to the proposed small business emergency fund reads “Loans may create a conflict of interest with other government loan/funding programs. Also, loans have to be paid back ... grants do not.” Mr. Ayers noted for the record that this feedback arrived prior to the final draft of the program documents, and we incorporated provisions that would eliminate any such conflicts or barriers, such as the use of UCC-1 filings and allowing early payoff without penalty for those businesses who get funding from the SBA or other.

Mr. Ayers reported there are 14 callers online and they are able to make a comment by pressing star 6 on their phone which will raise their hand and we will identify them by the last 4 digits of their phone number.

Commissioner Borland commented it would make more sense to recap the logistics and where the money is coming from before people comment on it.

Mr. Ayers gave the following report:

#### Background

The Coronavirus (COVID-19) pandemic continues to impact public health worldwide, and this declared emergency has had a negative effect on the economy as well, both globally and locally. In Manteo, the majority of firms are small businesses, and these enterprises provide jobs and economic output critical to the local economy. Evidence continues to mount indicating a significant number of local businesses are struggling due to being closed as non-essential under the State Executive Orders, being listed as essential but having few customers due to emergency travel restrictions, and other reasons related to COVID-19.

Under North Carolina General Statute 158-7.1, local governments are authorized to make appropriations for “economic development purposes” and the “appropriations must be determined by the governing body of the city or county to increase the population, taxable property, agricultural industries, employment, industrial output, or business prospects of the city or county.” In the face of the economic impact of COVID-19, local small businesses may need emergency loans as capital to weather the storm and keep the business afloat until the economy re-opens and the customers return.

#### Proposed Program

The Manteo Small Business Emergency Fund is proposed to address emergency capital needs of local businesses, and the program framework has been informed by guidance from the UNC School of Government (SOG), the Development Finance Initiative (DFI), peers from around the state, and legal counsel. The desired outcome is to protect local jobs and keep local businesses open. It is important that the emergency fund can be enacted quickly to prevent closures in the

face of the emergency, and it is also essential that it should be structured to protect the investment in the local economy.

Eligibility parameters should be established, and here are proposed minimum requirements:

- Small business (i.e., less than 50 employees including owner)
- Physical location within Town limits
- In business for at least one year
- Primary occupation of owner (i.e., not secondary employment)
- Demonstrated impact from COVID-19

A simplified loan structure is proposed in order to satisfy the needs of borrowers in different situations. Here is the proposed framework:

- Loan amounts ranging from \$2,500 to \$5,000
- Interest rate of 6%
- Payment program designed to assist with short-term cash flow while maintaining long-term payment compliance
  - Example – 10-year loan – \$5,000 (see attached UNC DFI worksheet)
    - Year 1 – \$0.00/month – deferred payment – interest still accrues
    - Year 2 – \$26.54/month – interest-only payment
    - Years 3-10 – \$69.76/month – principal & interest
- No penalty for early repayment – encourages participation in SBA or other loans
- No UCC-1 filing to assist with borrower eligibility for Federal or commercial programs
- Owner(s) with 33% or larger share must sign as co-borrowers

The application process needs to be streamlined to avoid “red tape” that can hinder timely program implementation, yet it still needs to collect key information that will document program eligibility and potential for positive impact. Prospective borrowers will need to fill out a relatively short application form documenting their eligibility with the criteria noted above as well as information related to the job retention and business continuity objectives. Also, they will need to provide information on their business including, but not limited to, financial statements or tax returns, short narrative on business planning and use of funds, and related items. Eligible expenses may include payroll, accounts payable (including Town water bills), fixed debts, rent, etc.

Commissioner Borland asked the source of the fund-Mr. Ayers responded the proposed funds are to come from the existing fund balance; this fund is set aside for emergencies. For comparison purposes our fund balance \$4,184,853,00 and this is a small percentage of our fund balance.

Commissioner Walker asked by how much would the fund balance be reduced. Mr. Ayers response was about 2% of overall budget. Commissioner Selby asked who would be reviewing and keeping track of the applications. Mr. Ayers commented that it would be done in house and he would oversee and leading the process; larger jurisdictions use a third party like a community development, but we do not have that available and it save administrative fees. It would only be about 20 or 25 loans; we have more businesses than loans available and they would be prioritized, and in the event that the loans are over-subscribed the Board can make the decision

to expand. Commissioner Selby commented so it is possible those who apply will not get the loan. Mr. Ayers commented correct and doing what we can is better than doing nothing.

Commissioner Burke how can we ensure that the loans are paid back. Mr. Ayers commented this is a business loan and will have to be signed off by any owner who has more than 33% ownership must sign as co-borrowers; some organizations have considered attaching inventory but having those kinds of attachments could make the same businesses not eligible for the other types of funding; we are trying to bridge them with this loan to larger loans and there still is an expectation, that they repay the principal and interest and having the payment program set up by deferring the interest payment the first year and interest only the second year, and principal and interest of \$69.76 monthly years 3 through 10, surely someone can make that payment and will be set up with promissory note. Commissioner Burke asked if anyone else in the County doing this and Mr. Ayers responded that other jurisdictions are doing this but not any in Dare County.

Mr. Ayers commented there are 15 callers online and updated the call-in instructions. In order to raise their hands, they need to hit star 9 on their phones not star 6. He will call out the last 4 digits of their phone number.

Susan Henderson-614 Pirates Way-(last 4 numerals of phone are 8834). She had two questions. Since the loan vetting of the applications are being done in house what measures are being taken to avoid the appearance of conflict of interest by those reviewing the applications and her second question is those companies that end up getting loans will that list be made public information.

Mr. Ayers commented as a point of order we do not usually answer questions back and forth but if the Mayor thinks they are relevant he can answer her questions. Mayor Owens commented we can, but we cannot set precedent but since these are valid questions, he will allow it, but the public needs to know we are not going to be allowed to comment.

Mr. Ayers stated the reason we are doing this in-house is because we do not have an available Community Development Financial Initiative; he has already outlined in the report the criteria for the application and criteria for continuity of business. The application will be a matter of public record, the only thing that can not be released are personally identifiable things such as social security numbers or driver license numbers. Mrs. Henderson commented that just in case a conflict of interest she would suggest having someone recuse themselves from the decision on the loan application and have a secondary person doing that.

Gina Owens-603 Sir Walter Raleigh (7362)-she has two questions that are not about what is being discussed. She wants to know what the Town has in place for the COVID-19 for getting masks and hand sanitizer to the people of the Town, especially the old people at Bay Tree. Her other question is about the sidewalk on the south side of Sir Walter Raleigh Street and the bump outs, has there been any progress on that. Mr. Ayers commented that technically this is not a part of the public hearing, but he can acknowledge that there will be a report at the May meeting about Sir Walter Raleigh Street and will have more feedback from NCDOT. We can contact the caller about the COVID-19.

Kathy Martin-825 Pirates Way (6094)-thinks this is a great idea and if there are more business that qualify than amount of money available that the Board consider increasing the amount because you have plenty of money for people who will be hurting this summer.

Brandon Strong-21 Spinnaker (1447) believes all small businesses in the County are affected by COVID-19 but does not know how we can pick one small business over another to receive this financial aid. There are business owners who live in Manteo, but the business may be located outside of Manteo and would be excluded from the loan even though their tax money is being used. We have to worry about default and how that will be handled, a terrible public relations nightmare that the Town would have to deal with. The Federal and State Government has loans and grants available and specifically structured to get businesses through this and definitely opposed to the Town jumping into this. We are the only Town talking about this. If the Town has surplus suggests that something equitable be done like a property tax refund something done as a grant not a loan and not have to be paid back. Not fair to take taxpayer money when we are all hurting.

The Mayor asked for any more public comment and there were none the Public Hearing was closed at 6:35 pm.

Commissioner Borland wanted to provide more feedback and conflict of interest since he has a business in Town, he will not be voting on this. There is a lot of Federal and State funds out there and shared his experience that he has received disaster recovery on this, and things are moving forward. The feedback he has received from folks, they are appreciative of this idea but are largely opposed to it and wanted to see other ways we could spend money to support all residents.

Commissioner Collins asked don't we need a motion to recuse Commissioner Borland and Commissioner Walker asked don't we need to close the public hearing first. Mr. Ayers commented that he has a statement about recusal that he will read before action is taken on either of these agenda items so right now if we can close the public hearing.

**MOTION:** Commissioner Mann seconded by Commissioner Burke to close the Public Hearing for the Small Business Fund at 6:35 p.m. was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Nays: None. Absent: None.

**SUBJECT:** PUBLIC HEARING-Manteo Resident Relief Fund

Mr. Ayers gave the background:

Town of Manteo residents have been impacted in various ways by the Coronavirus (COVID-19) pandemic, including economic effects such as job losses, reductions in hours, or additional expenses. These economic conditions may make it difficult for some residents to pay their bills, including water & sewer charges. The Board of Commissioners led the public policy discussion when it suspended utility disconnections two weeks before the State's Executive Order. However, in accordance with the State's Executive Order, charges for water & sewer service will continue to accrue and the aggregate amount may be significant once the emergency declaration expires.

The Board of Commissioners directed staff to explore options for relief for residents on these utility bills. State law prohibits the waiver or discounting of water charges for individuals out of a Utility Fund. However, a unit of local government may utilize its General Fund for special programs, and the proposal in this case is to establish the Manteo Resident Relief Fund to provide a limited block of funding to pay the water & sewer bills of Town of Manteo residents impacted economically by the current declared emergency.

#### Proposed Program

Eligibility parameters should be established, and here are proposed minimum requirements:

- Resident must reside within Town limits
- Location must be the primary residence
- Demonstrated impact from COVID-19

The program is proposed to have a maximum value of \$500 per household, which should yield up to several months of relief depending on household size. The awards are grants not loans. Awarded funds will not be paid to the applicant; instead, they will be paid directly to the Town of Manteo Water & Sewer Fund on behalf of the applicant. The program is proposed to run during the declared emergency period and up to ninety (90) days following expiration of the emergency declaration. There will be an application process designed to document eligibility with program requirements while maintaining flexibility in demonstrating impact. The Funds will be coming from the general fund.

Commissioner Selby will the same process be used in reviewing the applications as for Small Businesses and Mr. Ayers commented yes it would be done in house; because we have suspended disconnections, we have a little time here in developing the applications and there is some flexibility.

Commissioner Collins-commented that this money will not be going out it will be coming back to us. Mr. Ayers commented yes, state law prohibits us from giving funds directly out of the utility funds, they do allow for it in the general fund, which will allow us to pay out of the general fund into the utility fund and it is much easier to do the transfer on their behalf and those funds are separate and have the audit process.

**MOTION:** Commissioner Selby seconded by Commissioner Mann to open the Public Hearing for the Manteo Resident Relief Fund was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Nays: None. Absent: None.

Town Manager James Ayers reported that he received two written comments and read them into the record.

Douglas Backman-Manteo resident – “If this is proposed to be funded from tax dollars, then I am adamantly opposed. This is beyond a slippery slope. It duplicates existing governmental and private entities tasked with this responsibility and has the potential to confound those existing efforts. Now is not the time to be contemplating additional fees or taxation.”

Bebe Woody-Manteo resident – Header reads “TOM going forward suggestions: How can the Town help our citizens and businesses through the Coronavirus. There is no reason why we can’t

take the lead in this type of effort.” The section relevant to the proposed Manteo Resident Relief Fund indicates support for “Relief for Utilities/Fees ... water/sewer.”

Susan Henderson 614 Pirates Way (8834) she agrees with proposal to help the residents and asks that there be some type of mechanism for an appeal to allow for extension to pay past the 3 months being offered for those who may have suffered a long term loss of income due to COVID-19.

Brando Strong-21 Spinnaker-(1447) – Everyone is affected and does not see how we can select one household over another. The State has programs that are very lenient for this purpose. Unemployment restrictions have been waived and you are getting an extra \$600 a week on top of your regular unemployment and not counting against the business. They increased the WIC program and opened up the Medicaid program. Taking one taxpayers’ money to pay another’s water bill and is strongly opposed to this.

Douglas Backman-Lindsay Lane (4597) agrees with the previous comments; the Federal Government just passed a 2 trillion plus aid package that in many cases allow for you to draw more pay than if you are working. If they do this, he hopes they are responsible enough to do a needs test; because the benefits from the Federal Government are extremely generous. Does not understand why we are doing this. If you want to be equitable about this in terms of water and sewer you should waive water and sewer fees for the entire town until this is over or your money runs out. He does not think the Town should involve itself in this type of welfare program when there are so many other benefits available.

The Mayor asked for more public comments and there were none and the public hearing was closed at 6:55 p.m.

**MOTION:** Commissioner Mann seconded by Commissioner Borland to close the Public Hearing for the Resident relief fund was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Nays: None. Absent: None.

#### PUBLIC COMMENT

Tim Teeple-101 Fernando-(4640)-he wanted to talk about the bump outs on Sir Walter Raleigh Street. To be clear those bump outs will be put in the 20-year plan under the Traffic and Transportation about restriping Sir Walter Raleigh Street and installing plantings and lighting on the west side. Not only is it mentioned in the 20 year plan which NCDOT had to approve as well, but also located on page 46 the Village aspect of your 20 year plan where it states maintain and improve all roads, sidewalks and vegetation along the west side of Sir Walter Raleigh Street as well. He would ask since with have a 20-year update Board who is working hard on information that this get consideration when the Board makes a decision on the bump outs on Sir Walter Raleigh Street.

Susan Henderson-614 Pirates Way (8834) thanked the Board and everyone involved in this meeting, it has been very informative, and she appreciates the format which is unlike some others she has been in. She wanted to comment on the non-resident homeowner denial of re-entry from Dare into Manteo and understands this but she would like to implore that the Manteo

Government please represent the taxpaying non-residents who also contribute to the economy and the fact there is no appeal process and very unfair. We all still live in the USA and everyone has certain rights and privileges and appreciate representation for all classes in the Town of Manteo.

Mayor Owens asked for anymore public comments there were none and the public comment period was closed at 6:00 p.m.

Mr. Ayers read a statement about recusal should it be necessary for any Board member wanting to be recused. According to the School of Government, "State law creates an affirmative duty for local governing board members to vote on matters that come before the board." However, in the event of a conflict of interest, the North Carolina General Statues indicate a member "may be excused from voting" on such matters. Absent any direction from the State, it would be prudent to have the Board member request a recusal and the Board should vote to confirm their will as to whether the member may be excused from voting. If the Board desires to excuse the member, then that member will not be allowed to participate in the discussions of the matter nor vote on the matter. Should you decide to proceed with allowing the recusal, then a motion, second, and vote would be needed at this time.

Commissioner Borland stated he would like to be recused from 5a Manteo Small Business Emergency agenda item.

**MOTION:** Commissioner Mann seconded by Commissioner Selby to recuse Commissioner Borland from Item 5a Small Business Emergency Fund topic was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker and Selby. Nays: None. Absent: None. Recused: Commissioner Borland

## **NEW BUSINESS**

**SUBJECT:** Consideration of Establishment of Manteo Small Business Emergency Fund and Budget Appropriation. Mr. Ayers-since we have had discussion previously and properly noted on North Carolina General Statute 158-7.1, should the Board decide to move forward the following two actions will be needed by the Board of Commissioners:

1. To approve Budget Amendment Number 2 appropriating \$100,000 from the Fund Balance in the General Fund to establish the Manteo Small Business Emergency Fund for the purpose of Economic Development; and
2. To authorize the Town Manager to implement the Manteo Small Business Emergency Fund. Should the Board decide to not to move forward then no motion would be necessary.

Commissioner Burke does not think the Town should be in the banking business, he is all for the small businesses but does not think we need to be doing this. Commissioner Walker feels like this an investment in the Town by helping businesses stay in Town and this is not a forgivable loan and is meant to be paid back. She had one person who told her they are not in favor of this but has not heard any other comments until tonight; she is either way and would like to have it available. Staff has gone over and above and sounds strong and firm as far as repaying and this might be a bridge loan. Mayor Owens commented that this is an admirable thought, but he is opposed to it and prefers we should not participate, there will be a lot of loans out there for small



businesses, he is not against it but prefer we not participate now. He suggests we put money into a tourist bureau fund, not to the tourist bureau but just for Manteo. Staff could put together a tourist package together for just Manteo when we reopen back up; establish a fund to get people to coming back to our area.

Commissioner Mann his opinion has evolved in the past week, he thinks it is a great idea and thinks it would be unfair for him to tell my neighbors I am going to take their tax money and give to a business. He thinks it would be better to help all the business instead of one, take that same money and put in some kind of revolving fund that would get people here like the Mayor stated. Not just this summer but every summer here on out. Commissioner Selby contact 5 businesses to get their opinions on this and only one was in partial favor. How do you decide who gets it and she is more concerned with those that will not receive it. She is not in favor but would like us to take the money and work with COA to help small businesses in applying for loans, of what to do and what not to do. Thinks the businesses need support in that avenue.

Commissioner Collins-small business in Manteo have it hard and hate to have a situation where all the businesses are closed up and he is in favor of this and will vote for this. He thanked Mr. Ayers and staff for putting so much effort into this. Commissioner Selby commented that she is appreciative of staff doing this work and putting so much detail into this but as an elected official she has to put her work into the businesses and residents of the Town. Commissioner Walker asked how many businesses have requested this type of support. Mr. Ayers commented from the two businesses who he has talked to, they were asking what type of help they could get from the Town and would it even be offered. It is being offered in other parts of State not in Dare County. What he did hear back was that the loan be structured so if they got the SBA loan this would be set up as a bridge loan. He has heard from some businesses having the inability to get SBA loans despite having previous relations. Commissioner Walker is curious to know how many would be applying and wants to help the ones who need help. This is not free money; interest will be charged. Commissioner Collins from the limited comments we have received it seems like a good idea. Mayor Owens commented he does not agree, he has had 5 people who do not think this is a good idea.

Commissioner Selby had a question if there is no other relief a caller mentioned is there any other types of relief to utilities or taxes. Mr. Ayers broke it down to 2 parts. In terms of utilities what item 5b talks about utility relief for residents but not for businesses, the Board has already authorized us to do payment plans for both businesses and residents we have the ability to stretch that into payments. In terms of tax relief, we do not have the ability to offer tax relief and there is no statutory authority that allows us to do that for anyone. Commissioner Selby so we can stretch it out but can we give any discounts in terms of utilities is that a yes or no. Mr. Ayers commented from the water and sewer enterprise fund we cannot give anyone a discharge or discount to their water and sewer bills but from the general fund we can set up for business like the resident fund. We already have the ability for an extended payment plan and will work with businesses and residents. Commissioner Selby just wants to know for businesses if we offer any relief on their utility bills. Mr. Ayers yes, we can do it like the resident fund and bring that back to the Board.

**MOTION:** Commissioner Collins seconded by Commissioner Walker to approve Budget Amendment #2 appropriating \$100,000 from the Fund Balance in the General Fund to establish the Manteo Small Business Emergency Fund for the purpose of Economic Development was

**NOT** approved by the following vote (a roll call was done): Ayes: Commissioners Collins and Walker. Nays: Commissioner Selby, Mann and Burke. Absent: None. Recused: Commissioner Borland.

Mr. Ayers commented since the motion failed it will not be necessary for the Board to vote on implementing the Manteo Small Business Emergency Fund.

**MOTION:** Commissioner Burke seconded by Commissioner Mann to allow Commissioner Borland back into the meeting was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker and Selby. Nays: None. Absent: None. Recused: Commissioner Borland.

Mr. Ayers asked if anyone would like to be recused from item 5b and Commissioner Walker asked to be recused.

**MOTION:** Commissioner Collins seconded by Commissioner Burke to recuse Commissioner Walker from Item 5b was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Borland and Selby. Nays: None. Absent: None.

**SUBJECT:** Consideration of Establishment of Manteo Resident Relief Fund and Budget. Town Manager James Ayers reported the Board has had general discussion during the public hearing and this would need two motions.

To approve Budget Amendment Number 2 appropriating \$100,000 from the Fund Balance in the General Fund to establish the Manteo Resident Relief Fund for the purpose of awarding grants for the payment of water & sewer charges to the Town of Manteo Water & Sewer Fund on behalf of eligible residents impacted by the current declared emergency; and to authorize the Town Manager to implement the Manteo Resident Relief Fund.

Commissioner Mann-would like to know what the total revenue for the monthly utility bills for both residents and businesses. Mr. Ayers commented that staff will work on that while we continue discussion

Commissioner Selby asked how many residents would fall under this. Mr. Ayers reported that in the staff report it talks about a maximum value of \$500 per household, which should yield up to several months of relief depending on household size. If all applicants got the maximum value it would be about 200 households and the number would go up if the household size went down.

Commissioner Burke asked if we are waiving \$500 per household how is that going to affect the maintenance and repairs to our aging system. Mr. Ayers commented that state law prohibits from taking from water and sewer fund and the funds would come out of general fund going to the water and sewer fund and leaves that money come in there.

Mr. Ayers commented the data from the Finance Director Shannon Twiddy provided the information to Commissioner Mann's question. For March we billed \$31,200.51 for water and \$46,819.36 for sewer for a total of \$78,019.07. She also provided a quarterly average of \$54,936 and presumably that was in the winter months. We expect to see revenues down across the water and sewer fund.

Commissioner Collins commented the money is coming from the general fund and going to the water and sewer fund, so it is like we are giving water and sewer \$100,000. The money is not going anywhere it is coming back to us. Mayor Owens would like to find relief for people who need it and does not know how we are going to be fair. Mr. Ayers commented the proposed cap of \$500 for a family of 4 would carry them through 3 months. Depending on the size of the household would determine the amount needed and it will be hard to know what each family has, there may be higher than usual bills during the governor's stay at home order. Commissioner Burke asked if the Dare County water bill is paid out of the general fund and Mr. Ayers commented it is paid out of the water and sewer fund and audited as well. Sewer also comes from the water and sewer fund. Mayor Owens asked what this would cost us? Commissioner Collins stated we are transferring from one fund to another it balances out. Mayor Owens commented he does not see it that way. Mr. Ayers commented that if the Board wants to go through other scenarios, since the Board has suspended disconnections this does not have to be done right away. Mayor does not think the businesses use as much as the residents. There is some variability in the commercial accounts. Commissioner Collins this is just for the residents not the businesses.

Commissioner Borland stated it sounds like more information is needed and since we have suspended disconnecting service, does that include late fees. Mr. Ayers commented yes late fees, interest and penalties will not be accrued but the charges for water will continue to accrue. Commissioner Borland the intent is there but is this the right way to do it, he takes the point that we are shifting funds, but it is coming from somewhere and wondering if we should table this. Commissioner Mann knows this is for residents but would like this for businesses to; is there a way to project what we believe the water revenue would be from May 1<sup>st</sup> to September 1<sup>st</sup> and come up with a number that will cover all water bills, something to affect everyone. Mayor Owens thought that would be a good way to help everyone and can that be done. Mr. Ayers commented we can do different scenarios between residents and businesses bring that information back to the Board May workshop. Mayor Owens commented if we can get that information for our May 6<sup>th</sup> meeting and make a decision, can we make that retroactive. Mr. Ayers commented that we will find ways to structure it retroactive for residents and businesses. Mayor Owens asked how the Board feels about tabling this and discuss this at the May 6 meeting. Commissioner Collins asked how many gallons of water does \$100,000 buy. Consensus for this to be on the May 6<sup>th</sup> agenda and to allow plenty of time for the public to weigh in on this. Mr. Ayers commented that the agenda package would include that information on May 1<sup>st</sup> and public comment would be before this item. Commissioner Walker asked to come back into the meeting since they were changing the discussion to include businesses.

**MOTION:** Commissioner Mann seconded by Commissioner Borland to table the Manteo Resident Relief Fund until May 6<sup>th</sup> and to allow Commissioner Walker back to the meeting was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Borland and Selby. Nays: None. Absent: None. Recused: Commissioner Walker.

### **Mayor/Commissioners Comments**

Commissioner Collins asked about Dare Days; Commissioner Burke commented he thinks it is too late for Dare Days. Commissioner Mann agrees with Commissioner Burke but thinks we

should still vote on a Manteo Citizen of the Year. Commissioner Walker thinks we should not take staff away from more pressing matters and maybe we can have a bigger 4<sup>th</sup> of July. Commissioner Selby agrees as does Commissioner Borland. Consensus of the Board to cancel Dare Days until 2021 and Mr. Ayers will announce that.

Mayor Owens asked that we defer fireworks discussion until the May 6<sup>th</sup> meeting.

Commissioner Burke asked about the new website status. Mr. Ayers commented he will get a new timeline to the Board. In working with the vendor, we have had some structural changes on the back end. Mayor Owens asked for a firm timeline at the May 6<sup>th</sup> meeting.

Commissioner Walker would like to know how many people are still listening now. Mr. Ayers commented we are showing 10 attendees and our peak was 15. She would also like to know on May 6<sup>th</sup> if Mr. Woody could get us a number of how many views or hits, we are getting online for viewing of our meetings. If Gina is still online, she mentioned masks and sanitizers please let us know if there is a need, we have people hurting who need help now. We need to be able to help people, residents and business. We do not know how long this is going to go on. We want to help those that are in need and the mechanism was there to help people and right now it has been put off and thanked the Board for considering it next month. That comment from Mr. Backman about the \$600 federal unemployment is for full time and is not a given of \$600 per person and we do not need to put that out there that people are going to get \$600 in addition to unemployment.

Commissioner Mann would like to see weekly updates from the County COVID task force that are Town specific; what the State of the Town is. He would also like to see the timeline for the Town Commons with a start date. With traffic being slow it would be a perfect time to get things done and a way to generate some income to the trades. He would like the Board to revisit the zoning ordinance regarding boat lifts in marinas and remove that; it would be a way to generate some income.

Commissioner Selby we are very concerned about our businesses and residents and hoping that the Town can have some resources for the Small Business Association through COA and would like to establish that to help Small Businesses get through the application process. She would also like an update on the Town Attorney for the May 6<sup>th</sup> meeting.

Commissioner Borland commented on the Town Commons and if that is going to be delayed until winter maybe we could do some minimal construction and support those local construction trades to help our own economy. We do need to start looking forward as to how we open back up and figuring out what will need to be done to open back up and how best to do that. Non-resident homeowners was brought up there are 2 sides to every story and hopes we can see each other's point of view and treat each other with respect.

Mayor Owens commented this teleconferencing is awkward; he is a people person and we are dealing with the hand we were dealt. We should love everyone and learn to control our tempers. He has tried to be fair to the Board during discussion and try to understand each situation.

There being no further business to come before the Board or other persons to be heard a motion by Commissioner Mann seconded by Commissioner Borland the meeting was adjourned at 7:10 pm was approved by the following vote: Ayes: Commissioners Burke, Mann, Collins, Walker, Borland and Selby. Nays: None. Absent: None

This the 15<sup>th</sup>, day of April 2020

ATTEST:

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Bobby Owens, Mayor

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Becky Breiholz, Town Clerk

# Proclamation

51st ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK  
May 3 - May 9, 2020

*Whereas, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and*

*Whereas, The Office of the Professional Municipal Clerk is the oldest among public servants, and*

*Whereas, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and*

*Whereas, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.*

*Whereas, The Professional Municipal Clerk serves as the information center on functions of local government and community.*

*Whereas, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.*

*Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.*

*Now, Therefore, I, Bobby Owens, Mayor of the Town of Manteo, do recognize the week of May 3 through May 9, 2020, as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Becky Breiholz and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.*

*Dated this 6<sup>th</sup> day of May, 2020*

*Mayor*-----  
*Bobby Owens*



National Public Works Week Proclamation

May 17 – 23, 2020

“It Starts Here”

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the **Town of Manteo** and,

WHEREAS, these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers and employees at all levels of government and the private sector, who are responsible for rebuilding, improving and protecting our nation’s transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders and children in the **Town of Manteo** to gain knowledge of and to maintain a progressive interest and understanding of the importance of public works and public works programs in their respective communities; and,

WHEREAS, the year 2020 marks the 60<sup>th</sup> annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

RESOLVED, I, **Bobby Owens, Mayor** do hereby designate the week May 17 – 23, 2020 as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association/Canadian Public Works Association and government agencies in activities, events and ceremonies designed to pay tribute to our public works professionals, engineers, managers and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the State (to be affixed),

DONE at the **Town of Manteo, North Carolina** this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

---

**Bobby Owens, Mayor**



## Department Head Report Administration

**May 6, 2020**

Property Disposal – 604 Sir Walter Raleigh

### Background

The Board of Commissioners previously authorized the acquisition of the lot at 604 Sir Walter Raleigh Street. This property is not part of any Town program or strategic plan, and the property is surplus to the needs of the Town of Manteo. The Town anticipates budget reductions for FY20-21, which would guide us to dispose of surplus assets.

Article 12 of North Carolina General Statute 160A allows municipalities to use the following methods for disposal of real property:

- (1) Private negotiation and sale;
- (2) Advertisement for sealed bids;
- (3) Negotiated offer, advertisement, and upset bid;
- (4) Public auction; or
- (5) Exchange.

The Town Manager recommends the use of sealed bids for the sale of this property. If allowed, a reserve price of \$50,000 may be set given that this is the price at which the prior owner acquired the property in an arms-length transaction. Proceeds of the transaction would be placed in the Town's General Fund for use in the FY20-21 Budget.

### Recommendation

The Town Manager requests authorization to dispose of the property at 604 Sir Walter Raleigh and to execute all necessary documents related to the sale and closing of the subject property.

**If you have any questions about this agenda item, please call the Town Manager at 473.2133 or the staff member listed below prior to Wednesday Evening.**

**Name: James Ayers**

**Telephone: 473-2133**



Text Amendment #2020-04 COD to Ordinances Section 50-144 – Adjustment of Bills (Sewer)

Sec. 50-144. - Adjustment of bills.

- (a) The finance department shall have the authority to adjust a water and sewer bill after determining that the bill is excessive. A customer may request in writing that his bill be adjusted based on a defect in a plumbing fixture, a broken pipe or leak, that was not the fault of the occupant of the premises.
- (b) No adjustment shall be made for a period in excess of two consecutive billing periods and not more than one adjustment caused by the same condition shall be made within a period of three years.
- (c) The sewer charges shall be adjusted as follows:
  - (1) If the cause is a broken pipe or leak whereby the wasted water is not returned to the sanitary sewer system, the sewer charges shall be adjusted by writing off the portion of the bill that exceeds the average two previous billing cycles.
  - (2) If the cause is a defect in a plumbing fixture whereby the excess water is returned to the sanitary sewer system and it does not appear upon investigation that the occupants of the premises served were in any way at fault for the excessive usage, the sewer charges shall be adjusted by writing off 25% of the amount by which the unadjusted bill exceeds the average two previous billing cycles.
- (d) Adjustments to water bills will be done in accordance with section 50-45.
- (e) The finance department shall have the authority to adjust a sewer bill after determining that the bill is excessive. A customer may request in writing that the bill be adjusted based on documentation that the increase was due to filling a swimming pool or pressure washing performed on the property. This type of adjustment shall be calculated by averaging the two previous billing cycles and crediting the amount of the current bill above that average. This adjustment only applies to instances in which the water does not enter the wastewater collection system. This adjustment may only be applied one time per calendar year.

Adopted this 6<sup>th</sup> day of May 2020.

\_\_\_\_\_  
Bobby Owens Mayor

ATTEST:

\_\_\_\_\_  
Becky Breiholz, Town Clerk



## **Staff Report**

### **Planning Department**

**May 6, 2020**

#### **Boat Lifts**

The Town's zoning ordinance prohibits boat lifts in marinas in Section 12-7(a)(2). The current ordinance was passed on March 5, 2008.

At the April 15<sup>th</sup> Board of Commissioners meeting, a Board member suggested the potential deletion of this section of the zoning ordinance.

To lift the prohibition, the following text amendment would be required:

Delete the words "Boat lifts, or any devices attached to pilings or docks and designed to suspend a boat over the water, are not permitted in marinas" from the ordinance text.

Staff recommend that the Board of Commissioners refer this item to the Planning and Zoning Board for review and recommendation as required for by the ordinance for all amendments to the zoning ordinance text. Additionally, staff recommend that the Board of Commissioners schedule a public hearing on this matter for June 17, 2020.

### TOWN OF MANTEO FEE SCHEDULE

Fee Schedule referenced in Codified Ordinance Article II Sec. 14-63 and  
adopted by the BOC during Budget approval every year

Water and Sewer Department	
Quarterly Water Account Deposit	\$200
Quarterly Sr. Citizen Water Deposit	\$100
Monthly Water Account Deposit	\$100
Monthly Sr. Citizen Water Deposit	\$50
After Business Hours Service Call for reconnection by non-payment	\$50
Reconnection Fee for non-payment	\$50
Account Transfer	\$25
¾" Water Tap	\$4700
1" Water Tap	\$4900
1 ½" Water Tap	\$6800
2" Water Tap	\$7500
Deposit for 2" Tap	\$2500
Greater than 2" Tap	Actual cost + 15%
¾" non-sequential water only meter within 15 feet of service connection	\$1200
Disconnect Service Fee Water (Sec. 50-42)	\$100
Meter size reduction from 1" to ¾" (Sec. 50-36)	\$900
Increase in Meter size	Cost of new tap fee
Relocation of water meter requiring a boring underneath driveway or sidewalk	\$1500
Relocation of water meter requiring use of heavy equipment plus \$200 and labor at \$200 per hour	\$1500 plus \$400 per hour
Bad Debt Collection Fee (Sec. 50-44)	\$50
Payment Penalty (Sec. 50-44)	10% bill amount after 21 days from date of billing
Sewer Department User Fee (Sec. 50-140)	\$8 per gallon per day according to approved design flows

Administrative Services	
Returned Check Charge	\$25
Copy of Agenda Package	\$15
Black & White copy (8.5x11) (first 5 pages free)	.15 per page
Color Pages (8.5x11)	.20 per page
Black & White (11x17)	.30 per page
Color Pages (11x17)	.40 per page
CD Copy	\$5 (or can supply own)
Copy of Code of Ordinances	Available online at Town of Manteo website or for purchase from Municode at 1-850-576-3171
Copy of Zoning Ordinances	Available online at Town of Manteo website or for purchase from Municode at 1-850-576-3171

## TOWN OF MANTEO FEE SCHEDULE

Fee Schedule referenced in Codified Ordinance Article II Sec. 14-63 and  
adopted by the BOC during Budget approval every year

Administrative Services (continued)	
Copy of CAMA Land Use Plan	\$25
Copy of Plan Update	\$20
Copy of Manteo way of Building	\$20
Copy of Roanoke Transportation Plan	\$20
Copy of Zoning Map (22" x 34")	\$10
Copy of Budget Document	\$10
Copy of Audit Document	\$10
Banner Placement on Highway	\$100
Peddlers License (Article III Sec. 14-91/14-98)	\$25
Other Administrative Fees may be charged for Special Events, Facility Use Agreements, Weddings, etc.	

Police Department	
False Alarm Charges for Security Systems 1 <sup>st</sup> -5 <sup>th</sup> occurrence (after 5 <sup>th</sup> \$100)	\$0 (after 5 <sup>th</sup> \$100)
Parking Tickets	\$25
Handicap Parking Violations	\$100
911 Hang-Up Response Charge	\$25

Cemetery Rates (effective May 5, 2010)	
Town Resident Gravesite	\$800 (per site)
Town Resident Cremation Site	\$350 (per site)
Out of Town County Resident Gravesite	\$1000 (per site)
Out of Town County Resident Cremation Site	\$500 (per site)
Out of County Resident Gravesite	\$1600 (per site)
Out of County Resident Cremation Site	\$850 (per site)
Internment Fee (burial and cremation)	\$150
Sites 1-16 in new section of cemetery are for single lot sales only	See above prices

Marina Rates					
Daily Rate Per Ft./Day	Weekly Rate Per Ft./Day	Monthly Rate Per Ft./Mo	Annual Rate Contract Per Ft./Mo.	Annual Live Aboard 30A Monthly	Annual Live Aboard 50A Monthly Fee
\$1.65 + Utilities	\$1.40 + Utilities	\$18.00 + Utilities	\$10/Ft./Mo + \$10 fee	\$10/Ft./Mo + \$10 fee	\$10/Ft./Mo. + \$10 fee
Utilities/Day 30A=\$3.50 50A=\$7.00	Utilities/Day 30A=\$3.50 50A=\$7.00	Utilities/Mo. 30A=\$105 50A=\$210	Utilities Included	Utilities Liveaboard Fee \$100	Utilities Liveaboard Fee \$150
As per the slip rental agreement, slip fees not paid by the tenth of the month are past due and no boat shall be released if payment is late. All unpaid slip fees due to the Town of Manteo shall bear interest at the rate of 1.5% per month prorated for all days the rental is late. Discount for off-season rental may be allowed by the Town Manager or designee.					
COMMERCIAL RATES: \$660.00 per month					

## TOWN OF MANTEO FEE SCHEDULE

Fee Schedule referenced in Codified Ordinance Article II Sec. 14-63 and  
adopted by the BOC during Budget approval every year

<b>Planning Department</b>	
<b>Development Review Fees:</b>	
Residential site plan review-new construction	\$100
Residential site plan review-additions, out buildings, renovations & pools	\$50
Multifamily dwellings, duplexes, condominiums, townhouses, apartments	\$150 per dwelling unit
All other development not included elsewhere in fee schedule (This fee is to be calculated based on the footprint of proposed development.)	\$0.50 per square foot
Lots in a subdivision	\$100 per lot
<b>Building Permits Fees:</b>	
Residential New Construction and Additions	\$0.50/sq. ft. heated space \$0.25/sq. ft. unheated space
Multifamily, Condominiums, Hotels, Motels	\$100.00 per unit plus \$0.60/sq. ft. heated \$.045/sq. ft unheated
Commercial New Construction and Additions	\$0.60/sq. ft. heated \$0.45/sq. ft unheated
Re-inspection fee (building and fire inspections)	\$50
Proceeding work without a permit	2 x permit cost
Alterations and repairs	\$10 per \$1,000 based on cost
Decks	\$10 per \$1,000 based on cost
Storage areas	\$10 per \$1,000 based on cost
Garages	\$10 per \$1,000 based on cost
Utility rooms	\$10 per \$1,000 based on cost
Elevators	\$10 per \$1,000 based on cost
Boat Lifts	\$150
Mobile homes	\$0.50 per square foot of heated space
House moving	\$250
Signs	\$50 per sign
Commercial parking lots	\$15 per space
Swimming pools	\$300
Gas pumps	\$250 per pump
Demolition	\$200
Fuel tanks	\$500 per tank
Bulkheads	\$1.00 per linear foot
Piers	\$1.00 per linear foot
<b>Electrical Permits Fees:</b>	
New construction-residential	Included in building permit
Remodel and alteration	Included in building permit
Temporary service pole	\$50
Minimum permit fee	\$50 plus the following:
Service change or additional service	\$0.50 per amp
Each additional circuit installed by an electrician	\$25 per circuit
Generators	\$150

## TOWN OF MANTEO FEE SCHEDULE

Fee Schedule referenced in Codified Ordinance Article II Sec. 14-63 and  
adopted by the BOC during Budget approval every year

<b>Mechanical Permits Fees:</b>	
New construction-residential	Included in building permit
Remodel and alteration	Included in building permit
Minimum permit fee (plus fees below)	\$50
Change air handler	\$50
Change heat pump	\$50
Change boiler	\$50
<b>Plumbing Permits Fees:</b>	
New construction-residential	Included in building permit
Remodel and alteration	Included in building permit
Minimum fee (plus fees below)	\$50
Fixture	\$20 per fixture
<b>Other Planning and Zoning Review and Application Fees:</b>	
Ordinance text amendment request	\$200
Rezoning request	\$300
Change of use permit if no site plan change is required	\$100
Change of use permit requiring submittal of a new site plan	\$200
Conditional use permit	\$200
Zoning permit for home occupation	\$100
Zoning permit	\$50
Board of Adjustment variance request	\$500
Combination use application fee	\$750
Combination use amendment fee	\$375
Exempt plat review fees	\$100
Special meeting request by applicant	\$300
Annexation request	\$500

\*Site plan approvals expire 12 months after the date of approval by the Planning and Zoning Board. After the expiration date of an approved site plan, a charge of 50% of initial review fee shall be paid for a re-submittal when the following conditions are met:

- A review fee has been paid
- Site Plan approval has expired
- No changes are being proposed in the re-submitted site plan

**TOWN OF MANTEO PAY PLAN**

Grade	Classification	FLSA Status	Hiring Rate	Maximum Range
1			\$26,266.21	\$45,624.64
2			\$27,929.52	\$47,905.87
3			\$28,958.50	\$50,301.17
4			\$30,406.41	\$52,816.23
5			\$31,926.74	\$55,457.04
6	Dock Master's Assistant Musueum Programming Assistant		\$33,523.08	\$58,229.89
7	Laboratory Analyst Utility Maintenance Worker Maintenance Worker I Public Relations & Special Events Coordinator		\$35,199.23	\$61,141.39
8	Utility Maintenance Worker II Maintenance Worker II Administrative Support Specialist		\$36,959.18	\$64,198.46
9	WWTP Operator Utility Maintenance Worker III		\$38,807.15	\$67,408.38
10	Police Officer I Accounting Technician I / Customer Service Representative		\$40,747.50	\$70,778.80
11	Police Officer II WWTP II		\$42,784.88	\$74,317.74
12	Master Police Officer Police Investigator Accounting Technician II Deputy Town Clerk / Assistant to the Town Manager		\$44,924.12	\$78,033.62
13	Town Clerk Police Sergeant Public Works Foreman WWTP Operator III		\$47,170.33	\$81,935.31
14	Accountant		\$49,528.84	\$86,032.08

Grade	Classification	FLSA Status	Hiring Rate	Maximum Range
15	Inspections / Code Enforcement Officer Fire Inspector Distribution and Collection Supervisor - Water & Sewer Project Manager		\$52,005.29	\$90,333.69
16	Waterfront Coordinator Maritime Coordinator IT Specialist Lieutenant Program Manager / Public Information Officer (PIO) Fire Marshal / Emergency Operations Manager		\$54,605.54	\$94,850.37
17	Operations Manager		\$57,335.81	\$99,592.88
18			\$60,202.62	\$104,572.53
19	Community Development Coordinator		\$63,212.75	\$109,801.16
20			\$66,373.39	\$121,055.78
21	Public Works Director Water & Sewer Department Director Town Planner		\$69,692.06	\$121,055.78
22	Police Chief	E	\$73,176.66	\$127,108.55
23	Finance Officer		\$76,835.50	\$133,463.99
24	Finance Officer / Assistant Town Manager	E	\$80,677.27	\$140,137.47
25			\$84,711.13	\$147,144.34

*Note: Working titles may be utilized in lieu of the Classification title.*





## Department Head Report Administration

**May 6, 2020**

Grant Agreement for 4th of July Fireworks

### Background

The Town of Manteo applied to the Dare County Tourism Board (DCTB) for a fireworks grant for the 4<sup>th</sup> of July special event. DCTB awarded a grant of \$12,831 that can be applied toward the cost of fireworks, which is \$48,750. The grant agreement specifically excludes pandemics or hurricanes as grounds for delaying or failing to deliver fireworks for this event.

Three key issues arise in this case. First, Governor Cooper provided updated information regarding the State's three-phase approach to re-opening the economy. However, the information presented in the most recent briefing by the Governor indicates that crowd-gathering restrictions at some level are likely to be in place at the time of this special event. Second, from a health, safety, and welfare standpoint, it doesn't seem prudent to put a large crowd downtown while the Coronavirus (COVID-19) threat still exists, even if the crowd is smaller than the 2019 event that was attended by 5,000+ people from 17 states. Third, from a fiscal standpoint, the Town is anticipating decreased revenues in FY20-21, so it would be prudent to eliminate discretionary expenses where feasible.

### Recommendation

The Town Manager recommends cancellation of the 2020 4<sup>th</sup> of July special event, including the fireworks contract and the fireworks grant.

If you have any questions about this agenda item, please call the Town Manager at 473.2133 or the staff member listed below prior to Wednesday Evening.

Name: James Ayers

Telephone: 473-2133



## Department Head Report Administration

**May 6, 2020**

Authorization to Negotiate Professional Services Contract for Town Common

The Town of Manteo issued a Request for Qualifications (RFQ) for engineering and related services for the Town Common project. This procurement followed North Carolina General Statute § 143-64.31 and the qualifications-based selection (QBS) process. This process requires us to select a firm based on qualifications and then to negotiate a contract for a fair fee with the best qualified firm. If those negotiations should fail, then the statute directs us to negotiate with the next best qualified firm.

Four firms submitted qualifications packages by the deadline on April 27, 2020, and the submittals were responsive to the RFQ. Submittals were evaluated by the review team in accordance with the evaluation criteria listed in the RFQ, including technical approach, work experience, firm & staff qualifications, and past performance. Here is the rank order of the prospective firms with the highest-rated firm listed as #1:

1. Albemarle & Associates (Kill Devil Hills, NC)
2. Green Engineering (Wilson, NC)
3. Coastal Engineering & Surveying (Kitty Hawk, NC)
4. Quible & Associates (Kitty Hawk, NC & Powells Point, NC)

The solicitation was posted locally and statewide, including listing on the NC DOA website and its HUB (historically underutilized business) portal. The highest-rated firm is SBA-certified as a HUBZone Small Business Concern, and it is prequalified by NCDOT (including status as an NCDOT Small Professional Service Firm).

The proposed action is for the Board of Commissioners to authorize the following:

- The Town Manager is to negotiate a contract with the highest-rated firm;
- In the event contract negotiations are unsuccessful with the highest-rated firm, the Town Manager is to negotiate with the second highest-rated firm and so on until a contract is successfully negotiated; and
- The Town Manager is to sign the contract and any amendments.

**If you have any questions about this agenda item, please call the Town Manager at 473.2133 or the staff member listed below prior to Wednesday Evening.**

**Name: James Ayers**

**Telephone: 473-2133**



## Department Head Report Administration

**May 6, 2020**

Authorization to Negotiate Professional Services Contract for Wastewater System Asset Inventory & Assessment

The Town of Manteo issued a Request for Qualifications (RFQ) for engineering and related services for a Wastewater System Asset Inventory & Assessment project. The procurement followed North Carolina General Statute § 143-64.31 and the qualifications-based selection (QBS) process. This process requires us to select a firm based on qualifications and then to negotiate a contract for a fair fee with the best qualified firm. If those negotiations should fail, then the statute directs us to negotiate with the next best qualified firm.

Four firms submitted qualifications packages by the deadline on April 27, 2020, and the submittals were responsive to the RFQ. Submittals were evaluated by the review team in accordance with the evaluation criteria listed in the RFQ, including technical approach, work experience, firm & staff qualifications, and past performance. Here is the rank order of the prospective firms with the highest-rated firm listed as #1:

1. Green Engineering (Wilson, NC)
2. WithersRavenel (Raleigh, NC)
3. Quible & Associates (Kitty Hawk, NC & Powells Point, NC)
4. Anlauf Engineering & Michael Robinson (Kitty Hawk, NC & Kill Devil Hills, NC)

The solicitation was posted locally and statewide, including listing on the NC DOA website and its HUB (historically underutilized business) portal.

The proposed action is for the Board of Commissioners to authorize the following:

- The Town Manager is to negotiate a contract with the highest-rated firm;
- In the event contract negotiations are unsuccessful with the highest-rated firm, the Town Manager is to negotiate with the second highest-rated firm and so on until a contract is successfully negotiated; and
- The Town Manager is to sign the contract and any amendments.

**If you have any questions about this agenda item, please call the Town Manager at 473.2133 or the staff member listed below prior to Wednesday Evening.**

**Name: James Ayers**

**Telephone: 473-2133**



## Department Head Report Administration

**May 6, 2020**

Recycling Contract Amendments

### Background

The Town of Manteo entered into a five-year contract with Bay Disposal in 2017 for recycling services, and the agreement includes the provision of recycling containers, curbside collection of recyclable materials, and transport of materials to an “appropriate recycling materials handling and disposition facility.” In 2020, the vendor notified the Town of proposed contract amendments, including a 50% increase in unit costs as well as a waiver of the prohibition against disposal of recyclables in a landfill or incinerator.

The Town solicited community feedback regarding this program, and responses were received both in writing and via public comment. A majority of respondents indicated support for recycling in general as well as a desire to continue the current program if possible. A majority of respondents who addressed the issue of incineration indicated, and this is paraphrased, that this option is better than the materials ending up in the landfill. Dissenting opinions were expressed as well, including elimination of the paid service and use by residents of the Dare County recycling center just outside of Town limits. A few respondents indicated they would consider a subscription-based model in which the resident pays the vendor for the service.

### Contract Amendments Proposed by Bay Disposal

Bay Disposal’s representative met with Town staff, and two key issues were raised. First, Bay Disposal acknowledged they are not in compliance with Section 1(c) of the Recycling Contract, which states “In no case shall Recyclable Materials be disposed of in a landfill or incinerator facility.” Bay Disposal is now taking recyclables to the Wheelabrator waste-to-energy incinerator, and the State Department of Environmental Quality is currently allowing Bay Disposal to do this under their permit. Bay Disposal has asked the Town to waive or suspend the contract prohibition against incineration of recyclables.

Second, Bay Disposal is requiring a 50% cost increase for their roll cart service. The contractor’s representative indicated they would discontinue service if the increase is not allowed. The contract was reviewed, and there is no condition in the agreement that would allow the contractor to increase costs without the Town’s consent. During the discussion, Town staff asked if this meant that no further price increases would be required next year, but their representative could not make that assurance.



## Department Head Report Administration

### Recommendations

Bay Disposal's proposed contract amendment #1 is the waiver of the condition prohibiting the incineration of recyclables. It is recommended that a temporary suspension of this condition should be granted but only for the length of time permitted by the State Department of Environmental Quality.

Bay Disposal's proposed contract amendment #2 is the increase in roll cart unit costs by 50%. It is recommended that this amendment should not be accepted.

In the event Bay Disposal should discontinue service due to denial of their proposed cost increase, then the Town Manager and/or Town Attorney will contact the firm and/or its counsel regarding these contractual matters. In the event of interruption of service, the Town will work to roll out options ranging from subscription-based recycling services to assistance with recycling stations.

If you have any questions about this agenda item, please call the Town Manager at 473.2133 or the staff member listed below prior to Wednesday Evening.

Name: James Ayers

Telephone: 473-2133



## Department Head Report Administration

**May 6, 2020**

Traffic and Traffic Calming Measures on Sir Walter Raleigh Street (West of Highway 64)

### Background

The Board of Commissioners has received community feedback regarding multiple issues related to Sir Walter Raleigh Street west of Highway 64. Topics have included speeding on this roadway, traffic calming measures, signage, and sidewalk & crosswalk improvements. Staff at Town Hall and the Manteo Police Department have investigated key issues and coordinated with external agencies, and this document is intended to update the Board and community on the status of these inquiries.

### Traffic

Manteo Police Department responded quickly to the concerns regarding speeding and left-of-center driving, including speeding during school times. MPD stepped up patrols and established a radar trailer to display speeds and collect data in this 20 mph zone. In March, total vehicle count was 13,495 and the 85<sup>th</sup> percentile speed was shown at 24 mph. 122 vehicles were shown to be driving 30 mph or higher (less than 1%). 9 speeding citations were issued along with 15 warnings for left-of-center driving. In April, total vehicle count was 10,999 and the 85<sup>th</sup> percentile speed was shown at 24 mph. 91 vehicles were shown to be driving 30 mph or higher (less than 1%). 2 speeding citations were issued.

MPD staff speculates that reduced traffic count may be due to COVID-19 restrictions. On the other hand, MPD received complaints of mini-bike and motorcycle speeding in April after schools were closed and more people were home. MPD staff noted vehicles may have started avoiding Sir Walter Raleigh by using Fernando Street, and officers have issued several citations on that parallel street.

### Traffic Calming Measures

Multiple community members expressed concern about the traffic calming measures previously installed by the Town with permission from DOT. These concrete improvements may be called bump-outs, bulb-outs, or curb extensions. It is understood these items were installed for traffic calming because other measures such as speed bumps couldn't be used on a State roadway. The community members appearing at the Board's public comment period indicated a desire to remove these items. One community member approached staff in the days following the meeting and requested that these items should be preserved. Town



## Department Head Report Administration

staff contacted DOT regarding this issue, and the question has been posed whether or not the Town would be permitted to remove these items should the Board of Commissioners vote to spend the money for the removal of the bump-outs and restoration of the roadway surface.

### Pedestrian Improvements

Community feedback indicated interest in pursuing a crosswalk at or near the entrance to the playground adjacent to Cartwright Park. Town staff contacted DOT to find out if this location would be acceptable for a crosswalk. Although the location may be too close (250-260 feet) to the intersection of Sir Walter Raleigh and Bideford Street at the roundabout, it seemed appropriate to ask our colleagues at DOT. Also, in the event the crosswalk could be permitted, the question was posed whether the DOT would allow the Town to install crosswalk signage and (potentially) flashing yellow lights at the crosswalk.

On a related note, feedback indicated a desire to pursue a future section of sidewalk on the north side of Sir Walter Raleigh connecting the sidewalk on Highway 64 to the short stretch of sidewalk in front of Cartwright Park. Town staff contacted DOT to see if they would support the Town in seeking grants or other funding to construct this sidewalk and, if so, would they permit the proposed improvements to be constructed.

### Signage

The Town received a request to remove the "No Parking" signs on the north side of Sir Walter Raleigh in front of Haven Creek Baptist Church. Unfortunately, vehicles cannot park in a travel lane, which would force vehicles fully into oncoming traffic, so this request cannot be approved. However, MPD has offered to assist this organization in handling activities such as funerals in which traffic control would be important.

In conjunction with local law enforcement, it has been recommended that the Town should add two 20 mph speed limit signs and adjust the locations of the existing signs in this stretch so that they are more visible to motorists. The Public Works Department has these signs in stock, and Town staff has requested permission from DOT to proceed with this signage work.

If you have any questions about this agenda item, please call the Town Manager at 473.2133 or the staff member listed below prior to Wednesday Evening.

Name: James Ayers

Telephone: 473-2133



## Department Head Report Administration

**May 6, 2020**

Manteo Utility Relief Fund for Residents and Businesses

### Background

The Board of Commissioners took a leadership role early in this declared emergency by providing relief to residents and businesses, including suspension of utility disconnections, establishment of payment plans, waiver of convenience fees, and waiver of delinquency fees, interest, and/or penalties. At its April 15<sup>th</sup> meeting, the Board directed staff to explore additional options for utility bill relief for residents and businesses. Although North Carolina law prohibits the waiver or discounting of water charges for individuals out of the Utility Fund, there are options for special programs using General Fund dollars.

### Options

The first option was noted at the April 15<sup>th</sup> Board meeting, and it was to assess the cost to pay utility bills for all accounts from May 1<sup>st</sup> to September 1<sup>st</sup>. The Finance Department has estimated the cost of this option based on prior year numbers:

	May	June	July/Qtrly	August	Total - 5/1-9/1
Residential	\$43,187.49	\$41,349.67	\$207,411.93	\$42,763.70	\$334,712.79
Commercial	\$32,228.63	\$31,554.33	\$56,636.96	\$36,192.38	\$156,612.30
Sub-Total	\$75,416.12	\$72,904.00	\$264,048.89	\$78,956.08	\$491,325.09
Institutional	\$23,191.32	\$19,553.47	\$48,074.69	\$21,176.65	\$111,996.13
Irrigation	\$2,015.10	\$1,825.58	\$47,430.23	\$1,720.58	\$52,991.49
Sub-Total	\$25,206.42	\$21,379.05	\$95,504.92	\$22,897.23	\$164,987.62
<b>GRAND TOTAL</b>	<b>\$100,622.54</b>	<b>\$94,283.05</b>	<b>\$359,553.81</b>	<b>\$101,853.31</b>	<b>\$656,312.71</b>

The estimated grand total across all accounts is shown as \$656,312.71. However, it is thought that the intent of this idea was to focus on residents and businesses, so the total drops to \$491,325.09 if irrigation and institutional accounts are removed from the equation.





## Department Head Report Administration

In assessing the pros and cons of this first option, the pro position would be that it addresses the concern that all people in town have been impacted by Coronavirus (COVID-19). The top con for this option is the cost, which would have to be taken from the fund balance in the General Fund, thus impacting the Town's ability to perform existing projects such as the Town Common.

The second idea was reviewed at the April 15<sup>th</sup> meeting, and it was to establish a resident relief fund with limitations on use (maximum \$500 per household) and a limit on total value (\$100,000). The program was proposed to run during the emergency and up to ninety days following expiration of the emergency declaration. There would be an application process designed to document eligibility while maintaining flexibility in demonstrating impact. The pro of this program is that it limited overall cost while providing relief to the hardest-hit people. The con is that this option only applies to residents. One approach to mitigate that con would be to open up the relief program to businesses.

The third option would be to extend further the utility bill repayment options for residents and businesses impacted by Coronavirus (COVID-19). Governor Cooper's Executive Order 124 stipulates a minimum repayment period of six months for past due accounts. However, the Town could offer longer repayment periods (nine to twelve months), and customers paying their accounts in accordance with the payment plans would not be charged interest, fees, or penalties. The pro for this approach would be the reduced burden on customers while they get back on their feet, and the con would be that cash flow to the Utility Fund would be reduced during the repayment period.

If you have any questions about this agenda item, please call the Town Manager at 473.2133 or the staff member listed below prior to Wednesday Evening.

Name: James Ayers

Telephone: 473-2133



**Consistency Statement:**

The Town of Manteo Planning and Zoning Board finds the action to update Article 26 *Federal Emergency Management Administration/Flood Damage Prevention Ordinance* of the Town of Manteo's Zoning Code to be consistent with the Town's 2007 Land Use Plan. The following policies and actions of the Town's Land Use Plan support floodplain management through the National Flood Insurance Program: Natural Hazard Policies 24, 25 and 27 and Natural Hazard Action 27. It is reasonable and in the public interest to approve the amendment to the Flood Damage Prevention Ordinance.

**Recommendation to the Board of Commissioners:**

The Planning Board finds action to update Article 26-Federal Emergency Management Administration/Flood Damage Prevention Ordinance of the Town of Manteo's Zoning Code to be consistent with the Town's Land Use Plan per §160A-383, in a 2 to 0 vote, the Planning Board recommends that the Board of Commissioners amend the Town's Zoning Code with the new Article 26-Federal Emergency Management Administration/Flood Damage Prevention Ordinance with the incorporated changes.

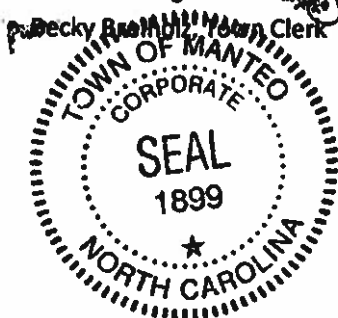
This the 10<sup>th</sup> day of March, 2020.

  
Sherry Wickstrom, Chair

ATTEST:

  
\_\_\_\_\_

Becky Brumby, Town Clerk





## Staff Report Planning Department

**April 29, 2020**

### **Flood Damage Prevention Ordinance-Staff Report**

On May 6, 2020, The Town of Manteo Board of Commissioners will hold a public hearing on the proposed Flood Damage Prevention Ordinance and Preliminary Floodmaps. Prior to this public hearing, the Planning and Zoning Board held a public hearing at their March 10, 2020 meeting. There was one comment during the public hearing and that comment was made by Mr. Jay Overton representing the Outer Banks Homebuilders Association. Mr. Overton had two minor suggested text changes.

The Planning and Zoning Board unanimously recommended to the Board of Commissioners approval of the [Draft Flood Damage Prevention Ordinance](#) (attachment #1) with several text amendments (attachment #2) including the proposed changes made by Mr. Overton.

The Planning and Zoning Board adopted the following consistency statement *"Planning Board finds action to update Article 26-Federal Emergency Management Administration/Flood Damage Prevention Ordinance of the Town of Manteo's Zoning Code to be consistent with the Town's Land Use Plan per §160A-383, with the changes was approved by the following vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup and Daniels. Noes: None. Absent: None."*

The text changes have been incorporated into a final version of the Flood Damage Prevention Ordinance (attachment #3).

Staff recommend approval of the Flood Damage Prevention Ordinance (attachment #3) and adopting a plan consistency statement following your public hearing on Wednesday, May 6, 2020.